

COMMITTEE ON PROCEDURES

End of Session Report 2014 – 2015

Remit and Powers

1. The Committee on Procedures (the Committee) is a Standing Committee of the Northern Ireland Assembly established in accordance with paragraph 10 of Strand One of the Belfast Agreement and under Assembly Standing Order 54.

2. The Committee has the power to:
 - Consider and review on an ongoing basis the Standing Orders and procedures of the Assembly;
 - Initiate inquiries and publish reports;
 - Republish Standing Orders annually; and
 - Call for persons and papers.

Membership

3. The Committee has eleven Members including a Chairperson and Deputy Chairperson and a quorum of five. The membership of the Committee since its establishment on 23 May 2011 has been as follows:

Mr Gerry Kelly (Chairperson)¹

Mr Trevor Clarke (Deputy Chairperson)

Mr Jim Allister

Mr Samuel Gardiner

Mr Paul Givan^{2 3 4}

Mr Kieran McCarthy⁵

¹ With effect from 6 February 2012 Mr Gerry Kelly replaced Ms Sue Ramsey as Chairperson

² With effect from 18 May 2015 Mr Paul Givan replaced Mr Sammy Douglas

³ With effect from 8 December 2014 Mr Sammy Douglas replaced Ms Paula Bradley

⁴ With effect from 16 September 2013 Ms Paula Bradley replaced Mr Mervyn Storey

⁵ With effect from 1 October 2013 Mr Kieran McCarthy replaced Mr Chris Lyttle

Mr Barry McElduff⁶ ⁷

Mr Oliver McMullan

Mr Alban Maginness

Lord Morrow

Mr George Robinson

End of Session Report

4. This annual report summarises the work of the Committee on Procedures from 1 September 2014 to 31 August 2015.
5. Coming into this parliamentary year, the Committee brought forward work matters from the previous year, such as the inquiry into the extent to which Standing Orders should permit the Attorney General to participate in proceedings of the Assembly, and the Review of Topical Questions.

Meetings

6. The Committee met on nine occasions during the period of the report. Four meetings were held in public session, and five were held in part public/part closed session. All meetings were held in Parliament Buildings.

Inquiries/Reviews

Review of Topical Questions

7. The Committee completed its review of the Topical Questions process and concluded that Topical Question Time was perceived to have provided a valuable additional opportunity to hold Ministers and departments to account and should be retained largely unchanged.

⁶ With effect from 21 January 2013 Mr Barry McElduff replaced Mr Phil Flanagan

⁷ With effect from 10 September 2012 Mr Phil Flanagan replaced Ms Sue Ramsey

8. However, one area, that of the balance of time set aside for Topical Questions and Assembly Questions, was highlighted as needing further consideration and the Committee therefore agreed that this matter would be subject to a further review after a further six month period. On 9 December 2014 the Assembly approved the Committee's report on its Review of Topical Questions.
9. The report recommended that, similar to listed Oral Questions, the first Topical Question may not be from the same party as the Minister. Standing Order 20A(4) was amended accordingly and the amendment was approved by the Assembly on 10 February 2015.

Attorney General participation in proceedings of the Assembly

10. The Committee continued its inquiry into "the extent to which Standing Orders should permit the Attorney General for Northern Ireland (AGNI) to participate in proceedings of the Assembly". The aim of the inquiry is to inform the Committee on how best to interpret the existing legislation into Standing Orders; the extent to which the AGNI should be enabled to participate and how it could best be done.
11. On 24 February 2015 the Committee agreed to publish the inquiry report in two parts. Part 1 of the report would include all areas except Statutory Rules laid by the AGNI. It was agreed that this aspect of the inquiry would be considered in Part 2 of the report, which it is expected will be presented to the Assembly by May 2016.
12. On 16 March 2015 the Assembly approved the Committee's report on Part 1 of the inquiry.

Review of Public Petitions Procedures

13. The Committee commenced a Review of the Public Petitions Procedures in the Assembly. The aim of the review is to examine the effectiveness of current procedures and to consider if a revised system of public petitions, including an e-petitions process, should be introduced to the Assembly. It is expected that the Committee's report on the review will be presented to the Assembly by the end of 2015.

Review of Standing Orders and Procedures

14. In accordance with its agreed work programme, the Committee reviewed a number of Standing Orders and procedures of the Assembly, and the main items of business considered are summarised below.

Election of a Speaker during a mandate – Standing Orders 4 and 6

15. Standing Orders 4 and 6 were silent on circumstances where an election of a new Speaker is desirable before the retirement of an outgoing Speaker comes into effect. The Committee agreed that a new Standing Order 4A should be inserted to address this, describing how the Speaker goes about resigning and clarifying the procedure for the election of a new Speaker during an Assembly term.

16. The Committee also agreed that Standing Order 6 should be amended to make it clear that an Acting Speaker would take the chair for an election to fill a vacancy in the Office of Speaker. The amendments to Standing Orders 4 and 6 were agreed by the Committee and the amendments were supported by the Assembly on 10 February 2015.

Standing Order 71 – Oath

17. Standing Order 71 sets out the form of the oath administered to witnesses, however, as the wording was not consistent with the Oaths Act 1978, the Committee agreed an amendment that was supported by the Assembly on 10 November 2014.

Female representation within the Speaker's team

18. The Speaker wrote to the Committee asking it to consider whether there is a procedural mechanism to ensure that in future there is female representation within the team of Speaker, Principal Deputy Speaker and Deputy Speakers.

19. Following consideration of the matter, the Committee agreed that the way forward is to actively encourage equality within the Speaker's team. The Committee also agreed that it was not practical to codify any procedural mechanism in Standing Orders in relation to this matter.

Review of Standing Order 65 – Good Order

20. The Committee considered the issue of sanctions imposed by the Speaker in cases of disorder, and the use of Standing Order 65. Following consideration of the matter, the Committee agreed not to propose any amendments to Standing Orders.

Motions in Plenary

21. Apart from minor and technical changes, amendments to Standing Orders must be agreed by cross-community vote in the Assembly. Consequently, the majority of the Committee's output must be agreed by the Assembly before implementation.

22. The Committee had six motions debated and agreed by the Assembly.

Expenditure

23. Details of the Committee's expenditure are attached at Annex A.

Key Priorities for the Next Session

24. The Committee has agreed a work programme for the coming session. The programme will include the following key priorities:

- Consideration of draft amendments to Standing Orders to implement the recommendations in Part 1 of the inquiry report into the Attorney General participation in proceedings of the Assembly, and completion of Part 2 of the inquiry
- Completion of the review of time allocated to Topical Questions
- Completion of the Review of Public Petitions Procedures
- Consideration of draft amendments to Standing Orders following the passage of the Public Services Ombudsperson Bill
- Possible amendments to Standing Orders to provide for an Opposition
- Possible amendments to Standing Orders on completion of the review into the budget scrutiny process by the Committee for Finance and Personnel

Committee on Procedures

Expenditure for the period 1 September 2014 – 31 August 2015

Budget area	Details	Expenditure
Printing of Committee reports	Review of Topical Questions	£357.65
	The extent to which Standing Orders should permit the Attorney General for Northern Ireland to participate in proceedings of the Assembly	£588.74
Committee advertising costs	Review of Public Petitions Procedures	£633.06
General expenses	Cost of lunch and refreshments for Committee meetings	£551.10
Total Expenditure		£2130.55