



**Northern Ireland  
Assembly**

## **COMMITTEE ON STANDARDS AND PRIVILEGES**

### **MINUTES OF PROCEEDINGS**

**WEDNESDAY, 1 JULY 2020  
VIRTUAL MEETING (STARLEAF)**

Present: Ms Sinéad Ennis MLA (Chairperson)  
Mr William Irwin MLA (Deputy Chairperson)  
Mrs Pam Cameron MLA  
Mr Colm Gildernew MLA  
Mr Declan McAleer MLA  
Mr George Robinson MLA  
Mr Patsy McGlone MLA

Apologies: Mr Stewart Dickson MLA

In Attendance: Mr Shane McAteer (Assembly Clerk)  
Mrs Clairita Frazer (Senior Assistant Clerk)  
Ms Aoibheann Baker (Assistant Clerk)  
Mr Jim Nulty (Clerical Supervisor)

*The meeting commenced at 12:14pm in open session.*

#### **1. Apologies**

No apologies were received.

#### **2. Declaration of Members' Interests**

Members were advised of the ongoing requirement to declare relevant financial or other interests as and when they arise on the Committee.

No interests were declared

#### **3. Draft Minutes**

The minutes of the meeting on 19 February 2020 were agreed under the provisions of temporary Standing Order 115(9) on 6 May 2020.

#### **4. Matters Arising**

Members noted the Committee Secretariat paper setting out the decisions made by the Committee under temporary Standing Order 115(9) since the last formal meeting on 19 February 2020. The decisions included:

- Approval of Guidance to Assembly Members on All-Party Groups meeting during the public health crisis;
- Approval of the Minutes of Proceedings for the meeting held on 19 February 2020;
- The Committee's approach to responding to the Finance Committee on the Functioning of Government (Miscellaneous Provisions) Bill;
- Approval of the All-Party Group on Ethnic Minority Community;
- Approval of the All-Party Group on Reducing Harm related to Problem Gambling;

During the Committee's consideration of this matter, it was noted that Mrs Cameron declared an interest in regards to being an office holder for the proposed Group; and

- Approval of the All-Party Group on Parental Participation in Education.

Members also noted the following correspondence arising from the meeting on 19 February 2020:

- A response from The Speaker on behalf of the Assembly Commission, dated 9 June 2020, in relation to work on an inappropriate behaviours/unacceptable behaviours policy, which was for discussion under agenda item 7;
- A response from the All-Party Group on Football, dated 24 February 2020, providing clarification on the purpose of the Group;
- A holding response from The Executive Office, dated 12 March 2020, regarding the Committee's request for information on the process and timetable for taking forward the commitments in the *New Decade New Approach* Agreement which are relevant to the functions and work of the Committee.

## **5. All-Party Group Update**

Members received an update briefing from the Committee Secretariat on All-Party Groups.

*Agreed:* The Committee agreed supplementary guidance on virtual meetings of All-Party Groups for issuing to All-Party Group Chairpersons and Secretariat and for publication online.

*Agreed:* The Committee agreed to amend the All-Party Group registration form to require that the terms used for designation of identity accord with those used in Assembly Standing Orders (i.e. “Nationalist”, “Unionist”, or “Other”) and to request that the amended registration form be submitted for the proposed All-Party Group on Early Education and Childcare.

*Agreed:* The Committee agreed to the continued use of temporary Standing Order 115(9) to approve any additional All-Party Group registration forms received after today’s meeting and before the next scheduled meeting.

*Agreed:* The Committee agreed that, during the current public health crisis, All-Party Groups will be afforded flexibility in relation to holding their Annual General Meetings (AGMs) and electing officers; whereby they will be advised to hold their AGMs as soon as possible and no later than the end of September 2020.

## **6. Committee response to the Functioning of Government (Miscellaneous) Provisions Bill**

The Committee considered its response to the Finance Committee, which is leading the Committee Stage scrutiny of this Private Members’ Bill and had asked the Committee for its views on applicable clauses of the Bill in accordance with Standing Order 64A. While the Committee had originally planned to develop and agree its response under temporary Standing Order 115(9), the scheduling of

today's formal meeting would provide an opportunity to discuss and potentially agree a response during the meeting.

Members noted the following papers: a previously issued Committee Secretariat paper; a comparative research paper by Assembly Research and Library Service on "Investigating alleged breaches of Ministerial Codes"; and a draft Committee response to the Finance Committee, together with the written responses from The Executive Office and the Bill Sponsor to questions posed by the Committee.

*Agreed:* The Committee agreed to forward the written evidence which it had gathered on clauses 5 and 10 of the Bill to the Finance Committee to inform its forthcoming clause-by-clause consideration of the Bill. It was *further agreed* that: the draft response to the Finance Committee will be amended accordingly, issued and published on the Committee's web pages; and that the Committee will, if necessary, revisit the relevant clauses at a later stage in the passage of the Bill through the Assembly.

