



COMMITTEE ON STANDARDS AND PRIVILEGES

**WEDNESDAY, 8TH JUNE 2016
ROOM 21, PARLIAMENT BUILDINGS**

Present: Mr Cathal Boylan MLA (Chairperson)
Mr Adrian McQuillan MLA (Deputy Chairperson)
Mr Doug Beattie MLA
Ms Paula Bradshaw MLA
Ms Joanne Bunting MLA
Mr Gerry Carroll MLA
Ms Linda Dillon MLA
Mr Sean Lynch MLA
Mrs Emma Little Pengelly MLA
Mr Richie McPhillips MLA

In Attendance: Mr Shane McAteer (Assembly Clerk)
Mr Keith McBride (Senior Assistant Assembly Clerk)
Mrs Hilary Cleland-Bogle (Assistant Clerk)
Mrs Clairita Fraser (Assistant Clerk)
Mr Jim Nulty (Clerical Supervisor)

Apologies: Mr Sammy Douglas MLA

The meeting commenced at 10.34am in closed session.

Chairperson's Introduction

The Chairperson welcomed Mr Adrian McQuillan, Deputy Chairperson and Committee Members to the first meeting of the Committee.

1. Apologies

As detailed above.

2. Declaration of Members' Interests

Members noted the paper on Declaration of Interests in Committees and the tabled 'Code of Conduct and Guide to the Rules relating to the Conduct of Members'.

Members noted that all Assembly Members are required to register relevant interests in the Register of Members' Interests and that once Members have registered these interests each committee will be provided with the specific details of each of its own members.

The Chairperson informed members that:

- All Members had received a letter dated 16th May 2016 advising them that it is a requirement of both the Assembly's Standing Orders (Standing Order 69) and the Code of Conduct that all Members inform the Clerk of Standards of the relevant details in respect of their registrable interests within 28 days of taking their seats. A Members' Interests Registration Form was provided, to be completed and returned to the Clerk by Thursday 9th June 2016.
- On 1st June 2016 a reminder letter was issued to those Members who had not returned their form to which was attached a further 'Members Interests Registration Form'.
- A reminder of Thursday's deadline also issued to party whips and in a recent All Party Notice.

The Chairperson further informed members that:

- in addition to this requirement, Standing Order 69(5) states that 'A member who has (a) a financial interest in any matter; or (b) a relevant interest in any matter, must declare that interest before taking part in any proceedings of the Assembly relating to that matter'.
- 'proceeding' of the Assembly includes meetings of this Committee and that, as this is the first meeting of the Committee, members should declare any interests held by them which are relevant to the work of the Committee.
- at future meetings members should declare an interest in any relevant agenda item of the meeting (e.g. should they have an interest in the subject of a complaint against a Member or should they be a member of a proposed All-Party Group for which the Committee has received an application form for its consideration).

No interests were declared.

Members noted that the rules governing the registration and declaration of interests are contained in 'The Code of Conduct and Guide to the Rules relating to the Conduct of Members' and that further advice and guidance is available from the Clerk of Standards.

3. Procedures and Administrative Arrangements

Members noted the following guidance documents:

- Committee Membership.
- Staff Contact Details.
- Arrangements for Committee meetings.
- Guide to the Powers and Operation of Standing Committees and Ad Hoc Committees for Chairpersons and Members.
- Guide to the role of the Committee Chairperson.
- Committee Protocol on conduct and courtesy in Committee meetings.
- Procedure for handling confidential and protectively marked documents.
- Committee approach to preparation and questioning.
- Guide for Members on the Role and Functions of the Committee Office
- Providing an effective Research Service to Committees – Good Practice Guidelines.

The Chairperson drew members' specific attention to the arrangements for Committee meetings; the protocol on conduct and courtesy in Committee meetings; and the procedure for handling confidential and protectively marked documents which had been agreed by the Committee in the last Mandate and which is particularly relevant to this Committee as it will be considering confidential/sensitive documents.

The Chairperson also drew members' attention to guidance on privilege and matters of sub-judice.

The Chairperson requested that members complete the tabled Members' Contact Pro Forma and return it to the committee office staff.

4. Clerk's Briefing

Members noted the Clerk's Briefing Note on the role and functions of the Standards and Privileges Committee.

The Chairperson invited the Clerk to brief the Committee on this issue.

5. Legacy Report

Members noted the Legacy Report from the Committee in the last Mandate.

