



Committee on Standards and Privileges

Minutes of Proceedings

30 June 2021

Meeting Location: Room 29

Present by Video or Teleconference:

Ms Sinead Ennis MLA (Chairperson)
Mr Christopher Stalford (Deputy Chairperson)
Ms Pam Cameron MLA
Mr Stewart Dickson MLA
Mr Sean Lynch MLA
Mr Declan McAleer MLA
Mr Patsy McGlone MLA
Mr George Robinson MBE MLA

Apologies:

Dr Steve Aiken OBE MLA

In Attendance by Video or Teleconference:

Mr Shane McAteer (Assembly Clerk)
Ms Marie Austin (Senior Assistant Clerk)
Ms Sohui Yim (Assistant Clerk)
Mr Jim Nulty (Clerical Supervisor)
Ms Alison Ferguson (Clerical Officer)



Agreed: The Committee agreed to commence the meeting in closed session.

The meeting commenced at 4.36pm in closed session.

1. Apologies

As noted above.

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.

The Chairperson, Ms Sinead Ennis, declared an interest as a member of the proposed All Party Group (APG) for Multiple Sclerosis and Neurology, which is to be considered later in the meeting.

Mr Sean Lynch declared an interest as having been a member of the Committee for Finance and present at that Committee's meeting when alleged misconduct occurred, which is to be considered later in the meeting.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 9 June 2021.

4. Matters Arising

There were no matters arising.



5. All Party Group (APG) update

Members considered an application for a new APG on Multiple Sclerosis (MS) and Neurology, submitted to the Committee for approval.

Agreed: The Committee agreed that it was content to approve the application for an APG on MS and Neurology.

Members considered correspondence from a member of the public and a draft response regarding the external secretariat provided to an APG.

Agreed: The Committee agreed to issue the draft response to the member of the public.

Members were advised that, in light of the Assembly Commission's decision to open Parliament Buildings for the purposes of events, tours, public dining and visitors from 14 July 2021, there may be a need to issue updated guidance to APGs on meetings during the pandemic.

Agreed: The Committee agreed that the Secretariat will liaise with the applicable Assembly bodies and, where necessary, prepare draft updated guidance in the coming weeks, which could be circulated to the Committee for agreement via correspondence in accordance with Standing Order 115(9).

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

Members were briefed by the Committee Clerk on the applicable procedures in relation to this agenda item.

The Committee received a briefing from the Commissioner for Standards, Dr Melissa McCullough, on her correspondence dated 23 June 2021 and accompanying papers in relation to this agenda item.

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. Complaints against a Member – Follow-up from Commissioner's Investigation Report

Agreed: The Committee agreed that the briefing from the Commissioner for Standards would be recorded by Hansard and that the Hansard report will be forwarded to the Member who is the subject of the complaints for information and comment as applicable.

The Committee received an oral briefing from the Commissioner for Standards, Dr Melissa McCullough, on this agenda item.

Following the briefing and questions from members, the Commissioner left the meeting at 4.59pm. The Committee then deliberated on the Commissioner's investigation report on the complaints against the Member in question.

The Committee considered each of the allegations which had been made against the Member, together with the evidence, findings of fact and reasoned decisions of the Commissioner as set out in her investigation report.

Agreed: In relation to Allegation 1, which pertained to Rule 1 of the Assembly Code of Conduct, the Committee agreed with the Commissioner's reasoned decision that there was no breach of Rule 1.

Agreed: In relation to Allegation 2, which pertained to Rule 4 of the Assembly Code of Conduct, the Committee agreed with the Commissioner's reasoned decision that there was no breach of Rule 4.

Agreed: In relation to Allegation 3, which pertained to Rule 5 of the Assembly Code of Conduct, the Committee agreed with the Commissioner's reasoned decision that there was no breach of Rule 5.

Agreed: In relation to Allegation 4, which pertained to Rule 14 of the Assembly Code of Conduct, the Committee agreed with the Commissioner's reasoned decision that there was no breach of Rule 14.

Agreed: In relation to Allegation 5, which pertained to Rule 19 of the Assembly Code of Conduct, the Committee agreed with the Commissioner's reasoned decision that there was no breach of Rule 19.



The complaints were therefore not upheld and the Committee concluded that the Member in question had not breached the Assembly Code of Conduct.

Noted: The Committee noted that the Clerk will prepare a draft report for consideration at a future meeting.

Agreed: The Committee agreed to bring forward Agenda items 9 and 10.

8. Chairperson's Business

The Committee was advised that a Member who is the subject of a complaint has requested that their oral hearing, which had been scheduled for today's meeting, is rescheduled to another date.

Agreed: The Committee agreed to take the oral hearing on another date and for the Committee Secretariat to circulate members with further potential meeting dates so that the hearing can be rescheduled before summer recess or, if that is not possible, immediately afterwards.

The Chairperson informed members that it is normal practice for Committees to delegate to the Chairperson and Deputy Chairperson the authority to submit views on the releasing or withholding of information in any non-routine/contentious Freedom of Information (Fol) requests received during recess. In such circumstances, the Committee would be advised of any such requests, the views expressed by the Chairperson and/or Deputy Chairperson and the response issued by the Fol Unit, at the first available meeting following the recess period.

Agreed: The Committee agreed to continue the practice of delegating authority to the Chairperson and Deputy Chairperson to submit views on the releasing or withholding of information in any non-routine/contentious Freedom of Information (Fol) requests received during recess.

The Chairperson updated members on the recent social media training that the Assembly provided to MLAs and party staff and the positive feedback received from participants. The training had been provided at the request of the Committee. The Chairperson advised members that, if they would like to request more of training sessions, they should contact the Secretariat's Clerking and Member Support (CAMS) office.



9. Correspondence

Noted: The Committee noted the following items of correspondence:

- Assembly Research and Information Service (RaISe) paper on Gender Budgeting and Gender Inequalities in Northern Irish Education Policy
- Response from the Department of Finance on the Committee's query regarding the TEO Main Estimate for a "Ministerial Panel exercising functions of the future Commissioner of Ministerial Standards".

Members returned to Agenda item 8.

10. Complaint against a Member – Oral hearing from the Member

Agreed: The Committee agreed that the hearing from the Member who is the subject of the complaint would be recorded by Hansard.

Mr Sean Lynch declared an interest as having been a member of the Committee for Finance and present at that Committee's meeting when the alleged misconduct occurred.

An oral hearing was held with the Member who is the subject of the complaint, the purpose of which was to give the Member in question the opportunity to provide the Committee with their comments in respect of any matter raised within the Commissioner's investigation report and to answer any questions from Committee members.

Following the hearing and questions from Committee members, the Member who is the subject of the complaint left the meeting at 6.43pm. The Committee then deliberated on the Commissioner's investigation report on the complaint against the Member in question.

Agreed: To inform its deliberations, the Committee agreed to commission legal advice on a number of issues arising from the complaint case, following which it will consider whether further information is required from the Commissioner for Standards before it decides on the allegations against the Member in question.

Members moved to Agenda item 11.



11. Any other business

There was no other business.

12. Date, Time and Place of the next meeting

The Committee was informed that the date for the next meeting will be circulated in due course.

The meeting was adjourned at 7.02pm.

**Linda Dillon MLA,
Chairperson, Standards and Privileges Committee**

28 September 2021