

FINAL REPORT

**TO THE COMMITTEE ON STANDARDS AND
PRIVILEGES**

FROM

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(FORMER) INTERIM ASSEMBLY
COMMISSIONER FOR STANDARDS**

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Commissioner or the Committee.**

**The report remains confidential until such time as it is published by the
Committee.**

INTRODUCTION

1. I have prepared this report on my experiences and the decisions I have made in relation to my former role as Interim Assembly Commissioner for Standards (Interim Commissioner). Throughout my tenure in that role, I have submitted periodic reports to the Committee on Standards and Privileges (the Committee). Having now ceased to fulfil the role of Interim Commissioner, on the appointment of the Northern Ireland Assembly Commissioner for Standards (the Commissioner), which took effect on 17 September 2012¹, I considered it might be helpful to the Committee going forward if I prepared and submitted a final report providing a record of the number and nature of the complaints and referrals I have received concerning the conduct of Members, an overview of the cases I have examined and some reflections on my experiences overall.
2. This report therefore provides the quantitative data on the complaints and referrals I have received; records my experiences of the application of the provisions of the Code of Conduct for Members of the Northern Ireland Assembly (the Code) and the Guide to the Rules Relating to the Conduct of Members (the Guide) to those complaints and referrals; and finally outlines my views on the continuing importance and relevance of the roles and responsibilities of the Assembly and the Committee in promoting the public interest through maintaining high ethical standards within the legislature.

BACKGROUND TO MY APPOINTMENT AS INTERIM ASSEMBLY COMMISSIONER FOR STANDARDS

3. On 14 December 1999, the Assembly, recognising the need for guidance on the legal requirement for Members to register registrable interests², approved the Code and the Guide³. The Code sets out the principles and rules of conduct that Members must observe, while the Guide assists Members in understanding and

¹ The Assembly Members (Independent Financial Review and Standards) (2011 Act) (Commencement) Order (Northern Ireland) 2012

² Section 43, Northern Ireland Act 1998

³ Assembly Resolution of 14 December 1999:- "That this Assembly agrees the resolution set out in Annex A to 'The Code of Conduct together with the Guide to the Rules Relating to Conduct of Members' [NIA1] as made by the New Northern Ireland Assembly on 1 March 1999"

discharging the duties the Code places upon them. In June 2000, the Committee resolved to undertake an inquiry into the possible appointment of an Assembly Commissioner for Standards. One of the key findings of the Committee's inquiry, which were reported on 13 February 2001, was that the Assembly should appoint a Commissioner for Standards who would be responsible for investigating complaints concerning alleged breaches of the Code by Members of the Northern Ireland Assembly.

4. On 17 November 2001, the then Speaker, Lord Alderdice, wrote to me to ask if I would be willing to investigate complaints against Assembly Members on a case by case basis, pending a final decision in relation to the appointment of a Commissioner for Standards for the Assembly. I confirmed to the Speaker on 30 November 2001 that I would be willing to fulfil this interim role.
5. I received a total of five complaints about the conduct of Members prior to the suspension of the Assembly in October 2002. At the time of the suspension, I had not concluded my consideration of two of those complaints. Given that I was acting on the Committee's behalf, and that under the provisions of the Northern Ireland Act 2000⁴, the Committee was by then no longer able to meet or conduct any business, the Committee agreed that I should take no further action on those outstanding complaints.
6. Following the restoration of devolved powers to the Assembly, I indicated to the newly established Committee, at its meeting on 6 June 2007, that I would be willing to continue to act as Interim Commissioner pending a long term resolution of the position of Standards Commissioner. The Committee formally accepted my offer on 7 June 2007 and I continued in the role until the appointment of the Commissioner took effect on 17 September 2012.

