



**Northern Ireland
Assembly**

COMMITTEE ON STANDARDS AND PRIVILEGES

**WEDNESDAY, 5TH NOVEMBER 2014
ROOM 106, PARLIAMENT BUILDINGS**

Present:

- Mr Alastair Ross (Chairperson)
- Ms Anna Lo (Deputy Chairperson)
- Mr Steven Agnew
- Mr Cathal Boylan
- Mr Colum Eastwood
- Mr David Hilditch
- Mr Fra McCann
- Mr Ian McCrea
- Mr Robin Newton
- Mrs Sandra Overend

In Attendance:

- Mr Paul Gill (Assembly Clerk)
- Mrs Hilary Cleland Bogle (Assistant Assembly Clerk)
- Mr Jonathan Kerr (Clerical Officer)

Apologies: None

Chairperson's Introduction

Agreed: The Committee agreed that the meeting should be held in closed session.

The meeting commenced at 1.30pm in closed session.

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 15th October 2014 were agreed by the Committee.

4. Matters arising

The Chairperson updated the Committee on his visit to the National Assembly for Wales on 16th October 2014 when he met the Chairperson of the Standards of Conduct Committee and the Welsh Standards Commissioner.

The Chairperson also updated the Committee on his meeting with the Chair of the Independent Financial Review Panel on Monday 3rd November 2014.

The Chairperson proposed that some business scheduled under Any Other Business should be considered at the start of the meeting.

Agreed: The Committee agreed to consider this business at the start of the meeting.

Members noted tabled correspondence from the Assembly Commissioner for Standards on two complaints against a Member.

Agreed: Following discussion, the Committee agreed with the conclusion of the Assembly Commissioner for Standards that both complaints were inadmissible.

Agreed: The Committee agreed that the Clerk should write to the Member complained of and the two complainants 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.

5. Legal Advice

Members noted the Clerk's paper; all relevant papers previously considered by the Committee and further legal advice.

The Clerk briefed the Committee on the background to this issue.

The Chairperson welcomed Ms Tara Caul, Head of Legal Services and invited her to brief the Committee on the legal advice.

This was followed by a question and answer session.

Agreed: The Committee agreed to consider in detail each section of the Commissioner's report and identify any references within the report which should be redacted in order to ensure that the Committee complies with its obligations under the Human Rights Act 1998.

The Clerk took the Committee through each section of the Commissioner's report.

The Committee considered each section of the Commissioner's report and identified references within the report which should be redacted in order to ensure that the Committee complies with its obligations under the Human Rights Act 1998.

3.12pm Mr Eastwood left the meeting

3.13pm Mr Hilditch left the meeting

3.14pm Mr Eastwood returned to the meeting

3.15pm Mr Hilditch returned to the meeting

3.30pm Mr Newton left the meeting

3.37pm Mr Newton returned to the meeting

4.08pm Mr Agnew left the meeting

4.10pm Mr Agnew returned to the meeting

4.26pm Mrs Overend left the meeting

4.34pm Mrs Overend returned to the meeting

Agreed: The Committee agreed to adjourn the meeting and to resume its consideration of the Commissioner's report when the Committee reconvened.

4.50pm The Committee adjourned

The Committee re-convened at 12.06pm on Monday 10th November 2014 in Room 30.

The following members were present:

Mr Alastair Ross (Chairperson)
Ms Anna Lo (Deputy Chairperson)
Mr Steven Agnew
Mr Cathal Boylan
Mr Colum Eastwood
Mr David Hilditch
Mr Fra McCann
Mrs Sandra Overend

The following officials were in attendance:

Mr Paul Gill (Assembly Clerk)
Ms Tara Caul (Head of Legal Services)
Mrs Hilary Cleland Bogle (Assistant Assembly Clerk)
Mr Jonathan Kerr (Clerical Officer)

The Committee resumed its consideration of each section of the Commissioner's report and identified references within the report which should be redacted in order to ensure that the Committee to complies with its obligations under the Human Rights Act 1998.

12.11pm Mr Newton joined the meeting

Mr Agnew proposed that paragraph 82 of the main body of the Commissioner's report remain within the Report.

The Committee divided:

AYES

Ms Anna Lo
Mr Steven Agnew
Mrs Sandra Overend

NOES

Mr Alastair Ross
Mr Cathal Boylan
Mr Colum Eastwood
Mr David Hilditch
Mr Fra McCann
Mr Robin Newton

ABSTENTIONS

None

The proposal fell.

The Committee continued its consideration of each section of the Commissioner's report and identified references within the report which should be redacted in order to ensure that the Committee to complies with its obligations under the Human Rights Act 1998.

1.05pm The Committee adjourned

1.10pm The Committee reconvened

1.10pm Mr McCrea joined the meeting

1.10pm Mr Hilditch declared an interest as one of his passes to Parliament Buildings had been allocated to Selwyn Black.

The Committee continued its consideration of each section of the Commissioner's report and identified references within the report which should be redacted in order to ensure that the Committee to complies with its obligations under the Human Rights Act 1998.

