



## COMMITTEE ON STANDARDS AND PRIVILEGES

**WEDNESDAY, 15<sup>TH</sup> JANUARY**  
**ROOM 21, PARLIAMENT BUILDINGS**

Present: Mr Alastair Ross (Chairperson)  
Ms Anna Lo (Deputy Chairperson)  
Mr Steven Agnew  
Mr Cathal Boylan  
Ms Paula Bradley  
Mr Declan McAleer  
Mr Fra McCann  
Mr Ian McCrea  
Mrs Sandra Overend

In Attendance: Mr Paul Gill (Assembly Clerk)  
Ms Hilary Cleland-Bogle (Assistant Assembly Clerk)  
Mr Jonathan Watson (Clerical Supervisor)

Apologies: Mr Mervyn Storey

### **Chairperson's Introduction**

*Agreed:* The Committee agreed that as it was to consider correspondence and reports from the Assembly Commissioner for Standards the meeting should be held in closed session.

*The meeting commenced at 1.30pm in closed session.*

The Chairperson welcomed Committee members to the meeting.

### **1. Apologies**

As above.

### **2. Declaration of Interests**

The Chairperson reminded Members of their obligation to declare any relevant financial or other interests before and during each Committee meeting.

### **3. Draft minutes**

*Agreed:* The draft minutes of the meeting held on 20<sup>th</sup> November 2013 were agreed by the Committee.

#### **4. Matters arising**

There were no matters arising.

*1.33pm Mr McAleer left the meeting*

*1.34pm Ms Lo joined the meeting*

#### **5. Correspondence from the Assembly Commissioner for Standards on complaints against Members**

The Chairperson informed members that the Commissioner had written to the Committee in relation to six complaints against Members and had submitted two Reports on complaints against Members.

*1.36pm Mr McCann joined the meeting.*

*1.36pm Mrs Overend joined the meeting.*

##### Agenda items 5.1 and 5.2

Members noted the Clerk's Paper and the correspondence dated 28<sup>th</sup> November 2013 from the Assembly Commissioner for Standards on a complaint against a Member.

The Chairperson welcomed Mr Douglas Bain, Assembly Commissioner for Standards to the meeting and invited him to brief the Committee on his correspondence.

The Commissioner briefed the Committee on his correspondence.

##### Agenda items 5.3, 5.4 and 5.5

Members noted the Clerk's Paper and the correspondence dated 7<sup>th</sup> January 2014 from the Assembly Commissioner for Standards on complaints against a Member.

The Commissioner briefed the Committee on his correspondence.

##### Agenda items 5.6, 5.7 and 5.8

Members noted the Clerk's Paper and correspondence dated 12<sup>th</sup> December 2013 from the Assembly Commissioner for Standards on complaints against a Member.

The Commissioner briefed the Committee on his correspondence.

Agenda items 5.9 and 5.10

Members noted the Clerk's Paper and the correspondence dated 10<sup>th</sup> January 2014 from the Assembly Commissioner for Standards on a complaint.

The Commissioner briefed the Committee on his correspondence.

*1.45pm Mr McAleer returned to the meeting.*

**6. Reports from the Assembly Commissioner for Standards on complaints against Members**

Agenda items 6.3 and 6.4

Members noted the Clerk's Paper and the Report dated 12<sup>th</sup> December 2013 from the Assembly Commissioner for Standards.

The Commissioner briefed the Committee on his Report and then answered members' questions.

Agenda items 6.5, 6.6 and 6.7

Members noted the Clerk's Paper; the Report dated 19<sup>th</sup> December 2013 from the Assembly Commissioner for Standards and correspondence dated from the Member who was the subject of the complaint.

Mrs Overend declared an interest in light of the reference in the Commissioner's report to a unanimous decision of the Ulster Unionist Party. Ms Overend assured the Committee that this reference did not impact upon her ability to consider the Commissioner's report with impartiality and objectivity.

The Commissioner briefed the Committee on his Report and then answered members' questions.

