Northern Ireland Assembly

Committee on Standards

Report on complaints against Minister Paul Givan MLA

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Report: NIA 164/22-27 Committee on Standards

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Powers and Membership

Powers

The Committee on Standards is a Standing Committee of the Northern Ireland Assembly established in accordance with paragraph 10 of Strand One of the Belfast Agreement and under Assembly Standing Orders 51 and 57. Further provisions on the Committee's functions are also included in Standing Orders 69, 69A, 69B and 69C.

The Committee has the power:

- To oversee the work of the Assembly Clerk of Standards;
- To examine the arrangements for the compilation, maintenance and accessibility of the Register of Members' Interests and any other register of interests established by the Assembly, and to review from time to time the form and content of those registers;
- To consider any specific complaints made in relation to the registering of declaring of interests referred to it;
- To consider any matter relating to the conduct of members; and
- To recommend any modification to any Assembly code of conduct as may from time to time appear to be necessary.

The Committee is appointed at the start of every Assembly, and has the power to send for persons, papers and records that are relevant to its inquiries.

Membership

The Committee has 9 members, including a Chairperson and Deputy Chairperson, and a quorum of five members. The membership of the Committee is as follows:

- Cathy Mason MLA (Chairperson)[1]
- Connie Egan MLA (Deputy Chairperson)[2]
- Keith Buchanan MLA[3]
- Trevor Clarke MLA[4]
- Stewart Dickson MLA
- Mark Durkan MLA[5]
- Paul Frew MLA
- Declan McAleer MLA[6]
- Emma Sheerin MLA[7]

[1] From 3 February 2025 Cathy Mason replaced Carál Ní Chuilín as Chairperson.

[2] From 8 November 2024 Connie Egan replaced Stewart Dickson as Deputy Chairperson.

[3] From 3 March 2026 Keith Buchanan replaced Harry Harvey as a member of the Committee.

[4] From 3 March 2026 Trevor Clarke replaced Brian Kingston as a member of the Committee.

[5] From 8 September 2025 Mark Durkan replaced Colin McGrath as a member of the Committee.

[6] From 10 February 2025 Declan McAleer replaced Carál Ní Chuilín as a member of the Committee.

[7] From 24 November 2025 Emma Sheerin replaced Jemma Dolan as a member of the Committee.

List of Abbreviations and Acronyms used in this Report

DE:	Department of Education
GPD:	General Procedures Direction
MLA:	Member of Legislative Assembly
The Assembly:	Northern Ireland Assembly
The Code:	The Ministerial Code of Conduct
The Commissioner:	The Commissioner for Standards
The Committee:	The Committee on Standards

Introduction

1. The Committee on Standards ('the Committee') has considered a report from the Assembly Commissioner for Standards ('the Commissioner'), Mr Stephen Wright, on his investigation into complaints against the Minister for Education, Mr Paul Givan MLA ('the respondent') of alleged breaches of the Ministerial Code of Conduct ('the Code')[8]. A link to the Commissioner's (first) investigation report, which includes a copy of the complaints correspondence, together with the evidence gathered during the investigation, is included at **Appendix 1** (a limited amount of information has been redacted from the Commissioner's report to accord with legal obligations).

2. A link to the applicable minutes of proceedings of the Committee is included at **Appendix 2**.

Role of the Committee

3. The arrangements for regulating the standards of conduct of Ministers include: the role of the independent Commissioner in investigating complaints of alleged breaches of the Code; the role of the Committee in considering and publishing the Commissioner's investigation reports; and the role of the Assembly in plenary in deciding whether any sanction/s should be imposed, if the Assembly, in considering the findings of the Commissioner's report, believes there has been a breach of the Code.

4. These arrangements have come about, in part, due to section 5 of the Functioning of Government (Miscellaneous Provisions) Act (Northern Ireland) 2021, which extended the powers of the Commissioner to include the investigation and reporting on complaints against Ministers on any alleged

[8] https://www.legislation.gov.uk/ukpga/1998/47/schedule/4

breaches of the Code. The Commissioner's new functions came into effect on 22 March 2021.

