

COMMITTEE ON STANDARDS AND PRIVILEGES

WEDNESDAY, 13TH JANUARY 2016

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
Mr Declan McAleer
Mrs Sandra Overend
Mr Robin Newton

In Attendance: Mr Keith McBride (Assembly Clerk)
Mrs Hilary Cleland-Bogle (Assistant Assembly Clerk)
Miss Alison Ferguson (Clerical Officer)

Apologies: Mr Fra McCann

The meeting commenced at 1.30pm 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 9th December 2015 were agreed by the Committee.

4. Matters arising

There were no matters arising.

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

The Committee noted the Clerk's Paper; and correspondence dated 22nd December 2015 from the Assembly Commissioner for Standards.

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

1.34pm Mr Hilditch joined the meeting.

The Commissioner provided an update to Members on the further investigation he is undertaking with regard to agenda item 7.

The Chairperson thanked Mr Bain for attending the meeting.

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

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

6. Correspondence from the Assembly Commissioner for Standards on complaints against a Member

The Committee noted the Clerk's Paper; and correspondence dated 6th January 2016 from the Assembly Commissioner for Standards.

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

The Clerk updated the Committee on the current position with regard to the issue.

Agreed: The Committee agreed the appointment of an Acting Commissioner for Standards to investigate these complaints.

Agreed: The Committee agreed that the Clerk should formally approach another Standards Commissioner to be Acting Commissioner for these complaints.

Agreed: The Committee agreed that, subject to availability, the Clerk should prepare a motion to appoint an Acting Commissioner for these complaints, and any further related complaints, in accordance with the provisions of Part 2 of the Assembly Members (Independent Financial Review and Standards) Act (NI) 2011 for consideration by the Committee at a future meeting.

7. Report from the Assembly Commissioner for Standards

The Committee noted that Ms Kelly would be present at the meeting to assist the Committee with its deliberations.

The Chairperson welcomed Ms Angela Kelly, Legal Adviser to the meeting.

The Committee noted that, as agreed at the last meeting, the Committee would commence consideration of the documents appended to the Commissioner's Report at today's meeting to identify any references which should be redacted in order to ensure that the Committee complies with its obligation under the Human Rights Act 1998.

Ms Kelly, Legal Adviser reminded the Committee of its legal duties as per her legal advice in relation to publication.

The Committee noted that it was essential that the arguments are properly considered, that a detailed analysis of the documents appended to the Commissioner's Report is undertaken and that the Committee records its decision making process.

The Committee also noted that neither the Clerk nor the Legal Adviser could undertake the balancing exercise that is necessary. The Committee is the decision maker and is solely responsible for its own decision.

The Clerk commenced taking the Committee through each individual document appended to the Commissioner's report.

The Committee considered each document and identified references within the documents which should be redacted in order to ensure that the Committee complies with its obligations under the Human Rights Act 1998.

2.00pm Mr McAleer left the meeting.

2.10pm Mr McAleer returned to the meeting.

2.14pm Mr Boylan left the meeting.

2.39pm Mr Newton left the meeting.

2.40pm Mr McAleer left the meeting.

3.34pm Mr Hilditch left the meeting.

3.55pm Miss Lo left the meeting.

The Chairperson thanked Ms Kelly for attending the meeting.

6. Any other business

There was no other business.

7. Time, date and place of next meeting

The next meeting of the Committee will take place on Wednesday, 20 January 2016 at 1.30pm in Room 21.

The Chairman adjourned the meeting at 3.56pm.

**Mr Paul Givan MLA
Chairman, Committee on Standards and Privileges**

Date: 20th January 2016