



Northern Ireland
Assembly

Committee for Health

Minutes of Proceedings

Thursday, 21 October 2021

Meeting Location: Senate Chamber, Parliament Buildings

Present:

Colm Gildernew MLA (Chairperson)

Colin McGrath MLA

Present by Video or Teleconference:

Pam Cameron MLA (Deputy Chairperson)

Paula Bradshaw MLA

Gerry Carroll MLA

Alan Chambers MLA

Órlaithí Flynn MLA

Carál Ní Chuilín MLA

Apologies:

Jonathan Buckley MLA

In Attendance:

Keith McBride (Clerk)



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Brendan Miskelly (Clerical Supervisor)

Ellen Wilson (Clerical Officer)

In Attendance by Video or Teleconference:

Roisin Donnelly (Assistant Clerk)

Deirdre Farry (Assistant Clerk)

The meeting commenced at 9.35 am in public session.

1. Apologies

As above.

The Chairperson informed the Committee that, under Standing Order 115 (6), Jonathan Buckley had delegated authority to Pam Cameron to vote on his behalf at the meeting.

2. Chairperson's Business

- i. The Chairperson welcomed Colin McGrath MLA on his return to the Health Committee.
- ii. The Chairperson referred to the Northern Ireland Commissioner for Children and Young People's report on child health waiting lists.

Agreed: The Committee agreed to ask the Department of Health for an update on waiting lists for children and information on the actions being undertaken by the Department in relation to this matter.



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- iii. The Chairperson advised Members that the Committee for Education had agreed to undertake the committee stage of the Period Products (Free Provision) Bill, if it passes second stage.
- iv. The Chairperson advised that the Hospital Parking Charges Bill was introduced in the Assembly on 18 October.

Agreed: The Committee agreed to arrange a briefing with the Bill Sponsor in advance of the second stage debate.
- v. The Chairperson provided an update on a meeting he held with representatives of the Royal College of Occupational Therapists.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 14 October 2021.

4. Matters Arising

- i. The Committee noted that the Minister of Health had laid three Legislative Consent Memorandums (LCMs) in the Assembly relating to the Westminster Health and Social Care Bill. The LCMs related to: professional regulation; international healthcare arrangements; and medicines and medical devices information systems.

The Clerk advised that the Committee would have to report on its consideration of the LCMs by 12 November.

- ii. The Committee discussed the time period for the committee stage of the Abortion Services (Safe Access Zones) Bill.



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Agreed: The Committee agreed that it would seek an extension to the committee stage of the Abortion Services (Safe Access Zones) Bill until 28 January 2022.

- iii. The Chairperson referred to the late receipt of written briefing from the Department of Health and the Health and Social Care Trusts on the Autism Bill for consideration at today's meeting and the challenge that the late receipt of papers presented to properly prepare for meetings.

The Deputy Chairperson declared her interest as being the Bill Sponsor for the Autism Bill.

Agreed: The Committee agreed to defer today's scheduled session with officials from the Department of Health and the Health and Social Care Board on the Autism Bill.

Agreed: The Committee further agreed to request that officials from the Health and Social Care Trusts also attend a meeting to brief the Committee on the Autism Bill.

5. SR 2021/276 The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 16) Regulations (Northern Ireland) 2021

The following departmental officials joined the meeting by video-conference at 9.44 am:

Elaine Colgan, Head of Health Protection Branch 2, Department of Health; and
Peter Luney, Deputy Director, Covid Recovery & Strategy, The Executive Office.

The officials briefed the Committee on two general coronavirus restriction regulations.

A question and answer session followed.



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The Chairperson thanked the officials for attending.

Agreed: The Committee agreed to request that the advice the CMO and CSA provided to the Health Minister to assist with the consideration and decision-making on the easing of restrictions is shared with the Committee.

The briefing session was report by Hansard.

The Committee considered SR 2021/276 The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 16) Regulations (Northern Ireland) 2021 which removes social distancing requirement for persons seated at a performance, recording or rehearsal.

Agreed: The Committee considered SR 2021/276 The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 16) Regulations (Northern Ireland) 2021 and recommended that it be approved by the Assembly.

