



Northern Ireland  
Assembly

# Committee on Standards and Privileges

## Minutes of Proceedings

Wednesday 21 February 2024 at 10.00 a.m.

**Meeting Location:** Room 21, Parliament Buildings

**Present:**

- Carál Ní Chuilín MLA (Chairperson)
- Stewart Dickson MLA (Deputy Chairperson)
- Connie Egan MLA
- Paul Frew MLA
- Harry Harvey MLA
- Cathy Mason MLA
- Colin McGrath MLA

**In Attendance:**

- Shane McAteer, Committee Clerk
- Nick Mitford, Senior Assistant Clerk
- Elaine Farrell, Assistant Clerk
- Alison Ferguson, Clerical Supervisor
- Simon Kelly, Legal Advisor (for agenda item 6)
- Helen Smyth, Legal Advisor (for agenda item 6)

**Agreed:** The Committee agreed to hold the meeting in closed session.



## Northern Ireland Assembly

*The meeting commenced at 10.01 a.m. in closed session*

*Mr Frew joined the meeting at 10.04 a.m.*

**Noted:** Members noted that given the role and functions of the Committee, particularly in the adjudication of live complaints alleging breaches of the Assembly Members' Code of Conduct, confidentiality and impartiality are critical to the operation and reputation of the Committee and the manner in which it exercises its functions.

### **1. Apologies**

None.

### **2. Declaration of Interests**

The Chairperson advised Members of the ongoing requirement to declare relevant financial or other interests as and when they arise and before taking part in any proceedings of the Assembly relating to that matter. Members were further advised that any financial or other interests which relate to the remit of the Committee, or which are likely to be relevant to a substantial part of its work, should be drawn to the attention of the Committee at this stage.

The Chairperson advised Members that the rules governing the registration of declaration of interests are contained in "The Code of Conduct and Guide to the Rules Relating to the Conduct of Member", and that a hard copy has been tabled for information.

*Ms Connie Egan declared an interest as a member of the proposed All-Party Group (APG) on Skills and the Deputy Chairperson of the proposed APG on Youth Participation.*



## Northern Ireland Assembly

*Mrs Cathy Mason declared an interest as the Secretary of the proposed APG on Skills.*

*Mr Harry Harvey declared an interest as a member of the proposed APG on Voluntary and Community Sector.*

*Mr Colin McGrath declared an interest as the Chairperson of the proposed APG on Youth Participation.*

### **3. Committee Procedures**

The Committee noted the following guidance documents:

- 3.1 Committee Membership;
- 3.2 Staff contact details;
- 3.3 Arrangements for committee meetings;

**Agreed:** The Committee agreed that tea, coffee, biscuits and water will be provided as refreshments at committee meetings.

**Agreed:** The Committee agreed that, due to the confidential nature of much of its business and the need to avoid prejudicing its proceedings, its meetings will generally be held in closed session; while any individual items which are of a nature that do not require to be held in private, may be considered in open session. It was further agreed that closed sessions will normally take place after any items being considered in open session have been dealt with.

- 3.4 Guide to the Powers and Operations of Standing and Ad Hoc Committees;

**Noted:** While considering this document, the Committee noted in particular the guidance on privilege and matters of sub-judice contained therein.

- 3.5 Guide to the role of the Committee Chairperson;



## Northern Ireland Assembly

3.6 Guide for members to the Role and Functions of the Committee Secretariat;

3.7 Protocol on conduct and courtesy in Committee meetings;

**Agreed:** The Committee agreed to adopt the protocol on conduct and courtesy in Committee meetings.

3.8 Committee protocol for handling protectively marked meeting documents;

The Committee considered a protocol to safeguard protectively marked documents and minimise the risk of proceedings being prejudiced through unauthorised disclosure of such documents, which was applied by its predecessor committees.

**Agreed:** The Committee agreed to adopt the protocol for handling protectively marked meeting documents.

3.9 Committee approach to preparation and questioning;

**Noted:** The Committee noted the options in terms of its approach to preparation and questioning, which will be considered further at a future strategic planning event.

3.10 Committee approach to dealing with correspondence;

**Agreed:** The Committee agreed to adopt the approach taken by its predecessor Committee for dealing with correspondence; subject to a difference of approach in relation to notifications which the Committee Clerk receives from the Commissioner for Standards during consideration of live complaint cases, whereby the Committee will not be provided with a summary of admissible complaints in advance of receiving the applicable investigation reports from the Commissioner.