5. In light of the Commissioner's new powers, the Committee had sought legal advice on its role in relation to the consideration of investigation reports from the Commissioner on complaints against Ministers. The Committee noted from the legal advice that, in contrast to complaints against MLAs of alleged breaches of the Assembly Code of Conduct, it does not have an adjudication role in relation to complaints against Ministers on alleged breaches of the Ministerial Code of Conduct. 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).

Background

6. The Commissioner received seven complaints in total in relation to a visit by Minister Givan to Israel from 23-31 October 2025; five of these complaints were deemed inadmissible as they had failed to satisfy the conditions set out in paragraph 3.3 of the General Procedures Direction (GPD)[9], while the two remaining complaints from members of the public ('the complainants') formed the basis of the investigation by the Commissioner.

7. The first complaint was made by Mr Oisin McKibbin, who raised a number of issues regarding the visit by the Minister to Israel. While the Commissioner decided that various issues raised were inadmissible, he focused his investigation on an allegation by Mr McKibbin that the Minister had failed to uphold the Principles of Public Life as set out in the Code, namely Integrity, Openness and Accountability.

[9] The GDP which applied at the time of the conduct in question can be found at the following link: https://www.niassembly.gov.uk/assembly-business/committees/2017-2022/standards-and-privileges/direction-on-general-procedures/#complaints

8. Whilst the second complaint, which was made by Ms Aine McElhinney, also raised a number of inadmissible issues, the Commissioner focused his investigation on Ms McElhinney's allegation that the Minister had failed to uphold the requirement in the Code to: *"operate in a way conducive to promoting good community relations and equality of treatment".*

9. In addition, the Commissioner considered the generalised allegations in both complaints regarding misuse of public funds, as well as the allegation in the second complaint that the respondent had failed to uphold the Principles of Selflessness and Leadership.

10. The Commissioner commenced his formal investigation on 9 February 2026. On 13 April 2026 the Commissioner forwarded his investigation report to the Committee for consideration.

11. Prior to the Committee commencing its consideration and in accordance with its established disclosure process, on 13 April 2026, the Committee Clerk sent the Commissioner's full investigation report to the respondent, for written comment in respect of any matter raised within the report. Where applicable, any written comments received from the respondent in such complaint cases are provided to the Committee at the same time it receives the Commissioner's investigation report.

12. The respondent subsequently made a written submission to the Committee, advising that, while he had no substantive comments to make on the matters raised within the investigation report, he wished to draw the Committee's attention both to personal data and to Department of Education (DE) Private Office correspondence contained within the report – he requested that the former be redacted and that careful consideration be given to whether the latter should be published (this issue is discussed below). The submission from the respondent can be found at **Appendix 3**.

The Commissioner's findings of fact and reasoning

13. As a result of his investigation, the Commissioner made various findings of fact (page 10 of his report) which are outlined below:

    - "*On 15th September 2025, an invitation was received by Mr Givan to attend a delegation to Israel. The invitation was addressed to 'Mr Givan'. There was no indication that the invitation was intended for the visit to be in a Ministerial capacity.*

    - *No prior arrangements were made for the delegation to have a specific educational aspect.*

    - *Limited administrative support was provided to Mr Givan in respect of the trip.*

    - *All costs were covered by the Israeli Embassy.*

    - *The trip was properly declared on the NI Assembly's Register of Member's Interests.*

    - *On 27th October, as part of the delegation, Mr Givan attended the OFEK school in East Jerusalem.*

    - *That date a post was placed on the Department of Education website informing of the visit by the 'Education Minister' to a school in Israel."*

14. As is standard practice, and in accordance with paragraph 7.14 of the GPD, the respondent was provided with the opportunity to challenge any of the above findings of fact made by the Commissioner; the respondent did not do so.

15. In setting out his reasoned decision (pages 11 – 13 of his report), the Commissioner explains that consideration was first given to whether the visit

engaged the Code and, having considered the facts, the Commissioner states that he is satisfied that the respondent did not participate generally in the delegation as the Minister for Education; therefore, the Code was not initially engaged.

16. The Commissioner explains further that, when the respondent directed that a press release be issued and a post placed on the DE website, he clearly acted in the capacity of Minister, a fact which the respondent has acknowledged; therefore, this aspect of the respondent's participation in the visit did engage the Code.