*The meeting moved into closed session at 12:42pm*

## **7. Draft Committee Strategic Plan 2020-22**

Members received a briefing from the Committee Secretariat on the Draft Committee Strategic Plan 2020-22 which reflected the outcome of the Committee's informal priority planning event held on 11 March 2020.

As part of their deliberations, the Committee members received a verbal update on the position in relation to the appointment of an Assembly Commissioner for Standards and noted that the Assembly Commission will write formally to the Committee in this regard in the coming days.

*Agreed:* The Committee agreed that, given the current public health crisis, the previously proposed fact-finding visits to meet counterparts in other legislatures will, in the first instance, now be arranged as informal virtual meetings to discuss topics of mutual interest.

Members discussed the correspondence from the Assembly Commission which was noted under agenda item 4 and included a proposal for The Speaker and the Committee Chairperson to meet informally to discuss how the work on an unacceptable behaviours policy and related matters could be progressed.

*Agreed:* The Committee agreed that the Chairperson will meet with The Speaker to discuss the possibility of the Committee and the Assembly Commission working jointly on an unacceptable behaviours policy and related matters, and revert back to the Committee with an update in due course.

## **8. Potential amendments to the Assembly’s Code of Conduct and Guide to the Rules**

Members received a briefing from the Committee Secretariat on potential amendments to the Assembly’s Code of Conduct and Guide to the Rules, which had been identified by the previous Committee, by the last Commissioner for Standards and as a result of the experience of the registration process in the current Mandate and developments in comparator legislatures.

*George Robinson left the meeting at 12:59 pm*

*George Robinson rejoined the meeting at 13:02pm*

*Agreed:* The Committee agreed that members will give follow-up consideration to the potential amendments and forward any further comments to the Committee Clerk by Friday 10 July 2020.

*Agreed:* The Committee agreed that, following today’s discussion and the submission of any additional comments from individual members, the Committee Clerk will update the “marked-up” copy of the Code and Guide for formal consideration at the next meeting of the Committee.

## **9. Correspondence**

9.1 Members noted correspondence between a member of the public and the Committee Clerk regarding issues relating to MLA service/performance standards.

9.2 Members considered correspondence from the House of Commons Standards Committee regarding an invitation to submit evidence to its inquiry into sanctions against MPs, together with a draft response.

*Agreed:* The Committee agreed to issue the response, as drafted, to the Chairperson of the House of Commons Standards Committee.

9.3 Members considered correspondence from The Electoral Commission on ending the dual reporting requirement.

*Agreed:* The Committee agreed to issue a response to The Electoral Commission confirming that the issue of ending dual reporting was considered by the Committee at its strategic planning event on 11 March 2020 and added to its 'To Do' list. The response will also explain that it may not be possible to address this work before the end of the mandate given other competing priorities and the limited time remaining in the mandate.

9.4 Members noted correspondence from The Executive Office Committee on *New Decade, New Approach*.

9.5 Members noted communication from The Speaker to Committee Chairpersons on COVID-19 and Assembly Business.

9.6 Members considered the approach for Committee input on Freedom of Information (FoI) matters during summer recess.

*Agreed:* The Committee agreed to delegate authority to the Chairperson and Deputy Chairperson during periods of recess to submit views on the

releasing or withholding of information in any non-routine / contentious FoI requests received.

## **10. Any Other Business**

### **10.1 Proposed changes to Assembly sitting days and Committee timings**

Members discussed the correspondence received from the Chairpersons' Liaison Group regarding potential changes to Assembly sitting days. Members also noted that the Committee meeting day will change if the proposed change to Assembly sitting days is implemented. A number of Members indicated they were content with the proposals while others did not take a position on the matter at this time.

*Agreed:* The Committee Clerk will inform the Chairpersons' Liaison Group of the mixed views of the Committee members.

Members noted that there may be a need to move the starting time of future Committee meetings to 12 Noon given some broadcasting limitations.

*Agreed:* The Committee agreed that it would be prepared to move its normal start time for meetings from 10:30am to 12 Noon if required; but that the Committee Clerk will write to the Clerking and Member Support Office (CAMS) to enquire whether the number of available broadcasting streams could be increased to facilitate the broadcasting of four simultaneous committee meetings in the future.

## **11. Time, date and place of next meeting**

The date, time and place of the next meeting will be agreed and communicated to Members in due course.

*The Chairperson adjourned the meeting at 13:24pm*

**Ms Sinéad Ennis MLA**

**Chairperson, Committee on Standards and Privileges**

**1 July 2020**