1.11pm Mr Boylan left the meeting

1.17pm Mr Boylan returned to the meeting

The Chairperson proposed that paragraph 14 of Document 7 in Annex D be redacted.

Mr Agnew proposed an amendment to that proposal to allow for the first line of paragraph 14 of Document 7 in Annex D to be retained.

The Committee divided on the amendment:

AYES	NOES	ABSTENTIONS
Ms Anna Lo Mr Steven Agnew Mrs Sandra Overend	Mr Alastair Ross Mr Cathal Boylan Mr Colum Eastwood Mr David Hilditch Mr Fra McCann Mr Ian McCrea Mr Robin Newton	None

The amendment fell.

The Committee divided on the original proposal:

AYES

Mr Alastair Ross
Mr Cathal Boylan
Mr Colum Eastwood
Mr David Hilditch
Mr Fra McCann
Mr Ian McCrea
Mr Robin Newton

NOES

Ms Anna Lo
Mr Steven Agnew
Mrs Sandra Overend

ABSTENTIONS

None

The proposal was carried.

The Committee continued its consideration of each section of the Commissioner's report and identified references within the report which should be redacted in order to ensure that the Committee complies with its obligations under the Human Rights Act 1998.

Ms Lo proposed that both boxes in the entry dated 16th December 2008 in Annex B of Document 15 should remain in the Report.

The Committee divided:

AYES

Ms Anna Lo

NOES

Mr Alastair Ross
Mr Cathal Boylan
Mr Colum Eastwood
Mr David Hilditch
Mr Fra McCann
Mr Ian McCrea
Mr Robin Newton

ABSTENTIONS

Mrs Sandra Overend

The proposal fell.

Ms Lo proposed that the first line of the commentary box in the entry dated 16th December 2008 in Annex B of Document 15 should remain in the Report.

The Committee divided:

AYES

Ms Anna Lo

NOES

Mr Alastair Ross
Mr Cathal Boylan
Mr Colum Eastwood

ABSTENTIONS

Mr Steven Agnew
Mrs Sandra Overend

Mr David Hilditch
Mr Fra McCann
Mr Ian McCrea
Mr Robin Newton

The proposal fell.

The Committee continued its consideration of each section of the Commissioner's report and identified references within the report which should be redacted in order to ensure that the Committee to complies with its obligations under the Human Rights Act 1998.

1.56pm Mr Eastwood left the meeting

2.15pm Mrs Overend left the meeting

2.30pm Mr McCrea left the meeting

2.30pm The Committee adjourned

2.40pm The Committee reconvened

The Committee continued its consideration of each section of the Commissioner's report and identified references within the report which should be redacted in order to ensure that the Committee to complies with its obligations under the Human Rights Act 1998.

2.42pm Mrs Overend returned to the meeting

2.49pm Mr Eastwood returned to the meeting

The Committee concluded its consideration of the Commissioner's report.

Ms Caul provided the Committee with further legal advice.

3.19pm Mrs Overend left the meeting

3.25pm Mrs Overend returned to the meeting

3.31pm The Chairperson thanked Ms Caul for attending the meeting.

3.31pm Mr Newton left the meeting

3.34pm Mr McCrea returned to the meeting

3.35pm Mr Newton returned to the meeting

The Committee considered whether it needed to make any further redactions to the Commissioner's report in order to comply with its obligations under the Human Rights Act 1998

The Chairperson proposed that Document 5 of Annex D of the Commissioner's report be redacted in its entirety.

The Committee divided:

AYES

Mr Alastair Ross
Mr David Hilditch
Mr Ian McCrea
Mr Robin Newton

NOES

Ms Anna Lo
Mr Steven Agnew
Mr Cathal Boylan
Mr Colum Eastwood
Mr Fra McCann
Mrs Sandra Overend

ABSTENTIONS

None

The proposal fell.

Mr McCrea proposed that Document 15 of Annex D of the Commissioner's report be redacted in its entirety.

The Committee divided:

AYES

Mr Alastair Ross
Mr David Hilditch
Mr Ian McCrea
Mr Robin Newton

NOES

Ms Anna Lo
Mr Steven Agnew
Mr Cathal Boylan
Mr Colum Eastwood
Mr Fra McCann
Mrs Sandra Overend

ABSTENTIONS

None

The proposal fell.

Agreed: The Committee agreed that the Clerk should draft a report for consideration by the Committee at its next meeting.

Agreed: The Committee agreed how the Clerk should respond to the correspondence of 10 October 2014 from Mr McBurney.

6. Any other business

Members noted that details of Members' attendance at committee meetings was published on the Assembly's website on Friday 7th November 2014.

7. Date, time and place of next meeting

Members agreed that the next meeting of the Committee should take place on Wednesday, 26th November 2014 in Room 106 at 1.30pm.

The Chairperson adjourned the meeting at 4.15pm.



Mr Alastair Ross MLA
Chairperson, Committee on Standards and Privileges
26th November 2014