17. Furthermore, the Commissioner explains that having concluded that the respondent's participation in the delegation in general did not engage the Code as he was attending in his capacity as an MLA, *"it is difficult to conclude that a visit to a school by the Education Minister, other than for its location, could constitute a breach of the Code."* Moreover, the Commissioner found no evidence to substantiate that there was a breach of some aspect of the Code specifically due to the school visit.

The Commissioner's findings on allegations

18. The Commissioner sets out his findings on the allegations on pages 13 – 15 of his investigation report. In terms of the generalised allegations relating to the requirement on ministers to "**comply with this Code and with rules relating to the use of public funds**", the Commissioner found no evidence to support an allegation that the respondent had misused public funds and noted that: *"Departmental support for the visit was limited to a small number of administrative tasks such as would be the case on any occasion that a minister was absent or unavailable and no other departmental staff attended."*

19. As regards the allegation that the respondent had failed to uphold the requirement in the Code to: "**operate in a way conducive to promoting good community relations and equality of treatment**", the Commissioner explains in the following terms why he thinks that this rule was not breached:

"*Logically this rule must relate to operating in a way conducive to promoting good community relations in Northern Ireland. Ultimately there is no evidence to support a conclusion that the Ministerial aspect of the visit by Mr Givan to Israel, specifically the OFEK school, would have any effect on equality of treatment in Northern Ireland or was not conducive to promoting good community relations. The community in Northern Ireland have differing views on the politics and conflict in Israel and Gaza. It is difficult to see how this school visit would have any impact on those pre-existing views".*

20. In terms of the allegations that the respondent failed to uphold the **Principles of Integrity, Openness, Accountability, Selflessness and Leadership**, the Commissioner sets out (at pages 14 – 15 of his report) as follows why he does not find a breach of the Code in this regard:

*"**Principle of Integrity***

This requires that holders of public office should not place themselves under any financial obligation to outside individuals or organisations that might influence them in the performance of their official duties. Mr Givan has properly registered this visit in accordance with the rules. In addition, international relations are excepted matters and the potential for conflict of interest is therefore remote."

*"**Principle of Openness***

This requires that holders of public office are as open as possible about all the decisions and actions that they take. There is no evidence that Mr Givan has withheld any information regarding his trip either from the Assembly or this investigation."

*"**Principle of Accountability***

This requires that holders of public office are accountable for their decisions and actions. There is no evidence that Mr Givan has failed to submit himself to scrutiny from any quarter in respect of the visit."

"***Principle of Selflessness***

This requires that holders of public office should take decisions in terms of the public interest. Public opinion and commentary would suggest that there is no agreed position which could represent the greater public interest in relation to the Israel / Gaza conflict. There is no evidence which suggests that Mr Givan stands to gain financially or in terms of other material benefits from his participation in this visit."

*"**Principle of Leadership***

This requires that holders of public office should promote and support these principles by leadership and example. Having not found a breach of the other principles, it is not possible to conclude that Mr Givan failed to show leadership in this context."

21. In concluding, the Commissioner stated that he was satisfied that, on the balance of probabilities, the respondent's conduct in participating in the delegation to Israel and visiting the OFEK school did not breach any aspect of the Code.

The Committee's consideration and request for further investigation

22. At its meeting on 29 April 2026, the Committee received a briefing from the Commissioner on the complaints case and undertook its consideration of the investigation report. During its discussion of the report, the Committee considered that some issues had not been addressed and wished to assure

itself that a full and thorough investigation had been completed before publishing the outcome of the complaints case. Also, the Committee recognised that the Commissioner has the power to consider and decide whether rules of conduct are engaged which are separate to those cited by complainants.

23. Moreover, the Committee was clear that it has the power, following receipt of a report from the Commissioner, to request that the Commissioner undertakes further investigation and reports back to it on the outcome of such further investigation (or on the reasons for concluding that further investigation is unnecessary).[10]

24. As such, at its meeting on 29 April 2026, the Committee decided to request that the Commissioner undertake further investigation and, at its meeting on 27 May 2026, agreed that this should include the following specific matters:

- **The capacity in which the respondent undertook the trip to Israel**

  The Committee considered that there was 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, including whether it was directed to him as a representative of his political party, an MLA or as a minister in the Northern Ireland Executive. Also, the Committee identified an inconsistency in the evidence in that, while the respondent stated that he accepted the invitation primarily in his role as an MLA, his letter to the Israeli Minister of Foreign Affairs accepting the invitation was as Minister of Education and on DE headed paper.

