



COMMITTEE ON STANDARDS AND PRIVILEGES

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First Minister and deputy First Minister
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Dear First Minister and deputy First Minister

MINISTERIAL CODE OF CONDUCT

In 2021, the functions of the Assembly Commissioner for Standards ('the Commissioner') were extended (by virtue of section 5 of the Functioning of Government (Miscellaneous Provision) Act (Northern Ireland) 2021) to include investigating and reporting to the Assembly on complaints against Ministers regarding alleged breaches of the [Ministerial Code of Conduct](#).

The current legislative and procedural arrangements mean that the Committee on Standards and Privileges ('the Committee') considers *any* investigation report by the Commissioner, whether it relates to alleged breaches of the MLA Code of Conduct or the Ministerial Code of Conduct (or both). The Committee does not, however, have an adjudication function in relation to ministerial complaints.

At its meeting on 3 December 2025, the Committee considered an investigation report on complaints against a Minister. Arising from that consideration, the

Committee agreed that I should write to you to suggest that you consider the need for clarification on when the Ministerial Code of Conduct applies to Ministers; and to consider whether the wider [Ministerial Code](#) requires to be updated to reflect legislative amendments to the Ministerial Code of Conduct arising from the [Northern Ireland \(Ministers, Elections and Petitions of Concern\) Act 2022](#).

I understand that, in June 2021, the previous Committee wrote to the then Secretary of State, Mr Brandon Lewis, to highlight the urgent need for clarity on both the scope of the Ministerial Code of Conduct and on where responsibility for guidance and review of the Ministerial Code of Conduct falls, as highlighted in the then Commissioner's Annual Report 2020-2021. It seems that the previous Committee did not receive a response in that regard.

The Committee's report on the recent complaint case is available at the following link:

<https://lk.cmte.fyi/ReportMinisterGordonLyonsMLA>

This highlights, in particular, the need for clarification on *when* the Ministerial Code of Conduct applies to Ministers (including what is meant by the requirement at paragraph 1(1) that 'Ministers must at all times...'). Given that the aforementioned issues cut across devolved and non-devolved functions, you may wish to liaise with the Secretary of State regarding any necessary clarificatory amendments or guidance on the Ministerial Code of Conduct.

Yours sincerely

Cathy Mason
Chairperson of the Committee on Standards and Privileges

cc Mr Stephen Wright, Commissioner for Standards