



Northern Ireland  
Assembly

# Committee on Standards and Privileges

## Minutes of Proceedings

28 April 2021

**Meeting Location:** Room 29, Parliament Buildings

**Present by Video or Teleconference:**

Ms Sinead Ennis MLA (Chairperson)  
Ms Pam Cameron MLA  
Mr Stewart Dickson MLA  
Mr Patsy McGlone MLA  
Mr George Robinson MLA

**Present:** Dr Steve Aiken MLA  
Mr Sean Lynch MLA

**Apologies:** Declan McAleer MLA

**In Attendance:** Mr Shane McAteer (Assembly Clerk)  
Ms Marie Austin (Senior Assistant Clerk)  
Mr David McClure (Assistant Clerk)

**In Attendance by Video or Teleconference:**

Mr Jim Nulty (Clerical Supervisor)



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Ms Alison Ferguson (Clerical Officer)

The meeting commenced at 12.45pm in open session.

### 1. Apologies

As noted above.

*Pam Cameron joined the meeting via video conference at 12:47pm.*

### 2. Declaration of Interest

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

### 3. Draft Minutes

**Agreed:** The Committee agreed the minutes of the meeting held on 24 February 2021.

### 4. Matters Arising

- **Committee member development programme**

Members discussed the planned professional development sessions on the Committee's adjudication role, which will take place by means of video conferencing on 19 May 2021, 9 June 2021, 16 June 2021 and 30 June 2021.



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**Agreed:** The Committee agreed that the starting and finishing times of the programme sessions should be arranged to maximise the attendance by Committee members.

### 5. All-Party Group Update

*Sinead Ennis declared an interest as a member of the proposed All-Party Group (APG) on the Arts.*

Members considered an application for a new APG on the Arts which had been submitted to the Committee for approval.

**Agreed:** The Committee agreed that it was content to approve an application for an APG on the Arts, subject to the submission of the correct registration form which indicates the applicable designations of the members.

Members considered an application for a new APG on Homelessness which had been submitted to the Committee for approval.

**Agreed:** The Committee agreed that it was content to approve an application for an APG on Homelessness.

Members considered a draft letter to the APG on Congenital Heart Disease in relation to the APG not having a Chairperson in place since May 2020, which is an important requirement under the rules.

**Agreed:** The Committee agreed the issue of the draft letter.

The Committee noted that it may need to intervene in other instances where some APGs may be failing to comply with the rules, including the need to hold Annual General Meetings and to maintain a membership of at least ten MLAs.

**Agreed:** The Committee agreed to move into closed session for the remainder of the meeting.



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### 6. Referral of a complaint to the Committee for further consideration

*Steve Aiken declared interests in being subject to a complaint and having raised a complaint and he recused himself from this agenda item on the basis that the complaint to be considered is against a member of the party of which he is leader.*

Members received a briefing from the Committee Secretariat on this agenda item.

Members also received a briefing from the Commissioner for Standards, Dr Melissa McCullough, on her letter of 5 March 2021 to the Committee, in which she explained that the complainant had asked for the Committee to give the complaint further consideration.

The Committee considered the complainant's request, under sub-paragraphs 3.13 and 3.14 of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 (General Procedures) Direction 2016 ('the General Procedures Direction'), that it further considers the decision by the Commissioner for Standards that the complaint was inadmissible.

**Agreed:** The Committee agreed that, in accordance with sub-paragraph 3.14 of the General Procedures Direction, it considered the complaint to be inadmissible as per the Commissioner's decision.

### 7. Implications of the Functioning of Government (Miscellaneous Provisions) Act (Northern Ireland) 2021 for the Committee's functions – Briefing by Assembly Legal Services

Members received briefings from the Committee Secretariat and from Assembly Legal Services on this agenda item.

**Agreed:** The Committee agreed, in principle, to put in place procedural arrangements for ensuring that the Commissioner for Standards takes a consistent approach to considering and investigating alleged breaches of the Ministerial Code of Conduct.

**Agreed:** The Committee agreed that the Committee Secretariat will liaise with the Commissioner for Standards and Assembly Legal Services urgently to



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identify the necessary amendments to the General Procedures Direction; and that these will be agreed subsequently by the Committee (if necessary via correspondence under Standing Order 115(9)).

**Agreed:** The Committee agreed that the Committee Secretariat will liaise with Assembly Legal Services and set out the policy options on how the Committee might exercise its functions in relation to considering the Commissioner's reports of investigations into alleged breaches of the Ministerial Code of Conduct, which will be considered at a future Committee meeting.

**Agreed:** The Committee agreed to move to agenda item 10.

### 10. Correspondence

Members considered a draft response by the Assembly's Information Standards Office to a Freedom of Information request.

**Agreed:** The Committee agreed that it was content with the draft response.

**Agreed:** The Committee agreed to return to agenda item 8.

### 8. Proposed appointment of lay members to the Committee – Briefing by Assembly Legal Services

The Committee discussed the recommendation in the New Decade New Approach (NDNA) Agreement (paragraph 1.12 of Annex A) that:

*'The Assembly Committee on Standards and Privileges will be enhanced by the appointment of 3 independent lay members with voting rights.'*

Members received briefings from the Committee Secretariat and from Assembly Legal Services on this agenda item.

**Agreed:** The Committee agreed, in principle, to seek an amendment to Standing Orders to make provision for the appointment of lay members to the Committee.

**Agreed:** The Committee agreed that the Committee Secretariat will liaise with Assembly Legal Services and set out the procedural options for the Committee



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to consider further before it submits its proposals on any necessary changes to Standing Orders to the Committee on Procedures.

### **9. Procedural Fairness – Briefing by Assembly Legal Services**

Members received briefings from the Committee Secretariat and from Assembly Legal Services on this agenda item, which examined procedural fairness in the context of the Committee's adjudication role.

It was noted that the Clerk will be corresponding with Committee members to seek agreement, under Standing Order 115(9), that the Committee follows the practice of its predecessors in ensuring adequate disclosure during the complaints process.

*Committee quorum was lost at 1:52pm.*

### **10. Correspondence**

The Committee members noted an item of correspondence from the Chairpersons' Liaison Group.

### **11. Any other business**

There was no other business.

### **12. Date, Time and Place of the next meeting**

The Chairperson informed members that there will be an increase in the workload of the Committee over the coming months, which will necessitate more frequent and longer meetings. It was noted that the meeting on 26 May 2021 will need to



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be a socially-distanced, in-person meeting, where possible, given the business to be conducted.

The meeting was adjourned at 1.54pm.

**Sinead Ennis MLA,  
Chairperson, Standards and Privileges Committee**

**Wednesday 26 May 2021**