6. SR 2021/283 The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 17) Regulations (Northern Ireland) 2021

The Committee considered SR 2021/283 The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 17) Regulations (Northern Ireland) 2021 which: removes the limit on the number of people who can attend an indoor gathering at a private dwelling, removes the maximum number who can stay overnight at tourist accommodation; removes the requirement to be seated at an indoor performance, recording or rehearsal; and amends the requirements for visitor and attendee information to be recorded.

Agreed: The Committee considered SR 2021/283 The Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2021 (Amendment No. 17) Regulations (Northern Ireland) 2021 and recommended that it be approved by the Assembly.



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7. SR 2021/282 The Health Protection (Coronavirus, International Travel, Operator Liability and Information to Passengers) (Amendment No. 8) Regulations (Northern Ireland) 2021

The following officials from the Department of Health joined the meeting by video-conference at 10.14 am:

Carol Picton-Lynas, Head of Health Protection Branch 3; and
Debra Sharpe, Deputy Head of Health Protection Branch 3.

The officials briefed the Committee on two travel restrictions regulations.

A question and answer session followed.

The Chairperson thanked the officials for attending.

The briefing session was report by Hansard.

The Committee considered SR 2021/282 The Health Protection (Coronavirus, International Travel, Operator Liability and Information to Passengers) (Amendment No. 8) Regulations (Northern Ireland) 2021 which: enables the EU Digital Covid Certificate to provide proof of a negative pre-departure test; removes countries from the Red list of countries and adds to the list of countries which are “relevant countries”; introduces new exempt categories: non-UK police officers, who can self-isolate if coming from a red-list country and can claim an exemption from self-isolation when undertaking the exempt activity; and seasonal poultry workers, who can claim an exemption from self-isolation when undertaking the exempt activity; makes technical amendments to existing exemptions in relation to the film and high end TV, amends the exemption for Diplomats and members of their family; and includes the EU Digital Covid Certificate as a means of providing proof of negative pre-departure test status.

Agreed: The Committee considered SR 2021/282 The Health Protection (Coronavirus, International Travel, Operator Liability and Information to



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Passengers) (Amendment No. 8) Regulations (Northern Ireland) 2021 and had no objection to the Rule.

8. SR 2021/284 The Health Protection (Coronavirus, International Travel) (2021 Consolidation) (Amendment No.7) Regulations (Northern Ireland) 2021

The Committee considered SR 2021/284 The Health Protection (Coronavirus, International Travel) (2021 Consolidation) (Amendment No.7) Regulations (Northern Ireland) 2021 which: adds seasonal poultry workers in the requirement to undertake workforce tests; removes the requirement for the passenger's seat number to be recorded on the passenger locator form; introduces a new exemption in relation to performing arts professionals, and adds an exemption for seasonal poultry workers to cover specified activities relating to the processing of poultry for the 2021 Christmas market.

Agreed: The Committee considered 2021/284 The Health Protection (Coronavirus, International Travel) (2021 Consolidation) (Amendment No.7) Regulations (Northern Ireland) 2021 and, subject to the Examiner of Statutory Rules' report, had no objection to the Rule.

9. The Coronavirus Act (Extension of Powers to act for the protection of public health) (Northern Ireland) Order 2021

The Committee considered correspondence from the Department of Health advising that it intends to make an order to extend section 48 and Schedule 18 of the Coronavirus Act for six months until 24 September 2022.

Agreed: The Committee agreed to schedule briefing from the Department of Health in relation to this matter.

The meeting was suspended at 10.37 am and resumed at 10.47 am.



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10. The Health and Social Care Bill – Department of Health proposed amendments

The following officials from the Department of Health joined the meeting by video-conference at 10.47 am:

John Millar, Head of Bill Team; and

Allan Chapman, Future Planning Model, Planning Team Lead.

The officials briefed the Committee on the Department's proposed amendments to the Health and Social Care Bill.

Agreed: The Committee agreed to give further consideration to the Department's proposed amendments and whether they address the concerns raised by the Committee.

The meeting moved into closed session at 11:14 am.

11. The Severe Fetal Impairment Abortion (Amendment) Bill - report deliberations

The Committee discussed its report on the Severe Fetal Impairment Abortion (Amendment) Bill and the themes and issues raised in the evidence it received.

