



Northern Ireland
Assembly

Committee for Social Development

OFFICIAL REPORT (Hansard)

Inquiry into Allegations arising from a BBC NI
'Spotlight' Programme aired on 3 July 2013 of
Impropriety or Irregularity relating to NIHE-managed
Contracts and Consideration of any Resulting Actions:
Terms of Reference

3 October 2013

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Inquiry into Allegations arising from a BBC NI 'Spotlight' Programme aired on 3 July 2013 of Impropriety or Irregularity relating to NIHE-managed Contracts and Consideration of any Resulting Actions: Terms of Reference

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Members present for all or part of the proceedings:

Mr Alex Maskey (Chairperson)
Mr Mickey Brady (Deputy Chairperson)
Mr Jim Allister
Mr Gregory Campbell
Mr Trevor Clarke
Mr Michael Copeland
Mr Stewart Dickson
Mr Fra McCann
Mr Sammy Wilson

The Chairperson: The Committee has, last week and this morning, been dealing with the terms of reference for the inquiry agreed by the Committee into allegations made in the 'Spotlight' programme of 3 July 2013. The Committee has had some discussion on that, and members have the draft terms of reference. Are members content to endorse the terms of reference as presented?

Mr Wilson: Can I ask for one change to them? The first point, in keeping with the law, says that the Committee investigates issues relating to the Department for Social Development (DSD), so can the last line read "action for the DSD Ministers where appropriate", while putting it on the record that that does not stop us looking at anyone else's actions?

Mr Allister: I object to that. That would restrict the Committee unduly in dealing with the allegations that were made in the 'Spotlight' programme. Of course, the Committee cannot go outside the bailiwick of DSD's responsibilities, but there was an allegation that a Minister from outside DSD had influence on decision-making, so I do not think that we should restrict ourselves and not examine where the evidence leads on that. Whether it substantiates or refutes the allegations in the 'Spotlight' programme remains to be seen. I support the terms of reference as drafted.

The Chairperson: OK. I will take a formal proposal for the adoption of the terms of reference as tabled, and then I will take an amendment, probably from you, Sammy. Do we have a formal proposition to adopt the terms of reference as tabled?

Mr Allister: Yes. I will do that.

The Chairperson: Sammy, did you want to propose an amendment to that?

Mr Wilson: Yes. We should specify the actions of the DSD Ministers, making it clear, of course, that that does not stop us investigating the role of any other individuals.

Mr Campbell: I second that, and I will just add that that does not place restrictions on the course of the inquiry.

The Chairperson: OK. Can we have a show of hands for those in favour of the amendment?

Ayes 3; Noes 6.

AYES

Mr Campbell, Mr Clarke, Mr Wilson.

NOES

Mr Allister, Mr Brady, Mr Copeland, Mr Dickson, Mr F McCann, Mr Maskey.

The Chairperson: The amendment falls. Can we have an indication of those in favour of the terms of reference as tabled?

Ayes 6; Noes 3.

AYES

Mr Allister, Mr Brady, Mr Copeland, Mr Dickson, Mr F McCann, Mr Maskey.

NOES

Mr Campbell, Mr Clarke, Mr Wilson.

The Chairperson: OK. The terms of reference have been adopted.

For the record, the Committee has had some consideration of the matter and will move forward. We expect to have the further legal advice that the Committee sought next week. We will then have a discussion on the methodology of the inquiry, the time frame that the Committee envisages and the time that it wishes to allocate to such an inquiry. We want to make it clear — I certainly want to make it very clear — that it is members' intention to agree finally the methodology in the next week or so and then move on to the inquiry. It is also the Committee's intention to conduct an inquiry on an absolutely professional and fair basis. We will follow the evidence as presented. That is all that we intend to say on that today.

I thank members for their deliberations on the matter. Hopefully we will get the inquiry under way strictly on the basis of the legal terms of reference to the Committee and the terms of reference that we adopted this morning, and then we can run the inquiry on a professional and fair basis.