The Chairperson drew members' attention to and summarised the suggested 'Issues for Incoming Mandate' outlined in the Report.

Agreed: that the suggested issues in the Legacy Report, together with any suggested work areas arising from the Annual Report of the Commissioner for Standards, which

was scheduled to be considered under agenda item 7, will be added to a list of ‘Potential Topics for Examination’ for consideration at the next meeting of the Committee.

6. Proposed Plenary debate on new Code of Conduct and Guide to the Rules relating to the Conduct of Members

Members considered the following draft Motion for plenary debate, which had been tabled at the meeting:

“That this Assembly (a) affirms its commitment to high ethical standards and to the Code of Conduct and the Guide to the Rules Relating to the Conduct of Members agreed by the Assembly on Tuesday 23rd June 2015; (b) agrees that, pursuant to Standing Order 69, amended by the Assembly on 14 March 2016, Rules 4 and 5 of the Code of Conduct are amended to read as follows:

‘4. You shall register in the Assembly’s Register of Members’ Interests details of all registrable interests. A registrable interest means any interest specified in Chapter 1 of the Guide to the Rules. [The categories of registrable interest are set out in Schedule 1]’

‘5. You shall declare, whether in Assembly proceedings or in any approach to a Minister, public representative, public body or public official, any relevant interest which might reasonably be thought to influence your approach to the matter under consideration. A relevant interest means an interest to which Chapter 2 of the Guide to the Rules applies, and may include a registrable interest.’

and; (c) notes that it will be necessary for the Committee on Standards and Privileges to update the Guide to the Rules to take account of these and other minor or consequential amendments.”

Members noted that one of the recommendations of the previous Committee in its Legacy Report was that the incoming Committee should bring forward, at the earliest opportunity at the start of the new mandate, a motion affirming the new Assembly’s commitment to high ethical standards in general and, more specifically, to the new Code of Conduct. This would provide the new Assembly with a platform to give standards in public life the due prominence it deserves.

Members noted that some necessary amendments to Rules 4 and 5 were identified arising from the amended Standing Order 69, which was agreed by the Assembly on 14th March 2016. They relate to the alignment of definitions and the Clerk had consulted Assembly Legal Services and the Commissioner for Standards on how best to address the issue.

Members also noted that, in addition to the amendments to Rules 4 and 5, there is a need to make minor and consequential amendments to the Guide to the Rules, including as a result of the Independent Financial Review Panel's Determination on Members' pay.

Agreed: Members agreed the wording of the Motion as tabled.

Member noted that it is likely that the Motion will be scheduled for debate in the Assembly on Monday 27th or Tuesday, 28th June 2016.

Members noted that there will be a need to consider the proposed amendments to the Guide to the Rules at the next meeting on Wednesday 22nd June 2016 and in advance of the plenary debate.

11.03am Ms Bradshaw left the meeting.

7. Briefing from the Assembly Commissioner for Standards

Members noted the Annual Report of the Commissioner for Standards which had been tabled.

The Chairperson informed members that the Commissioner would attend today's meeting to brief the Committee on his role and to present his Annual Report. The Commissioner would also brief the Committee on outstanding issues carried over from the last Mandate.

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

11.35am Mr Beattie left the meeting.

11.49am Mr McQuillan left the meeting.

11.51am Mr McQuillan returned to the meeting.

Following a question and answer session the Chairperson thanked Mr Bain for attending the meeting.

12.02pm Ms Dillon left the meeting.

Members discussed the implications of the Committee having only received the Commissioner's Annual Report at the commencement of this agenda item and not having the opportunity to consider it in advance. Moreover, members noted that the Commissioner had already released the Annual Report to the media.

Agreed: that the Committee Chairperson will respond to any media requests in relation to the Annual Report along the lines discussed by the Committee, indicating that the issues raised in the Report would require careful consideration. It was further agreed that these points should be emailed to Committee members following the meeting.

8. Draft Forward Work Programme

Members noted that it is intended to have a fully developed work programme in place for early in the next session.

9. Any other business

There was no other business.

10. Time, date and place of next meeting

The next meeting of the Committee will be held at 10.30am on Wednesday, 22nd June 2016 in Room 21, Parliament Buildings.

The Chairman adjourned the meeting at 12.09pm.

**Mr Cathal Boylan MLA
Chairperson, Committee on Standards and Privileges**

8th June 2016