



**AD-HOC COMMITTEE FOR THE NORTHERN IRELAND PUBLIC SERVICES
OMBUDSPERSON BILL**

**TUESDAY 29 SEPTEMBER 2015, 10.30 AM ROOM 21, PARLIAMENT
BUILDINGS, BALLYMISCAW, STORMONT**

Present: Lord Morrow (Chairperson)
Mr Pat Sheehan (Deputy Chairperson)
Mr Leslie Cree
Mr Colum Eastwood
Mr David Hilditch
Mr Trevor Lunn
Mr Gary Middleton
Ms Maeve McLaughlin

In Attendance: Mr Paul Gill (Clerk)
Ms Shauna Mageean (Senior Assistant Assembly Clerk)
Ms Kate McCullough (Assistant Assembly Clerk)
Mr Jim Nulty (Clerical Supervisor)

The meeting opened at 10.34am in closed session.

1. Assembly Legal Advice

*David Hilditch joined the meeting at 10.35am
Colum Eastwood left the meeting at 10.45am
Pat Sheehan joined the meeting at 10.55am
Maeve McLaughlin joined the meeting at 10.55am
Pat Sheehan left the meeting at 11.10am*

The Committee received legal advice from the Assembly Legal Services.

The meeting moved to open session at 11.35am

2. Apologies

Apologies received from Mr Cathal Boylan and Mr Alban Maginness

3. Minutes of the last meeting

The Committee agreed the minutes of the meeting held on Tuesday 22 September 2015.

4. Matters Arising

David Hilditch left the meeting at 11.45am

Members noted the clarification of the difference between the remit of the Office of the Independent Adjudicator for Higher Education and the Public Services Ombudsperson.

Agreed: To provide the Committee with information on the legislative basis for the establishment of the Office of the Independent Adjudicator for Higher Education.

David Hilditch joined the meeting at 11.45am

5. Correspondence

Members noted the correspondence from the Committee on Standards and Privileges proposing an amendment to Schedule 3 of the Bill to include the Commissioner for Standards.

Agreed: The Committee agreed to note the correspondence and agreed that it should be included in the Appendices of the Committee's final report

6. Northern Ireland Public Services Ombudsperson Bill – Draft Report

Introduction – Paragraphs 38-48

Agreed: The Committee was content that paragraphs 38-48 stand part of the report

Background and Call for Evidence – Paragraphs 49-61

Agreed: The Committee was content that paragraphs 49-61 stand part of the report

Part 1 The Northern Ireland Public Services Ombudsperson – Clauses 1-4 Paragraphs 62-79

Agreed: The Committee was content that paragraphs 62-79 stand part of the report

Part 2 Investigations – Clause 5-10 Power of Investigation – Paragraphs 80-104

Agreed: The Committee was content that paragraphs 80-104 stand part of the report

Clause 11 Purposes of investigation – Paragraphs 105-110

Agreed: The Committee considered an amendment to paragraph 110 in light of legal advice received and agreed paragraph 110 as amended.

Agreed: The Committee was content that paragraphs 105-110 as amended stand part of the report

Clause 12 and 13 – listed authorities – Paragraphs 111-117

Agreed: The Committee was content that paragraphs 111-117 stand part of the report

Clauses 14-23 Matters which may be investigated – Paragraphs 118-163

Agreed: The Committee was content that paragraphs 118-163 stand part of the report

Clauses 24-27 Procedure for making complaints to the Ombudsperson – Paragraphs 164-181

Agreed: The Committee was content that paragraphs 164-181 stand part of the report

Clause 28 and 29 Procedure for complaint referred to the Ombudsperson and procedure for own initiative investigation – Paragraphs 182-189

Agreed: The Committee was content that paragraphs 182-189 stand part of the report

Clause 30 and 31 Conduct of investigations – Paragraphs 190-204

Agreed: The Committee was content that paragraphs 190-204 stand part of the report

Clause 32 Privileged and confidential information, Paragraphs 205-215

Agreed: The Committee was content that paragraphs 205-215 stand part of the report

Clause 33 – Paragraphs 216-219

Agreed: The Committee was content that paragraphs 216-219 stand part of the report

Part 3 Miscellaneous and General - Clause 34 Reports on investigations – Paragraphs 220-228

Agreed: The Committee considered an amendment to paragraph 228 in light of legal advice received and agreed paragraph 228 as amended.