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

- **The requirement to comply with the rules relating to the use of public funds/departmental resources**[11]

  While noting that the Commissioner considered that the use of DE resources to facilitate the trip was "limited and not at a level which could reasonably constitute a breach of the Code", the Committee was concerned that it would send out the wrong message 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.

  In noting 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, the Committee requested further investigation to establish: why the Private Office was involved to any extent; why the respondent's own MLA staff/party staff did not undertake the work in question (in consultation with the Private Office where necessary); and an estimate of the costs to the DE for all the direct and indirect support provided in relation to the trip.

- **The requirement that official resources are not used for party political purposes**[12]

  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 requested investigation into whether there had been a breach of this requirement in the Code, with which Ministers must comply *'at all times'*.

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[11] Code of Conduct 1(1)(d)

[12] Code of Conduct 1(1)(h)

- **The requirement 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**[13]

  Given the circumstances and the evidence (i.e. that civil servants had been involved in supporting a trip which was ostensibly undertaken largely in a non-ministerial capacity), the Committee requested investigation into whether there had been a breach of this requirement in the Code, with which Ministers must comply *'at all times'*.

25. A copy of the Committee's letter requesting the Commissioner to undertake further investigation can be found at **Appendix 4**.

26. In addition, the Committee commissioned legal advice on what, if any, further redactions would be required to the Commissioner's investigation report to ensure the Committee meets it legal obligations in line with normal practice. In that regard, the Committee had noted requests, including from the respondent and from the DE Permanent Secretary, that consideration be given to whether to publish correspondence from the Private Office which is contained within the appendices to the investigation report (at 'Document 10').

27. At the meeting on 27 May 2026, the Committee noted the legal advice on the matter and agreed to make some additional redactions to the Commissioner's report which related to personal data, including of individuals who would not expect to have their names in the public domain. However, the Committee was clear that: (1) there was no legal reason for it to withhold the said correspondence at Document 10 in its entirety; (2) there is a public interest in assessing the potential use of public resources in a visit that was asserted to be a private/non-ministerial visit; and (3) it is reasonable for the documents to be

[13] Code of Conduct 1(1)(k)

published when they have clearly been considered and relied upon by the Commissioner.

The Commissioner's further investigation findings

28. The Commissioner forwarded his Further/Additional Investigation Report (the 'second report' – at **Appendix 5**) to the Committee on 19 August 2026, which was considered at the Committee meeting on 23 September 2026.

29. In his second report, the Commissioner explains that a number of further enquires were made by him in respect of the Committee's request for further investigation of the complaints case. This included writing to and receiving written responses from the DE Permanent Secretary and the respondent (the details of each of these responses are outlined at pages 2-4 of the second report).

30. In addition, the Commissioner, having received the abovementioned written responses, interviewed the respondent again, on 23 July 2026, to clarify certain matters, including as regards in which capacity the respondent had been invited to join the delegation to Israel (details of that interview are outlined at pages 4-6 of the second report).

31. The main findings from the Commissioner's further investigation were outlined in the following terms (at pages 6 – 9 of the second report):

Capacity in which the respondent undertook the trip

"The acceptance of the invitation was issued 3 days after receipt of the invitation, on departmental paper, during the initial period when it was unclear in what capacity Mr Givan would be attending. As further details were received about the trip, it became clear that he would be attending in his MLA capacity."

"Ultimately, no departmental advice was sought or provided regarding the trip as would be the case for any Ministerial trip nor did any departmental officials attend any part of the trip."

"*I remain satisfied that Mr Givan participated in the delegation in his MLA capacity."*

Use of public funds/departmental resources

"Mr Malcolm, Permanent Secretary, clarified that follow up work, noted as less than 1 hour, included time spent on that initial period of confusion…"

"It is reasonable to accept that there will be some degree of cross over between a Minister's Private Office and work to make arrangements for MLA or private business or absence from the office. Each case must therefore be assessed on its own merits."

