

COMMITTEE ON STANDARDS AND PRIVILEGES

WEDNESDAY, 25TH NOVEMBER 2015

ROOM 21, PARLIAMENT BUILDINGS

Present: Mr Paul Givan (Chairman)
Ms Anna Lo (Deputy Chairperson)
Mr Steven Agnew
Mr Cathal Boylan
Mr Gordon Dunne
Mr David Hilditch
Mrs Sandra Overend

In Attendance: Mr Paul Gill (Assembly Clerk)
Mrs Hilary Cleland Bogle (Assistant Assembly Clerk)
Miss Alison Ferguson (Clerical Officer)

Apologies: Mr Declan McAleer
Mr Fra McCann

The meeting commenced at 1.34pm in closed session.

The Chairman welcomed Committee members to the meeting.

1. Apologies

As above.

2. Declaration of Interests

The Chairman reminded Members of their obligation to declare any relevant financial or other interest before or during each Committee meeting.

3. Draft minutes

Agreed: The draft minutes of the meeting held on 18th November 2015 were agreed by the Committee.

4. Matters arising

There were no matters arising.

5. Report from the Assembly Commissioner of Standards on complaints against a Member

Members noted the Clerk's Paper and key background papers together with the Report from the Assembly Commissioner for Standards and correspondence to and from the Assembly Commissioner for Standards.

The Chairperson updated members on the background to this issue.

1.35pm Mrs Overend joined the meeting.

Agreed: The Committee agreed to go through the report and take decisions in relation to each complaint and whether or not a breach of the Code of Conduct had occurred.

Complaint No. 1

Agreed: Following discussion the Committee agreed with the Commissioner's conclusion that no breach of the Code of Conduct had occurred.

Complaint No. 2

Agreed: Following discussion the Committee agreed with the Commissioner's conclusion that no breach of the Code of Conduct had occurred.

Complaint No. 3

Agreed: Following discussion the Committee agreed with the Commissioner's conclusion that no breach of the Code of Conduct had occurred.

Complaint No. 4

Agreed: Following discussion the Committee agreed with the Commissioner's conclusion that no breach of the Code of Conduct had occurred.

Complaint No. 5

Agreed: Following discussion the Committee agreed with the Commissioner's conclusion that no breach of the Code of Conduct had occurred. The Committee agreed with the Commissioner that when the alleged conduct occurred the Member complained of was not acting in his capacity as a Member of the Assembly.

Complaint No. 6

Agreed: Following discussion the Committee agreed with the Commissioner's conclusion that no breach of the Code of Conduct had occurred. The Committee agreed with the Commissioner that when the alleged conduct occurred the Member complained of was not acting in his capacity as a Member of the Assembly.

Complaint No. 7

2.02pm Mr Hilditch left the meeting.

2.09pm Mr Hilditch returned to the meeting.

2.10pm Mr Dunne left the meeting.

Agreed: Following discussion the Committee agreed to give further consideration to this complaint after having received clarification from the Commissioner at its next meeting.

Complaint No. 8

Agreed: Following discussion the Committee agreed with the Commissioner's conclusion that no breach of the Code of Conduct had occurred. The Committee agreed with the Commissioner that when the alleged conduct occurred the Member complained of was not acting in his capacity as a Member of the Assembly.

Complaint No. 9

Agreed: Following discussion the Committee agreed with the Commissioner that, with regard to the first issue raised in this complaint, no breach of the Code of Conduct had occurred. The Committee agreed with the Commissioner that when the alleged conduct occurred the Member complained of was not acting in his capacity as a Member of the Assembly.

Agreed: Following discussion the Committee agreed with the Commissioner that, with regard to the second issue raised in this complaint, no breach of the Code of Conduct had occurred. The Committee agreed with the Commissioner that when the alleged conduct occurred the Member complained of was not acting in his capacity as a Member of the Assembly.

Agreed: Following discussion the Committee agreed with the Commissioner that with regard to the third issue raised in this complaint no breach of the Code of Conduct had occurred.

Complaint No. 10

Agreed: Following discussion the Committee agreed with the Commissioner that, with regard to the first issue raised in this complaint, no breach of the Code of Conduct had occurred.

Agreed: Following discussion the Committee agreed with the Commissioner that, with regard to the second issue raised in this complaint, when the alleged conduct occurred the Member complained of was not acting in his capacity as a Member of the Assembly.

Complaint No. 11

Agreed: Following discussion the Committee agreed with the Commissioner's conclusion that no breach of the Code of Conduct had occurred. The Committee agreed with the Commissioner that when the alleged conduct occurred the Member complained of was not acting in his capacity as a Member of the Assembly.

Complaint No. 12

Agreed: Following discussion the Committee agreed with the Commissioner's conclusion that, in respect each of the various legs of the complaint, no breach of the Code of Conduct had occurred.

During the course of its deliberations the Committee agreed a number of comments to be included in the Committee's Report.

Agreed: The Committee agreed to review the information contained within the Commissioner's report, in line with the legal advice it had received, prior to taking its decisions in relation to publication.

The Committee noted correspondence dated 23rd November 2015 received from the Commissioner.

Agreed: The Committee agreed to seek further legal advice in relation to two further related matters.

The Committee gave further consideration to the matters raised in the complaints against the Commissioner and to the legal advice it had previously received. The Committee agreed that its preference was to proceed in line with option 4. The Committee agreed that further advice should be prepared in relation to this option.

6. All-Party Groups

All-Party Group on Arts and Creativity

Ms Lo, Mr Boylan and Mr Hilditch declared an interest as members of the proposed group.

The Committee noted an application form for the formation of an All-Party Group on Arts and Creativity.

Agreed: The Committee agreed to the formation of an All-Party Group on Arts and Creativity.

7. Any other business

Members noted that Paul Gill, Clerk of Standards is moving to a new role as Clerk Assistant on a temporary basis until the end of Mandate and that Keith McBride will be taking up the Clerk's post.

8. Time, date and place of next meeting

The next meeting of the Committee will take place on Wednesday, 2nd December 2015 at 1.30pm in Room 21.

The Chairman adjourned the meeting at 3.34pm.

Mr Paul Givan MLA

Chairman, Committee on Standards and Privileges

2nd December 2015