The question was put, that the commentary received in evidence in relation to protests outside abortion clinics is referenced in the Committee's report.

The Committee divided: Ayes 6; Noes 3; Abstain 0.



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Ayes

Paula Bradshaw
Gerry Carroll
Órlaithí Flynn
Colm Gildernew
Colin McGrath
Carál Ní Chuilín

Noes

Jonathan Buckley
Pam Cameron
Alan Chambers

Agreed: The Committee agreed that the commentary received in evidence in relation to protests outside abortion clinics is referenced in the Committee's report.

Agreed: The Committee agreed that the commentary received in evidence in relation to all issues and themes raised in evidence is referenced in the Committee's report.

Agreed: The Committee agreed to give further consideration to its report at the meeting on 4 November.

The meeting moved to into public session at 11.38 am.

12. The Severe Fetal Impairment Abortion (Amendment) Bill – clause by clause

The Committee commenced its formal clause by clause consideration of the Severe Fetal Impairment Abortion (Amendment) Bill.

Clause 1: Amendment of Abortion on the grounds of disability

The Committee considered Clause 1 as drafted.

The question was put that the Committee is content with Clause 1.



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The Committee divided: Ayes 3; Noes 2; Abstain 4.

Ayes

Pam Cameron
Jonathan Buckley
Alan Chambers

Noes

Paula Bradshaw
Gerry Carroll

Abstain

Órlaithí Flynn
Colm Gildernew
Colin McGrath
Carál Ní Chuilín

Agreed: The Committee agreed that it was content with Clause 1 as drafted.

Clause 2: Short title and commencement

The Committee considered a proposed amendment to Clause 2 by the Bill Sponsor, Christopher Stalford MLA, to provide clarity to the commencement date:

Clause 2, Page 1, Line 10

Leave out 'force on the day on which this Act receives' and insert 'operation on the day after receiving'

The question was put that the Committee is content with the amendment proposed by the Bill Sponsor.

The Committee divided: Ayes 3; Noes 2; Abstain 4.

Ayes

Pam Cameron
Jonathan Buckley
Alan Chambers

Noes

Paula Bradshaw
Gerry Carroll

Abstain

Órlaithí Flynn
Colm Gildernew
Colin McGrath
Carál Ní Chuilín



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Agreed: The Committee agreed that it was content with the Bill Sponsor's amendment.

The Committee considered Clause 2 as amended.

The question was put that the Committee is content with Clause 2 as amended.

The Committee divided: Ayes 3; Noes 2; Abstain 4.

Ayes

Pam Cameron
Jonathan Buckley
Alan Chambers

Noes

Paula Bradshaw
Gerry Carroll

Abstain

Órlaithí Flynn
Colm Gildernew
Colin McGrath
Carál Ní Chuilín

Agreed: The Committee agreed that it was content with Clause 2 as amended.

The Chairperson advised that the formal clause by clause scrutiny of the Severe Fetal Impairment Abortion Amendment Bill had concluded.

The clause by clause consideration of the Bill was reported by Hansard.

13. Correspondence

- i. The Committee considered correspondence from the Minister of Health regarding efforts to encourage vaccine update in ethnic groups.

Agreed: The Committee agreed to seek a further update on access to vaccinations for marginalised and vulnerable groups.



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- ii. The Committee considered correspondence from the Minister of Health providing briefing on continuing healthcare.

Agreed: The Committee agreed to ask for further information relating to this matter and for information relating to adult social care reform.

- iii. The Committee noted correspondence from the Minister of Health on the three-year budget setting process.

Agreed: The Committee agreed to request that the Health Department undertake a full EQIA in relation to this matter.

- iv. The Committee noted correspondence from the Minister of Health responding to the Committee's request for the inclusion of electronic cigarettes and vaping in forthcoming subordinate legislation relating to smoke free vehicles.

- v. The Committee noted correspondence from the Minister of Health regarding the provision of gender transition surgery.

Agreed: The Committee agreed to forward the Minister's response to the Identity Trust who had raised this matter with the Committee.