ROLE OF THE ASSEMBLY COMMISSIONER FOR STANDARDS

7. My role as Interim Assembly Commissioner for Standards was provided for under Assembly Standing Order 69A. The Order provided for me to undertake an

⁴ Section 1(3), Northern Ireland Act 2000 (repealed)

investigation of, and report to the Committee on:

- a specific complaint from any person in relation to an alleged contravention of the Code, or
- a referral from the Clerk of Standards of a matter relating to Members and Assembly Privilege; a matter relating to the conduct of a Member, including a specific complaint in relation to an alleged contravention of the Code; or a specific complaint about a Member made in relation to the registering or declaring of interests.

Any report that I made to the Committee on such complaints or matters was not to include a recommendation for any sanction to be imposed upon a Member, other than a recommendation for 'rectification' under Standing Order 69C.

8. I was required to consider, in the first instance, whether a complaint submitted to me was admissible under the provisions of the Code. If I determined this to be the case, and was satisfied that the complaint was not trivial, vexatious or that it had not already been considered on a previous occasion, I then proceeded to conduct a more detailed investigation. In conducting these investigations I had no explicit statutory power to call for witnesses or documents. Rather, in view of the fact that the investigations were being conducted on behalf of the Committee, I relied upon the powers in this regard that were conveyed on the Committee by section 44 of the Northern Ireland Act 1998.
9. The purpose of any investigation I undertook was to establish whether the Member had engaged in the conduct complained of and, if so, whether that conduct constituted a breach of the Code. Having completed my investigation, I submitted a report of my findings to the Committee. It was then for the Committee to accept or reject my findings or to ask me to investigate further. I had no further role once my findings had been reported to the Committee, although the Committee was required to publish my report in full, as an appendix to its own report on the complaint or referral.

10. Further details of the procedure by which complaints about the conduct of Members are addressed, are provided in the Guide⁵. Advice on the complaints procedure is available from the Clerk of Standards.

COMPLAINTS AND REFERRALS RECEIVED

11. During the period June 2007 to September 2012, a total of 44 complaints against Members were submitted to the Clerk of Standards or directly to me. In addition, the Committee, in accordance with Assembly Standing Order 69A, referred to me two matters relating to the conduct of Members. These 44 complaints and two referrals concerned allegations about the conduct of a total of 26 different Members.

Complaints

12. Twelve of the 44 complaints I received were made by other Members of the Assembly; the remainder were submitted to me by members of the public or by representatives of public organisations. In 26% of cases, the conduct complained of related to the expression by a Member of personal opinions and/or beliefs; 15% of complaints related to dissatisfaction with how a Member had handled a constituency matter; 14% concerned the failure by a Member to register a registrable interest; and 14% related to alleged breaches of the Code's Principles of Conduct. In addition, a number of complaints concerned comments Members had made in the Assembly Chamber (7%); to Members' expenses claims (5%); and to matters concerning Members' private lives (5%). The remaining 14% of cases related to other matters, including a complaint about the actions of the Assembly Commission.
13. A significant number of the complaints I received (25 in total) did not require detailed investigation. The reasons for this were varied but in the majority of cases (56%) related to the fact that the conduct complained of was outside the scope of the Code. For example, conduct relating to a Member's handling of a constituency matter; to a Member's expression of personal views and/or beliefs; to

⁵ <http://www.niassembly.gov.uk/Your-MLAs/Code-of-Conduct/The-Code-of-Conduct-together-with-the-Guide-to-the-Rules-Relating-to-the-Conduct-of-Members/#>

a Member's private life; to the actions of a Member specifically in his/her capacity as Minister; or to comments a Member had made within the Assembly Chamber. Other reasons for not undertaking a detailed investigation included that the complainant had not stated a link between the conduct complained of and the requirements of the Code; or that the complaint was founded on an unsubstantiated allegation.

14. Of the 19 detailed investigations that were undertaken, I concluded in four cases that the conduct complained of was not consistent with the requirements of the Code. All of these cases concerned breaches of the Code's Principles of Conduct in relation to 'Public Duty', 'Respect' and/or 'Good Working Relationships'.
15. I was unable to conclude my investigation of two complaints prior to the commencement of the functions of the Commissioner and, in accordance with section 34(2) of the of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 (the Act), these investigations transferred to the Commissioner on 17 September 2012. In addition, in accordance with section 34(3) of the Act, all information that I had obtained or which had been made available to me in relation to these complaints also transferred to the Commissioner.