"In this case, both the previous and current Permanent Secretaries are satisfied that the work undertaken by the Private Office was negligible and not inappropriate. Whilst acknowledging and endorsing the critical need to maintain a clear distinction between the work of a Minister's Private Office and that which relates to his MLA or private business, I remain satisfied that the use of public resources was not to the extent as to engage the Ministerial Code of Conduct."

Use of official resources for party political purposes

"A party political purpose can be considered as a purpose whose primary aim is to influence the public to support or oppose a political party or elected official. The delegation to Israel was a multi-party group framed in the invitation as offering an opportunity to 'experience the country's distinctive cultural, innovative and historical heritage' and 'to hear from a variety of voices across the political spectrum."

"Mr Givan, in interview described the visit as a cultural, fact-finding exchange and an opportunity to experience and hear from people. The press release issued by Mr Givan on the Department website contained no political opinion or commentary."

"In the circumstances, it is not clear that the visit could be categorised primarily as having a party political purpose."

"In any event I have found that the use of official resources was not to the extent as to engage the Ministerial Code of Conduct."

Political Impartiality of the Civil Service

"In his response, Mr Malcolm, Permanent Secretary, indicated that the Head of the Civil Service had considered the issue and found there to be no such breaches on the part of any staff involved."

"There is therefore insufficient evidence to satisfy me that there is a prima facie case that a breach of this section of the Ministerial Code of Conduct has occurred."

32. In concluding, the Commissioner stated:

"Whilst I have found no breaches of the Ministerial Code of Conduct in this case, the Code does place clear and necessary requirements on Ministers in respect of the use of official resources and staff. Ministers must therefore maintain a clear distinction in situations of potential overlap and exercise particular care to ensure that they are transparent and accountable in their use of official resources and staff."

The Committee's conclusion

33. The Committee discussed the current procedural arrangements for complaints against ministers, which are different to those for complaints against MLAs. The Committee noted that it is required to consider the Commissioner's

investigation reports under Standing Order 69A(3)(a). However, as alluded to above, under the current procedural arrangements, the Committee has no adjudication role in relation to such complaints, in terms of deciding on whether there has been a breach of the Code (consequently that role rests with the Commissioner).[14]

34. At its meeting on 23 September 2026, the Committee agreed that, in reporting on its consideration of the case, the Committee would follow the approach taken with previous ministerial complaint cases; whereby it would publish a report to include: the Commissioner's investigation report; the written response from the respondent to the investigation report; the Committee's request for further investigation by the Commissioner; and the Commissioner's subsequent report on the further investigation.

35. In addition, the Committee wrote to the respondent offering him the opportunity to comment on the second report; however, no response was received.

36. In conclusion, the Committee noted that the Commissioner has not upheld the complaints and agreed to note the Commissioner's two investigation reports and publishes them (together with the related documents) by way of this report. This fulfils the Committee's function in relation to considering and publishing all investigation reports submitted by the Commissioner.

[14] In ministerial complaint cases where a Commissioner's investigation report has concluded that the Code has been breached (unlike the instant case), the Committee cannot recommend the imposition of sanction/s on ministers to the Assembly. Rather, it is the role of the Assembly in plenary in deciding whether any sanction/s should be imposed, if the Assembly, in considering the findings of a Commissioner's investigation report, believes there has been a breach of the Code.

Links to Appendices

Appendix 1: The Commissioner for Standards Report on complaints against Minister Paul Givan MLA

View the Commissioner for Standards report on complaints against Minister Paul Givan MLA

Appendix 2: Minutes of Proceedings

View Minutes of Proceedings of Committee meetings related to the report

Appendix 3: Written submission from the respondent in response to the Commissioner for Standard's investigation report

View written submission from the respondent to the Commissioner for Standard's investigation report

Appendix 4: Correspondence to the Commissioner from the Committee requesting further investigation of the complaints case

View the correspondence to the Commissioner from the Committee requesting further investigation of the complaint case

Appendix 5: The Commissioner for Standards Further Investigation Report on complaints against Minister Paul Givan MLA

View the Commissioner for Standards Further Investigation Report on complaints against Minister Paul Givan MLA

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