

The Northern Ireland Assembly Commission

Meeting Venue: Parliament Buildings, Room 106

Meeting date: Monday, 12 May 2025

Meeting Time: 10.00 am



Assembly Commission Members:

Sinéad Ennis MLA (Acting Chairperson)

Trevor Clarke MLA

Nuala McAllister MLA

Andy Allen MBE MLA

Colin McGrath MLA

Officials present:

Lesley Hogg, Clerk/Chief Executive

Tara Caul, Director of Legal, Governance and Research Services

Gareth McGrath, Director of Parliamentary Services

Robin Ramsey, Adviser to the Speaker/Head of Corporate Support

Janet Hughes, Clerical Supervisor

Others in attendance:

Jonathan McMillen, Head of Legal Services

Sinéad McDonnell, Head of HR (Item 3)

The meeting commenced at 10.07 am.

APPOINTMENT OF AN ASSEMBLY COMMISSION MEMBER TO PRESIDE OVER MEETING

Lesley Hogg informed Members that the Speaker would not be present for the meeting due to ill health. In his absence and in accordance with Section 2.6 of the Assembly Commission Handbook, Mrs Hogg asked for a Member to chair the meeting. Members agreed that Sinéad Ennis would act as Chairperson.

1. APOLOGIES

An apology was received from the Speaker.

2. DECLARATIONS OF INTEREST

It was noted that all Members received salaries and allowances as Members of the Assembly.

3. UPDATE ON THE IMPLICATIONS OF THE SUPREME COURT JUDGMENT IN FOR WOMEN SCOTLAND LTD V THE SCOTTISH MINISTERS

Mrs Hogg referred to initial discussion of a paper on the implications of the Supreme Court (UKSC) judgment in the case of For Women Scotland Ltd v The Scottish Ministers at the Assembly Commission meeting on 6 May 2025, when it had been agreed that there would be further discussion about whether any amendments should be made to the Assembly Commission Transgender Policy and Guidance on Assisting and Supporting Transgender Visitors and Other Users of Parliament Buildings (Guidance), following receipt of legal advice from the Legal Services Office.

Mrs Hogg noted that it was necessary for the Assembly Commission to consider the implications of the Supreme Court judgment and that ordinarily a paper would have been brought to the Assembly Commission in the coming weeks.

Mrs Hogg advised that The Rainbow Project recently sponsored event 'Nothing About Us Without Us', due to be held in Parliament Buildings on 12 May 2025, had the potential to increase the likelihood of issues being raised more immediately. Mrs Hogg therefore apologised that the paper had been issued at short notice to Assembly Commission Members, and explained that it had been prepared over the weekend following the receipt of legal advice.

Jonathan McMillen provided a summary of the legal advice setting out the impact of the Supreme Court judgement in relation to relevant UK and Northern Ireland legislation and the associated legal risks.

Mrs Hogg noted that the UKSC judgment was effective immediately and that while the Equality Commission for Northern Ireland (ECNI) has indicated that it intends to produce new Guidance in June 2025 as a consequence of the UKSC judgment, it had been clear that organisations will have to take their own decisions based on their own circumstances.

The Assembly Commission therefore considered whether it should take any interim temporary measures pending a fuller review of the current Assembly Commission Transgender Policy and Guidance.

Members expressed different views with some stating that the Assembly Commission should make changes to the current policy immediately. Others expressed concern at the circumstances in which they were considering legal advice at short notice before a specific event.

Trevor Clarke proposed accepting the recommended temporary changes to the Assembly Commission Transgender Policy and Guidance. The Chairperson agreed that Members could exercise a weighted vote on the proposal:

For:

Trevor Clarke	25 votes
Andy Allen	10 votes
Total:	35 votes

Against:

Sinéad Ennis	27 votes
Nuala McAllister	17 votes
Colin McGrath	8 votes
Total:	52 votes

The proposal fell.

Trevor Clarke and Andy Allen left the meeting at 10.56 am.

Following detailed discussion, Members agreed that a full review of the Assembly Commission Transgender Policy and Guidance should be undertaken including consideration of advice and guidance from the Equality Commission.

Sinéad McDonnell left the meeting at 11.03 am.

4. CONSIDERATION STAGE OF THE ASSEMBLY MEMBERS (REMUNERATION BOARD) BILL – ASSEMBLY COMMISSION POSITION ON SELECTED AMENDMENTS

Robin Ramsey introduced the paper outlining the amendments scheduled for debate on the Consideration Stage of the Assembly Members (Remuneration Board) Bill on 13 May 2025.

The paper proposed a recommendation for each amendment based on the Assembly Commission's previous positions and legal advice.

Following consideration, Members agreed that the Assembly Commission would support its own amendments and those of the Ad Hoc Committee but oppose all others.

Mr Ramsey advised that he would contact Mr Clarke and Mr Allen to confirm that they were also content with the proposed recommendations.

5. DATE OF NEXT MEETING

The next meeting is scheduled for 18 June 2025.

The meeting ended at 11.05 am.