Agreed: The Committee was content that paragraphs 220-228 as amended stand part of the report

Clauses 35 and 36 – Paragraphs 229-239

Agreed: The Committee was content that paragraphs 229-239 stand part of the report

Clause 37 Reports to the Assembly - Paragraphs 240-246

Agreed: The Committee agreed to consider these paragraphs later in the meeting.

Clause 38 and 39 Reports and privileged information and privilege for certain publications – Paragraphs 247-255

Agreed: The Committee was content that paragraphs 247-255 stand part of the report

Clause 40-41 disclosure – Paragraphs 256-268

Agreed: The Committee was content that paragraphs 256-268 stand part of the report

Clause 42 consultation and co-operation – Paragraphs 269-275

The Committee was content that paragraphs 269-275 stand part of the report

Clauses 43-48 Court proceedings – Paragraphs 276-292

Agreed: The Committee was content that paragraphs 276-292 stand part of the report

Part 4 The Northern Ireland Judicial Appointments Ombudsman – Clause 49 – Paragraphs 293-298

Agreed: The Committee was content that paragraphs 293-298 stand part of the report

Part 5 Supplementary Provisions Clauses 50-57 – Paragraphs 299-322

Agreed: The Committee was content that paragraphs 299-322 stand part of the report

Schedule 1 – The Northern Ireland Public Services Ombudsperson – Paragraphs 323-335

Agreed: The Committee was content that paragraphs 323-335 amended stand part of the report

Schedules 2-9 – Paragraphs 336-367

Agreed: The Committee was content that paragraphs 336-367 stand part of the report

Other Issues – Paragraphs 368-378

Agreed: The Committee was content that paragraphs 368-378 stand part of the report

Clause by Clause consideration of the Bill – Paragraphs 379-447

Agreed: The Committee was content that paragraphs 379-447 stand part of the report

Appendices 1-4 pages 119-124

Agreed: The Committee was content the Minutes of Proceedings; Minutes of Evidence; Written Submissions; and Other Papers and Correspondence stand part of the report

Executive Summary – Paragraphs 1-48

Agreed: The Committee agreed to consider these paragraphs later in the meeting

Powers and Membership, Table of Contents, Abbreviations

Agreed: The Committee was content that sections on Powers and Membership, Table of Contents and Abbreviations stand part of the report

Agreed: The Committee agreed the extract of minutes of proceedings and minutes of evidence be approved by the Chairperson and included in the report

The meeting moved into closed session at 12.14pm

The meeting moved into open session at 12.30pm

Clause 37 Reports to the Assembly Paragraphs 240-246

Agreed: The Committee considered an amendment to paragraph 246 and agreed paragraph 246 as amended

Agreed: The Committee was content with paragraphs 240-246 as amended stand part of the report

Executive Summary – Paragraphs 1-48

Agreed: The Committee was content that paragraphs 1-48 stand part of the report

Agreed: The Committee agreed that this report by the first report of the Ad Hoc Committee on the Public Services Ombudsperson Bill to the Assembly

Agreed: The Committee agreed that a note be laid in the Business Office advising of the Committee's agreement to publish the report

Agreed: The Committee agreed the Secretariat may make formatting changes required to the report in advance of electronic publication and noted that the report will be electronically distributed to all MLAs when available.

7. Any Other Business

There was no other business.

As this was the final meeting of the Committee, the Chairperson thanked members of the Committee for their contribution.

The Chairperson adjourned the meeting at 12.34pm

LORD MORROW

Chairperson to the Ad Hoc Committee for the NIPSO Bill