

**Health Protection Legislation Branch
C/O PHD Admin Team
Room C4.22
Castle Buildings
Stormont Estate
Belfast
Northern Ireland
BT4 3SQ**

14th October 2024

BY EMAIL ONLY

Dear Sir/Madam

Ref: Policy Underpinning the Public Health Bill (Northern Ireland)

The Patient Client Council (PCC) recognises the purpose of the policy and proposed Public Health Bill and recognises that the Public Health Act (Northern Ireland) 1967 needs to be updated.

The policy underpinning the proposed Public Health Bill places considerable new powers with the Public Health Agency (PHA). The powers as outlined have the potential to affect the rights and freedoms of individuals, and therefore the approach to defining and using such powers, with the legitimate purpose of public protection, need to be appropriately and proportionately balanced with the need to respect individuals' rights and freedoms.

In this context it is noted that aspects of the consultation have created a significant amount of concern amongst some members of the public, a number of whom have contacted the PCC.

We note that the Department carried out a review in 2015, including a public consultation and that the Department considered the 18 recommendations emanating from this review, via an informal consultation 'with some key

stakeholders'. We understand that this has led to the current consultation document. The document also states that a focus on health protection matters only, 'allows the Bill to progress at pace'.

The PCC considers that involving the public in the development of public policy at an early stage, makes for better policies and also affords fuller understanding of concerns and positions at an early stage. It affords the opportunity for concerns and issues to be appropriately addressed as policies are developed. By harnessing the shared experiences of a diverse range of people, there is the potential to develop better and safer policies and services, which deliver better outcomes, built on a foundation of participation, which itself builds support and trust.

The PCC's experience of supporting and working with people during the Covid-19 Pandemic, illustrates to us the importance of clear and understandable decisions and guidance during health protection situations, and the importance of ongoing engagement with people about their experience of the impact of decisions, as these unfold, to inform future decisions and policy making. Clearly articulated rationale for why certain decisions are being made, or, restrictions being put in place is also vital. This consultation presents an opportunity to ensure that the voice and experiences of the public are appropriately considered when developing the draft Bill.

The PCC considers it to be vitally important that the public are appropriately engaged with as this policy progresses to the drafting of the Public Health Bill, including any associated Regulations and guidance/policies, which derive from both. Undertaking engagement and participation with the public, which goes beyond a public consultation, at the earliest stage in the development of this Bill, will help ensure its effectiveness. It will give a stronger foundation for enactment, if and when the powers within the Bill need to be utilised in the future.

Taking a strategic approach to public participation in Northern Ireland should be a cornerstone of the Department's reform agenda. This is to ensure the public are appropriately engaged in the development of all aspects of public health, including preventing disease, prolonging life, and promoting health through the organised efforts of society. Such an approach is crucial to tackling the persistent problem of health inequalities. Efforts to engage the public in the development of the Public Health Bill, should be positioned within this broader strategic approach.

The PCC is happy to discuss with the Department how it may wish to consider further involving the public in the development of these policy proposals and the drafting of the Public Health Bill.

This response has been considered and approved by the governing Council of the PCC.

Yours faithfully



Ruth Sutherland, CBE

Chair



Meadhbha Monaghan

Chief Executive