## 4. Ethical Standards system in the Northern Ireland Assembly

The Committee received a briefing from the Committee Clerk on the Ethical Standards system in the Northern Ireland Assembly.



Northern Ireland  
Assembly

## **5. Role and Remit of the Standards and Privileges Committee**

The Committee received a briefing from the Committee Clerk on the role and remit of the Standards and Privileges Committee.

## **6. Procedural fairness in Standards and Privileges Committee context**

Simon Kelly and Helen Smyth, Assembly Legal Advisors, joined the meeting at 10.39 a.m.

The Committee received a briefing on procedural fairness in the context of the work of the Standards and Privilege Committee.

The Chairperson thanked Mr Kelly and Ms Smyth for their briefing.

**Agreed:** The Committee agreed that the Committee Clerk will liaise with Assembly Legal Services to provide any follow-up information arising from the briefing.

*Mr Frew left the meeting at 10.54 a.m.*

*Mr McGrath left the meeting at 10.55 a.m.*

*Mr Frew rejoined the meeting at 10.57 a.m.*

## **7. Role and Functions of the Commissioner for Standards**

The Commissioner for Standards, Dr Melissa McCullough, joined the meeting at 10.55 a.m.

Dr McCullough briefed the Committee on her role and functions as the Assembly Commissioner for Standards.

**Noted:** The Committee noted the Commissioners' Annual Report 2022-23.

The Chairperson thanks Dr McCullough for her briefing.



Northern Ireland  
Assembly

## **8. Disclosure procedures in respect of complaints**

The Committee received a briefing from the Committee Clerk on the disclosure procedures in respect of complaints, which ensure a fair process when the Committee is exercising its adjudication function.

The Committee discussed wider considerations in relation the handling of ministerial complaints and noted that this will be on the agenda for the meeting on 28 February 2024.

**Agreed:** The Committee agreed to adopt the disclosure procedures in respect of complaints as outlined.

**Agreed:** The Committee agreed that the Committee Clerk will issue the Commissioner for Standards' investigation reports on two pending MLA complaint cases to the respondents in order to provide them with the opportunity to comment before the reports are considered by the Committee at a future meeting.

## **9. Members' development programme on Committee's adjudication role**

The Committee received a briefing from the Committee Clerk on a proposed Members' development programme on the Committee's specialised adjudication role.

**Agreed:** The Committee agreed in principle to the need for a Members' development programme on its specialised adjudication role. The Committee further agreed that the Committee Secretariat will develop a draft terms of reference for a programme tailored to the Committee's needs, which will be considered at a future meeting.

## **10. Draft Induction Plan and arrangements for Strategic Planning**

The Committee received a briefing from the Committee Clerk on the draft induction plan and the arrangements for strategic planning.



## Northern Ireland Assembly

**Agreed:** The Committee agreed the draft Induction Plan in the recognition that the scheduling of the business items in the Plan is subject to change depending on the need for the Committee to prioritise consideration of investigation reports and other related matters on individual complaint cases.

### **11. Proposals for new All-Party Groups (APGs)**

The Committee received a briefing from the Assistant Clerk on the proposals received for new APGs.

**Agreed:** The Committee agreed to approve the application for an APG on Fuel Poverty.

**Agreed:** The Committee agreed to approve the application for an APG on Universal Basic Income.

**Agreed:** The Committee agreed to approve the application for an APG on Voluntary and Community Sector.

**Agreed:** The Committee agreed to approve the application for an APG on Youth Participation.

**Agreed:** The Committee agreed to approve the application for an APG on Skills.

### **12. Correspondence**

None.

### **13. AOB**

None.



Northern Ireland  
Assembly

#### **14. Date, Time and Place of the next meeting**

The next meeting of the Committee for Standards and Privileges will take place on Wednesday 28 February 2024 at 10.00 a.m. in Room 106.

The Chairperson advised Members that further Committee meetings will be held on Wednesday 13 March 2024 at 10.00 a.m. in Room 106 and on Wednesday 20 March at 9.30 a.m. in Room 21.

*The meeting was adjourned at 11.31 a.m.*

**Carál Ní Chuílin MLA**  
**Chairperson, Committee on Standards and Privileges**  
**28 February 2024**