Referrals

16. The two matters that were referred to me by the Committee related to the unauthorised disclosure of a draft Public Accounts Committee (PAC) report on NI Water, and to issues concerning the conduct of two Members that were raised in a BBC Spotlight programme broadcast in January 2010.
17. I completed a lengthy and complex investigation of the referral the Committee made to me regarding the leaking of the PAC report. Although I was unable to establish definitively the source of the leak, my investigation into the circumstances of the unauthorised disclosure enabled a detailed audit of the systems and working practices associated with the preparation, storage and dissemination of the draft PAC report to be undertaken. This resulted in my recommending a number of measures aimed at reducing the risk of further

unauthorised disclosures of confidential Assembly information (including draft committee reports). The Committee agreed that the gaps in the Assembly's working systems and processes that I had identified should be addressed as a matter of priority and I am aware that the recommendations I made are currently under consideration by the relevant authorities.

18. My investigation of the other matter referred to me by the Committee, that concerning the issues raised in the BBC Spotlight programme, remained suspended for a significant period, pending the outcome of a related investigation by the PSNI. When I was able to resume my investigation, some 17 months after the Committee had first referred the matter to me, I made detailed enquiries to a number of individuals and organisations. I was, however, unable to conclude the investigation prior to the commencement of the functions of the Commissioner, primarily due to the continuing unavailability of a key witness. Consequently, this investigation transferred to the Commissioner on 17 September 2012 under the provisions of section 32(4) of the Act. In addition, in accordance with section 34(3) of the Act, all information that I had obtained or which had been made available to me in relation to this matter also transferred to the Commissioner.
19. Further analysis of the complaints and referrals I received are provided in Annex 1 to this report.

RESOURCING OF CONSIDERATION OF COMPLAINTS AND REFERRALS

20. The work undertaken on behalf of the Committee was resourced from within my Office of the Assembly Ombudsman and the Northern Ireland Commissioner for Complaints. I was supported in undertaking the role of Interim Commissioner by my previous and current Deputy and, more recently, by one of my Investigating Officers. Secretarial support was provided by my Senior Personal Secretary. Consequently, no additional overhead costs in terms of superannuation, accommodation or administrative support were incurred by the public purse. A specific sum for the work undertaken on behalf of the Committee was noted each year within my Office's Estimate. I have estimated that the actual cost incurred by my Office in providing support to the Committee, since I resumed my role as

Interim Commissioner in June 2007, amounts to £79,000. This figure includes the cost of obtaining independent legal advice in relation to a number of cases and also the costed time committed by my Deputy and other staff, who supported me in undertaking the role.

MATTERS ARISING FROM COMPLAINTS AND REFERRALS

21. During my consideration of the complaints and referrals made to me, I found it necessary to bring a number of issues to the Committee's attention regarding both the application of the provisions and scope of the Code and the Guide, and also the investigation process. These issues, and the Committee's agreed position on them, can be summarised as follows:

Complaints concerning dissatisfaction with a Member's performance in relation to a constituency matter

22. A significant number of the complaints submitted to me during the 11 years in which I undertook the role of Interim Commissioner resulted from a complainant's dissatisfaction with how a Member had dealt with a constituency matter. There is no suggestion in the Code or the Guide that the relevant provisions extend to a Member's performance in representing an issue that has been raised by a constituent, although, conversely, neither the Code nor the Guide explicitly rule out the possibility of a Member's actions in respect of a constituency matter constituting a breach of their provisions. However, in considering my findings on complaints of this nature, the Committee's consistent position was that these matters were outside the scope of the Code and that it was for the electorate to decide on polling day whether or not they were satisfied with a Member's performance in relation to issues that had been brought to his or her attention by constituents.