*1.54pm Mr McAleer left the meeting.*

*2.01pm* The Chairperson thanked Mr Bain for attending the meeting.

The Chairperson informed members that the Committee would now consider the reports from the Commissioner after which the Committee would consider the correspondence from the Commissioner

Agenda items 6.5, 6.6 and 6.7

Following discussion, the Chairperson put the question that the Committee accept the Assembly Commissioner for Standards' conclusion that the Member had not breached the Code of Conduct.

<b>Ayes</b>	<b>Noes</b>	<b>Abstentions</b>
Mr Alastair Ross Ms Anna Lo Mr Steven Agnew Mr Cathal Boylan Ms Paula Bradley Mr Declan McAleer Mr Fra McCann Mr Ian McCrea	Mrs Sandra Overend	None

The motion was carried.

*Agreed:* The Committee agreed that the Clerk should prepare a draft report reflecting the Committee's views for consideration by the Committee at its next meeting.

Agenda items 6.3 and 6.4

*Agreed:* Following discussion the Committee agreed with the Commissioner's conclusion that the Member complained of had not breached the Code of Conduct.

*Agreed:* The Committee agreed that the Clerk should prepare a draft report reflecting the Committee's views for consideration by the Committee at its next meeting.

The Committee returned to the correspondence from the Commissioner on complaints against Members

Agenda items 5.1 and 5.2

*Agreed:* The Committee agreed with the Assembly Commissioner for Standards' conclusion that the complaint against the Member was inadmissible.

*Agreed:* The Committee agreed that the Clerk write to the Member complained of and the complainant enclosing a copy of the Commissioner's correspondence and informing them of the Committee's decision.

*Agreed:* The Committee agreed that the Clerk write to the Commissioner informing him of the Committee's decision.

Agenda items 5.3, 5.4 and 5.5

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Agenda items 5.6, 5.7 and 5.8

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Agenda items 5.9 and 5.10

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## **7. Review of Directions**

Members noted the Clerk's request for Legal Advice and the Legal Advice. The Clerk briefed the Committee on the latest position.

*Agreed:* The Committee agreed that the Committee would defer its consideration of the draft directions until such time as the Committee was provided with further legal advice.

## **8. Review of Code of Conduct**

Members noted the Clerk's Paper and the Report of the Committee on Standards in Public Life 'Standards Matter – A review of best practice in promoting good behaviour in public life'.

The Clerk briefed the Committee on the background to these issues.

*Agreed:* Following discussion the Committee agreed the draft Terms of Reference.

*Agreed:* The Committee agreed the provisional work programme and indicative timescales.

*Agreed:* The Committee agreed to seek the Commissioner's input on key issues throughout the review and that the Commissioner should be given an opportunity to comment on the draft position paper and the new draft Code of Conduct before they are signed off by the Committee.

*Agreed:* The Committee agreed that the Clerk should prepare an options paper on possible visits to other legislatures for consideration at a future meeting.

*2.25pm Mr McCann left the meeting.*

*Agreed:* The Committee agreed that the Clerk should request legal advice on a range of issues for consideration at a future meeting.

## **9. Standards, Procedures and Public Appointments Committee: Lobbying Inquiry**

The Committee noted correspondence from the Standards, Procedures and Public Appointments Committee of the Scottish Parliament.

*2.30pm Ms Lo left the meeting.*

*Agreed:* The Committee agreed to defer considering its response to the Scottish Parliament until after the meeting on 29 January 2014 when it will be provided with a research paper on lobbying.

## **10. Any other business**

There was no other business.

**11. Date, time and place of next meeting**

Members agreed that the next meeting should take place on Monday 20 January 2014 in Room 21 at 12.15pm. Members noted that copies of the draft committee reports would be available in Room 21 from 12.00pm.

*The Chairperson adjourned the meeting at 2.31pm.*

**Mr Alastair Ross MLA**  
**Chairperson, Committee on Standards and Privileges**

**20<sup>th</sup> January 2014**