- vi. The Committee noted correspondence from the Minister of Health providing information requested by the Committee in relation to COVID-19 indemnity arrangements.

- vii. The Committee considered correspondence from the Minister of Health regarding the Help with Health Costs Scheme.

Agreed: The Committee agreed to forward the Minister's response to the Advice NI who had raised this matter with the Committee.



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- viii. The Committee noted correspondence from the Minister of Health regarding his Department's allocation of the health elements of the NDNA unique circumstances funding.
- ix. The Committee noted correspondence from an individual regarding platforms for the representation of users/carers of health and social care services.
- Agreed:** The Committee agreed to forward this correspondence to the Department of Health for a response to the issues raised.
- x. The Committee considered correspondence from an individual regarding the Neurology Recall.
- Agreed:** The Committee agreed to consider this correspondence further at the meeting on 4 November when matters relating to the Neurology recall have been scheduled.
- xi. The Committee considered correspondence from an individual regarding access to GP services.
- Agreed:** The Committee agreed to forward the correspondence to the Department of Health for a response to the issues raised.
- xii. The Committee noted a copy of correspondence from an individual to NISRA regarding the publication of COVID-19 related statistics.
- Agreed:** The Committee agreed to ask the Department about the publication of data relating to hospitalisations according to vaccination status.
- xiii. The Committee considered correspondence from an individual regarding the eligibility to receive the COVID-19 vaccine booster.
- Agreed:** The Committee agreed to forward the correspondence to the Department of Health for a response to the issues raised.



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xiv. The Committee noted correspondence from an individual to the Department of Health regarding the treatment of a patient by the Northern Health and Social Care Trust.

Agreed: The Committee agreed to forward the correspondence to the Department of Health for a response to the issues raised.

xv. The Committee noted a copy of correspondence from the Committee for the Executive Office to the Minister of Health regarding the establishment of a regional trauma service.

xvi. The Committee considered correspondence from Age NI regarding access to GP services for older people.

Agreed: The Committee agreed to forward this correspondence to the Department of Health for a response to the issues raised.

xvii. The Committee noted correspondence from the Patient and Client Council regarding its work in relation to the clinically extremely vulnerable engagement platform.

Agreed: The Committee agreed to forward the correspondence to the individual who had raised this matter with the Committee.

xviii. The Committee noted a copy of correspondence from the Committee for Education to the Minister of Education and the Minister of Health regarding the High Court Judgement against the South Eastern Health and Social Care Trust in relating to the provision of respite care.

xix. The Committee noted correspondence from the Committee for Education providing a research paper and Eating Disorders Association briefing on eating disorders in Northern Ireland for information.

xx. The Committee noted the Examiner of Statutory Rules' Fourth Report of Session 2021-2022.



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- xxi. The Committee noted correspondence from the Leonard Cheshire Charity regarding the alcohol related brain injury supported living service.
- xxii. The Committee considered correspondence from the Minister of Health on the COVID certification service.
- xxiii. The Committee noted correspondence from the Minister of Health providing further information on the Adoption and Children Bill.
- xxiv. The Committee considered the RaISe Bill Paper on the Abortion Services (Safe Access Zones) Bill.

Agreed: The Committee agreed to schedule briefing from RaISe on the Bill.

- xxv. The Committee noted an invitation to the launch event of the inaugural 2022 NI Health and Social Care Awards on 9 November 2021.
- xxvi. The Committee considered correspondence from the Department of Health providing the Delegated Powers Memorandum in relation to the Organ and Tissue Donation (Deemed Consent) Bill.

Agreed: The Committee agreed to refer the Delegated Powers Memorandum to the Examiner of Statutory Rules for her advice.

14. Forward Work Programme

The Committee agreed its Forward Work Programme.

15. Any Other Business

The subject of the health and social care recognition payment for domiciliary workers in the independent sector was raised.



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Agreed: The Committee agreed to request briefing from the Department of Health in relation to this matter.

16. Date, Time and Place of the next meeting

The next meeting of the Committee for Health was scheduled to take place at 9.30 am on Thursday, 4 November 2021.

The meeting was adjourned at 12.07 pm.

Colm Gildernew MLA, Chairperson, Committee for Health