Complaints concerning the conduct of Members who were also Ministers

23. I received a number of complaints that concerned the conduct of Members who were also Ministers. Prior to the revision of the Code in 2009, there was some ambiguity as to whether such complaints should be considered by the Committee. However, in reviewing the Code, the Committee, while recognising that complaints concerning an alleged breach of the Ministerial Code of Conduct were outside its

remit, agreed that since Ministers are also Members, the provisions of the (Assembly's) Code would continue to apply to Ministers where they were acting in their capacity as Members. The revised Code issued in October 2009 therefore clarified that complaints concerning the alleged conduct of a Minister, where there was a clear overlap with the Minister's duties as a Member, could fall within its scope. As such, any investigation, under the provisions of the Code, into a complaint against a Minister would be confined solely to actions or conduct that related specifically to their role as a Member.

Complaints concerning allegations founded on media reports

24. A recurring feature in a number of complaints concerned comments or statements that had been attributed to a Member where the allegations being made were founded on media reports. I highlighted to the Committee that I had reservations about relying on evidence from such sources alone, since these rarely constituted a complete and detailed account of what the Member had said or a detailed description of the context and background in which the alleged comment had been made. Given that the Code requires complainants to provide supporting evidence in submitting a complaint, and that any allegation founded on no more than a media report will not normally be regarded as having been substantiated, the Committee agreed that I should undertake detailed investigation of complaints of this nature only where the media report set out the direct comments of the Member to the extent that a fair and full record of his/her views had been presented.

Complaints concerning the expression of opinions and beliefs

25. Several of the complaints I considered related to Members' expressing their views, opinions and/or beliefs, including, for example, political opinions and moral or religious beliefs. The Committee's position has consistently been that members must be permitted, within the parameters of the law, to express their views on matters that some may consider as controversial. Furthermore, it has been recognised that to challenge a Member's freedom to articulate his or her political opinions or views would not only be inconsistent with the principles of a democratic society but would also effectively deny the public the opportunity to be aware of a Member's position on a particular issue or matter. The Code has made

it clear that Members are entitled to express, within the law, any political opinion they may hold. Importantly, however, the Code also requires that Members do not articulate their opinions in a way that is manifestly in conflict with the Principles of Conduct. The manner and context in which a Member has expressed his or her view has therefore been a crucial factor in my consideration of complaints of this nature.

Complaints concerning the conduct of former Members

26. Although the complaints procedure described in the Code requires that a complaint must be against a *current* Member if it is to be considered admissible, it was my experience, on more than one occasion, that the Member complained of, whose conduct was being examined, ceased to be a Member, perhaps as a result of resignation, after the complaint or matter had been referred to me but before I had concluded my investigation of it. The Code is silent on whether or not an investigation should continue in such circumstances. My view in such instances, however, was that a Member's change of status should not necessarily prevent an investigation being concluded provided the matter being complained of had occurred while the Member was still in office. I am aware that the Committee commissioned research on the approach that other UK legislatures have adopted in this circumstance⁶, which indicated that other Standards Committees do consider complaints against former members in a situation where the conduct concerned took place while the former member was still in office. In this regard, I note that section 17(1)(b) of the Act makes specific provision for the Commissioner to initiate an investigation if he believes that, at a relevant time, a breach of the Code may have occurred. Section 17(3) of the Act defines "relevant time" as a time when a requirement to comply with the Code was in force. As such, the Commissioner is empowered to undertake an investigation in circumstances where the alleged breach of the Code occurred at a time when the individual concerned was still a Member.

