Northern Ireland Assembly

COMMITTEE ON STANDARDS AND PRIVILEGES

ASSEMBLY RESTRICTED

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Issued via email to: standardscommissioner@niassembly.gov.uk

28 May 2026

Dear Stephen

Ref: Complaints against a Minister: Report by the Assembly Commissioner for Standards - Case ID 202500112 and 202500115

I write in follow up to your attendance at the meeting of the Committee for Standards and Privileges ('the Committee') on 29 April 2026, in respect of the above mentioned complaint cases. The Committee has asked me to convey its thanks to you for providing it with a briefing on your investigation report and for answering Members' questions.

Committee role in relation to complaints against Ministers

As you will be aware, the Committee does not currently have an adjudication role in complaints against ministers of alleged breaches of the Ministerial Code of Conduct ('the Code'). However, the Committee has a duty, under Standing Order 69A, to consider any investigation report by the Commissioner, including reports on ministerial complaints, and to publish such reports (on behalf of the Assembly).

The Committee also has the power, following receipt of a report from the Commissioner, to request that the Commissioner undertakes further

investigation and report back to it on the outcome of such further investigation (or on the reasons for concluding that further investigation is unnecessary).[1]

In that regard, the Committee is of the view that some issues have not been addressed in the investigation report and wishes to assure itself that a full and thorough investigation has been completed before publishing the outcome of the complaints cases. Also, the Committee recognises that you have the power to consider and decide whether rules of conduct are engaged which are separate to those cited by complainants. As such, at its meeting on 29 April 2026, the Committee decided to request that you undertake further investigation and, at its meeting on 27 May 2026, agreed that this should include the following specific matters:

Capacity in which the respondent undertook the trip

As discussed during your briefing on 29 April 2026, the Committee considers that there is a gap in the evidence in terms of establishing to where/whom the invitation to the respondent to join the delegation to Israel was initially sent. The invitation refers to being part of a group of "devolved government leaders" but it is unclear to the Committee from the evidence whether the invitation was directed to the respondent as a representative of his political party, an MLA or as a minister in the Northern Ireland Executive. The Committee requests that you pursue this issue as it may be relevant in supporting an analysis of the capacity in which the respondent was invited to join the delegation to Israel.

Also, the Committee notes that, during the investigation interview with you on 26 February 2026, the respondent stated, in relation to the invitation, that "primarily it was accepted in my role as a Member of the Assembly." However, in the respondent's letter (dated September 2025) to the Israeli Minister of Foreign Affairs, the invitation is accepted as Minister of Education (and on Department of Education headed paper). The Committee notes that this latter point is not included in your findings of fact.

The Committee recognises that you received a copy of the acceptance letter after you had interviewed the respondent (when the Permanent Secretary provided it to you on 16 March 2026). In the Committee's view, there is an inconsistency in the evidence and therefore requests that you also undertake further investigation of this matter.

Use of public funds/departmental resources

You have acknowledged (in your report and during your briefing to the Committee) that Department of Education resources had been used to facilitate the trip to Israel; however the Committee notes that you consider that

[1] Section 26 of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 and Standing Order 69A(3)(d)..

this was limited and not at a level which could reasonably constitute a breach of the Code.

The Committee is nonetheless concerned that it would send the wrong message to ministerial office holders, and may 'open the floodgates' for ministers using departmental resources for non-ministerial activities, if evidence of such use of public funds is not subject to the closest of scrutiny and challenge.

Again, the Committee recognises that you received the documentation, including the Private Office email trail on departmental involvement in supporting the trip, only after you had interviewed the respondent. Having considered the details of the said documentation, the Committee notes that the support provided by Private Office officials extended to requesting travel options, checking luggage allowance on flights, finalising travel details and relaying itinerary information. In light of this, the Committee requests that you undertake further investigation to establish:

(1) why the Private Office was involved in supporting the visit to any extent;
(2) why the respondent's own MLA staff/party staff did not undertake the work of replying to the invitation and liaising with the Israeli Embassy on the arrangements (in consultation with the Private Office where necessary); and
(3) an estimate of the costs to the Department of Education for all the direct and indirect support provided to the respondent in relation to the trip.

Use of official resources for party political purposes

The Committee is mindful that ministers are required '*at all times*' to ensure that official resources are not used for party political purposes[2]. Given the abovementioned questions as regards the capacity in which the respondent was acting and that the trip to Israel could be interpretated by some as party political, the Committee requests that further investigation be undertaken to consider whether there has been a breach of the Code specifically in this respect.

Political impartiality of the civil service

The Committee is also aware that ministers are required at '*all times*' to uphold the political impartiality of the civil service, not asking civil servants to act in any way which would conflict with the Northern Ireland Civil Service Code of Ethics[3]. As such, the Committee requests that you investigate, given the circumstances and the evidence (i.e. that civil servants have been involved in supporting a trip which was ostensibly undertaken largely in a non-ministerial capacity) whether there has been a breach of the Code in this respect.

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[2] Northern Ireland Act 1998, Schedule 4, Code of Conduct 1(1)(h)
[3] Northern Ireland Act 1998, Schedule 4, Code of Conduct 1(1)(k)

The Committee asks that you report back on the outcome of this request for further investigation as soon as possible.

Yours sincerely



Shane McAteer
Committee Clerk