⁶ NIAR 860-11: Further information on Standards Commissioners, 7 December 2011

Confidentiality of investigations

27. All the investigations I undertook were conducted in private and this gave rise to the expectation of privacy and confidentiality on the part of all the parties involved, including those who had provided information to me. Unfortunately, I found it necessary on a number of occasions to inform the Committee of my concern that a report I had prepared (or information from a report) had been leaked to the media before the Committee had had an opportunity to consider it and reach its decision on the complaint or referral under investigation. I advised the Committee that I considered these breaches of confidentiality not only affected the standing and integrity of its work but also undermined its credibility with regard to its responsibility for overseeing standards of conduct within the Assembly. I also highlighted my view that the transparency of the process that had been adopted by the Committee, whereby my report was appended to the Committee's own published report on the matter, meant that there was no 'public interest' defence in relation to such an unauthorised disclosure. It was reassuring that in response to the premature disclosure, in 2009, of details of an investigation, the Committee issued a statement⁷ that highlighted that such leaks were "completely unacceptable" and "most unhelpful and unfair for all those concerned". Disappointingly, however, that reassurance was subsequently undermined when a further leak of findings that I was yet to present formally to the Committee (ironically relating to my investigation into the leaking of the draft PAC report on NI Water) occurred in 2012. I noted with regret the Committee's decision not to take any action in response to this unauthorised disclosure.

Timeliness of Members' responses to enquiries

28. I also found it necessary to bring to the Committee's attention my concern regarding the length of time some Members took to respond to my enquiries during the investigation process. While I acknowledged that Members' schedules are demanding, I did also highlight that Members should not need to be reminded to respond, within realistic timescales, to enquiries concerning allegations of breaches of Code, which have the potential to adversely impact the public's perception of individual Members and the way in which it views the Assembly

⁷ SP 02/08/09: Standards and Privileges Committee Condemns Leaking of Advice, 1 July 2009

impacted. I therefore welcomed the addition of a reference in the (2009) Code to the duty of Members in relation to responding to complaints, specifically that Members were required at all times to cooperate with an investigation into their conduct, and that any substantiated allegation of non-compliance would constitute a breach of the Code. However, since the timeliness of some Members' responses to my enquiries continued to be an issue after the introduction of the revised Code, I consider that further direction, relating to specific timescales for responses, may be necessary.

REFLECTIONS ON THE PAST AND RECOMMENDATIONS FOR THE FUTURE

29. As I have reflected on my experiences in fulfilling the role of Interim Commissioner, I have become increasingly conscious of the critical importance of Members demonstrating in their conduct an awareness of, and a commitment to, ethical standards, if the public's trust and confidence in the credibility of the Assembly is to be maintained. I am reminded of the evidence I gave to the Committee in June 2008 in relation to the review of the Code that it was undertaking at that time. In my opinion, the views I expressed to the Committee at that time, in relation to ethical governance, remain relevant and current today.

30. In my evidence, I highlighted to the Committee that ethical behaviour is essentially about the culture, capacity and competence of an institution and its members to support the highest standards of conduct. I remain firmly of the view that this is vital to the public interest. Therefore, a central objective of the Committee must be to secure and maintain the trust of the public in our elected representatives. In my view, the Seven Principles of Public Life - Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; and Leadership – which are enshrined in the Code, must underpin the key values that must inform and shape the conduct of Members. As I recorded in my report on the unauthorised disclosure of the draft PAC report on NI Water, it is essential that all those involved in the work of the Assembly are reminded regularly that adherence to those Principles is an absolute requirement if they are to fulfil their duties to the public effectively and ethically. In this regard, I suggest that the Committee may wish to explore with the Commissioner and the Assembly Commission, how Members' awareness of the

relevance of these Principles and the additional principles of conduct concerning Public Duty; Equality; Promoting Good Relations; Respect; and Good Working Relationships, which form part of the Code, might be enhanced and mainstreamed into every aspect of the work of the Assembly. I consider it of the utmost importance that as soon as new Members of the Assembly are elected, they are made aware of the significance of the principles in relation to the standards of conduct required of them. Indeed, continuing awareness of the programmes around this area should be promoted by the Committee in partnership with Members and their parties. I would commend to the Committee the need to ensure that initiatives in this critical area are developed and proactively supported by the Assembly Commission.

31. I recall that in giving evidence to the Committee in June 2008, I quoted from a publication of the Standards Board for England, which suggested that *"at the heart of good local democracy is a bond of trust between communities and the people who represent them. High standards of conduct contribute to building an ethical organisation which can establish that bond of trust"*. I indicated to the Committee at that time that I considered it to be the custodian of that bond of trust and that in fulfilling that role, members of the Standards Committee should do all in their power to ensure that the Committee's work programme should be tested against whether it would enhance the essential trust between the electorate and the Assembly. I remain of the view that the Committee plays a vital role in safeguarding the integrity of the legislature and the public's trust in it, and I consider that to succeed in that role, members of the Committee must recognise, and commit to, the importance of giving primacy to the public interest over party politics. In my view, the Chairperson and the Deputy Chairperson of the Committee must have a particular role in leading on this issue and in order to fulfil their responsibilities, they must be given opportunities to learn from other legislatures through structured visits and briefings. Also in this challenging and complex area, continuity of leadership and membership of the Committee is important. While recognising the real pressures on individuals MLAs and parties, a constant 'churn' of membership, in my view, disrupts the development of the

essential confidence and trust between parties and individual Members, which is essential to the ongoing development of an effective Standards Committee.

32. I also consider that the manner in which the Committee undertakes, and is seen to undertake, its work is of vital importance to its credibility and, crucially, its ability to secure and maintain the public's trust in the Assembly and its Members. That work must be underpinned by a clear adherence to the Principles of Conduct and rules that determine the standard against which the Committee examines the actions of Members. In other words, the Committee itself must be seen to "live out" the requirements of the Code. I would suggest to the Committee that decisive action on its part in response to the premature disclosure to the BBC of details of my report on the investigation I undertook into the leaking of the draft PAC report on NI Water would have sent a clear message that the type of conduct the Committee itself described as "both dishonourable and dishonest" and "entirely incompatible with the Seven Standards of Public Life"⁸, would not be tolerated, regardless of the individual or individuals involved.
33. A further important consideration in the Committee's role is a clear and effective code of conduct. I am aware that in reviewing the Code in 2009, the Committee recognised the need for it and the Guide to be amended periodically in order to reflect changes in the context within which Members' conduct was regulated, including, for example, issues resulting from legislative changes and other matters arising out of investigations already conducted. While the changes made to the Code in 2009 were a welcome addition to its provisions, my experiences in the role of Interim Commissioner would suggest that there are further areas of the Code where the attention of the Committee could support improvement. These are:
- (i) **Timeliness:-** There is a need for greater clarity on the obligations of Members to co-operate with investigations, specifically in relation to the need to provide timely responses to enquiries. Timeliness in the undertaking and completion of investigations of complaints and referrals is of particular

⁸ Report on the Unauthorised Disclosure of a Draft Report of the Public Accounts Committee, NIA 60/11-15, 20 June 2012

importance in cases involving allegations of a failure to register an interest, given that such conduct may constitute a summary offence under section 43 of the Northern Ireland Act 1998. In my view, the Code should be more explicit in relation to Member's obligations in this regard.

- (ii) **Confidentiality:-** As I recommended in my report into the unauthorised disclosure of the draft PAC report on NI Water, the Code should reflect more specifically that the unauthorised disclosure of Assembly information or documents constitutes a breach of its provisions. In my view, the existing Code requirement on Members that "*information which they receive in confidence in the course of their Assembly duties should be used only in connection with those duties*" is not sufficiently explicit or robust in conveying that Members have a clear obligation not to disclose confidential information to a third party without proper authority.
- (iii) **Data Protection:-** The Code requires Members to be "mindful of the Data Protection Act". In my view, the Code should again be more explicit in this specific area, by reminding Members of their legal obligations under the Data Protection Act 1998 and also the requirement to meet the standards of compliance set out in the relevant statutory codes of practice that underpin that legislation.
- (iv) **Registration of Interests:-** Although the Guide provides direction to Members on the different categories of interest that are required to be registered, it also cautions that it is not possible to provide an exhaustive list or written guidance on all examples of interest that require registration. There is therefore potential for a Member to fail to register a particular interest simply because he or she does not recognise it as one that requires registration. Clearly, such 'ignorance' or misunderstanding cannot in itself justify a failure to meet this specific obligation of the Code. Consequently, although the Guide states that Members, when in doubt, *should* [my emphasis] seek the advice of the Clerk of Standards, I believe the Code and the Guide should place a more explicit obligation on Members to do so where such circumstances arise. An investigation into an alleged failure to register

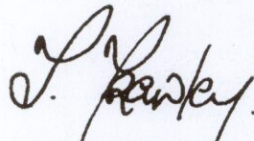
an interest would then seek to establish whether the Member had, as a minimum, sought advice on whether an interest ought to be registered.

- (v) **Principles of Conduct:-** In relation to personal conduct, the Code states that “Members shall observe the ... principles of conduct [Public Duty, Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, Leadership, Equality, Promoting Good Relations, Respect and Good Working Relationships]”. In my view, the absolute importance and relevance of these principles, on which I have commented already, should be emphasised in the Code. I consider this could be achieved through an explicit statement that any failure to adhere to the principles will, in itself, constitute a breach of the Code’s provisions.


I note that a further review of the Code and the Guide features in the Committee’s forward work plan. I would commend to the Committee that it considers these suggested amendments to the Code and/or the Guide at that time.

CONCLUSION

34. This report records my experiences in the role of Interim Assembly Commissioner for Standards during the 11 years of my tenure. I hope it will be of assistance to the Committee in continuing with its vital role of regulating the conduct of Members in order to safeguard the integrity of the legislature and the public’s trust in it.



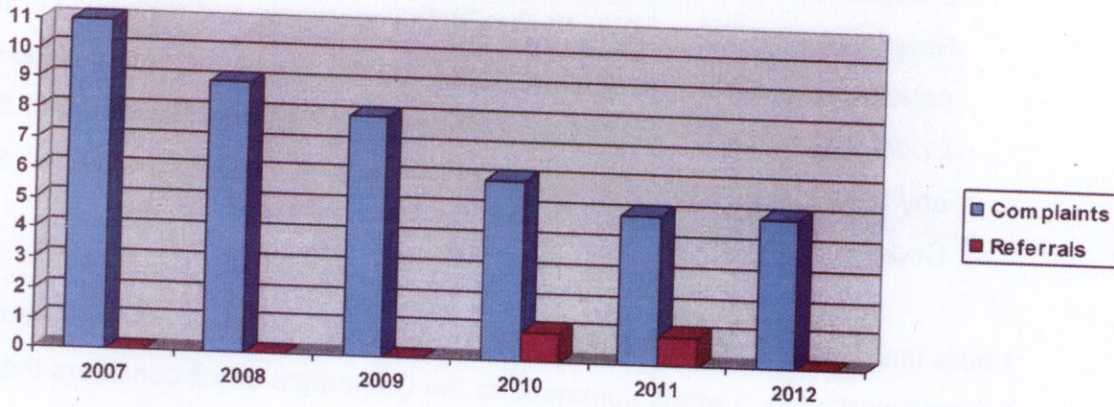
T FRAWLEY CBE
(former) Interim Assembly Commissioner for Standards

 December 2012

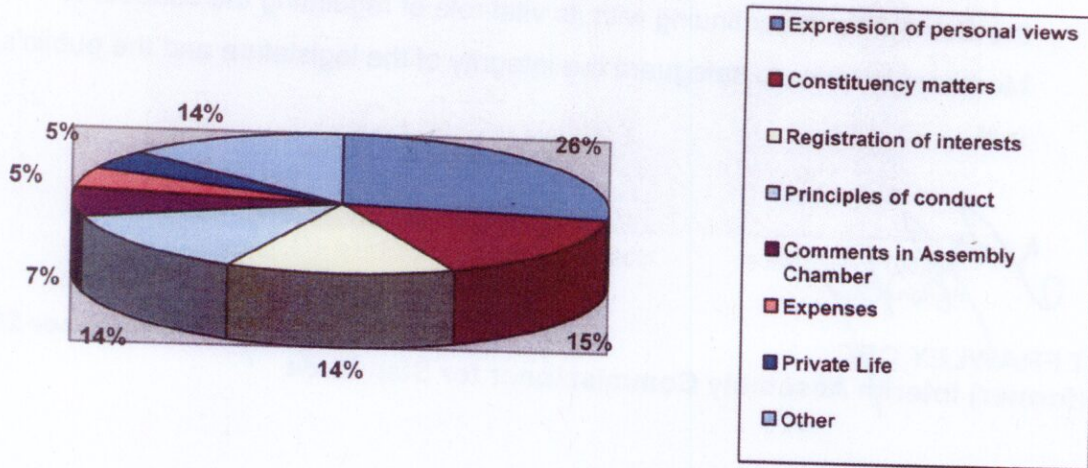
ANNEX 1

COMPLAINTS AND REFERRALS - JUNE 2007 TO SEPTEMBER 2012

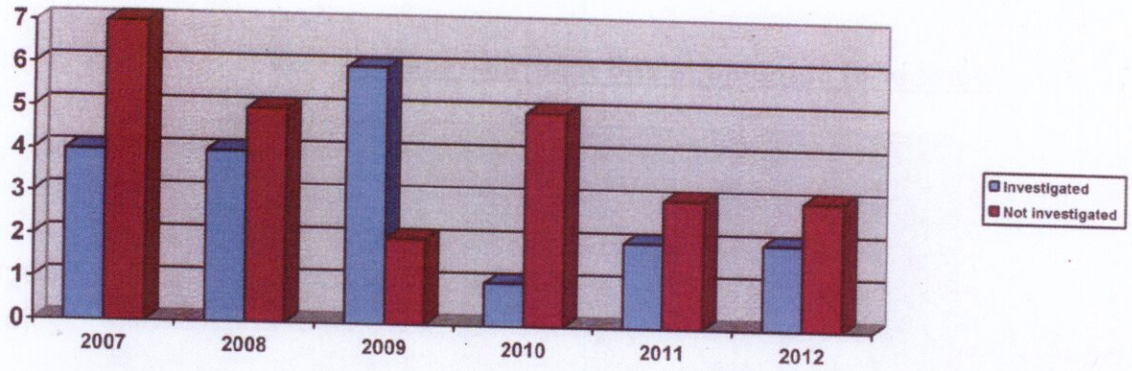
(1) Number of complaints and referrals received



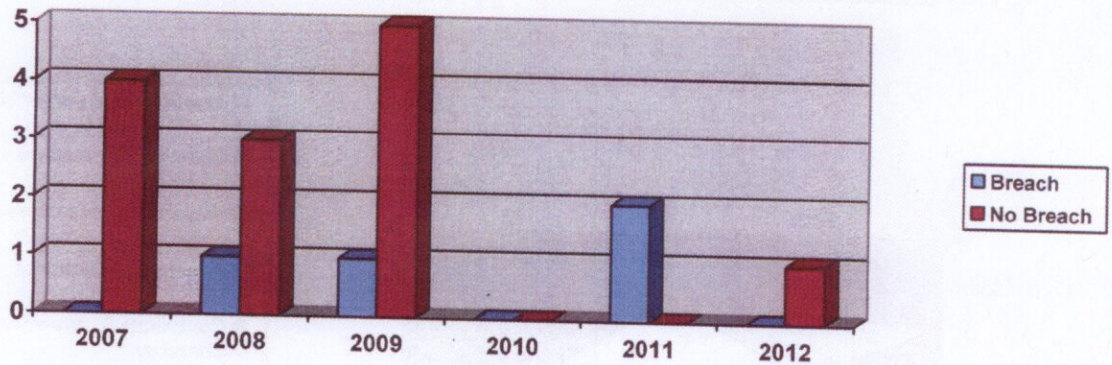
(2) Nature of conduct complained of (complaints)



(3) **Number of complaints subject to detailed investigation**



(4) **Outcome of detailed investigations undertaken (complaints)**⁹



⁹ The one detailed complaint investigation commenced by the Interim Commissioner in 2010, and one of the two detailed complaint investigations commenced by the Interim Commissioner in 2012, were transferred to NI Assembly Commissioner for Standards on 17 September 2012