



Northern Ireland
Assembly

Assembly and Executive Review Committee (AERC)

Minutes of Proceedings

Tuesday 11 March 2025 at 9.30 a.m.

Meeting Location: Room 21, Parliament Buildings

Present:

Pat Sheehan MLA (Deputy Chairperson)

Sinead Ennis MLA

Michelle Guy MLA

Michelle McIlveen MLA

Gary Middleton MLA

Carál Ní Chuilín MLA

Matthew O'Toole MLA

John Stewart MLA

Present by Video or Teleconference:

Apologies:

Jonathan Buckley MLA (Chairperson)



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In Attendance:

Shane McAteer, Committee Clerk
Nick Mitford, Senior Assistant Clerk
Elaine Farrell, Assistant Clerk
Laura Gourley, Clerical Supervisor
Alison Ferguson, Clerical Officer
Avi McCabe, Legal Advisor (agenda item 5)

Agreed: The Committee agreed to commence the meeting in closed session, given that legal advice was to be considered under the first substantive agenda item.

The meeting commenced at 9.30 a.m. in closed session

1. Apologies

As above.

John Stewart joined the meeting at 9.32 a.m.

2. Declaration of Interests

The Chairperson advised Members of the ongoing requirement to declare relevant financial or other interests as and when they arise and before taking part in any Assembly proceedings, including Committee proceedings, relating to that matter.

No interests were declared at this point in the meeting.



3. Draft minutes

Agreed: The Committee agreed the minutes of the meeting held on 4 February 2025.

Matthew O'Toole joined the meeting at 9.33 a.m.

4. Matters arising

None.

5. AERC duties and powers to consider matters and report to the Assembly – briefing by Legal Services

The Assembly Legal Advisor, Avi McCabe, joined the meeting at 9.34 a.m.

The Legal Advisor briefed the Committee on this agenda item and this was followed by a question and answer session.

The Deputy Chairperson thanked the Legal Advisor for her briefing.

Noted: The Committee noted that it has discretionary powers to report to the Assembly from time to time under standing order 59(2)(b) or by way of a special report under standing order 46(7), which is in addition to its duty to report to the Assembly on a matter referred to it under standing order 59(3)(b).

The meeting moved into open session at 9.39 a.m.



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6. Proposal to rescind the AERC decision taken on 3 December 2024 to not select and prioritise the review topics on “Designations and the appointment of the First Minister and deputy First Minister” (Topic 2) and “To build on existing AERC work carried out in relation to Member designations and cross-community voting” (Topic 7).

The Clerk briefed the Committee on the procedures relating to the proposal from Michelle Guy to rescind the abovementioned AERC decision taken on 3 December 2024, for which all Committee members had received the necessary prior notice.

The Deputy Chairperson put the question on the proposal by Michelle Guy “that the AERC rescinds its decision taken on 3 December 2024 to not select and prioritise the review topics on ‘Designations and the Appointment of the First Minister and deputy First Minister’ (topic 2) and ‘To build on the existing AERC work carried out in relation to Member designations and cross-community voting’ (topic 7)”.

The Committee divided: Ayes:6; Noes 2; Abstain 0.

AYES

Sinead Ennis

Michelle Guy

Carál Ní Chuilín

Matthew O’Toole

Pat Sheehan

John Stewart

NOES

Michelle McIlveen

Gary Middleton

The proposal was carried.



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Agreed: The Committee agreed that, given the potential overlap between topics 2 and 7 with topic 10 on Assembly and Executive Reform, it would give topics 2 and 7 further consideration under the next agenda item.

7. Assembly and Executive Reform (Topic 10) – scoping paper

The Clerk briefed the Committee on the scoping paper on the suggested review topic on Assembly and Executive Reform (topic 10).

Agreed: The Committee agreed to proceed with a review into Assembly and Executive Reform.

Agreed: The Committee agreed the draft Terms of Reference for the review into Assembly and Executive Reform.

Agreed: The Committee agreed to commission research to provide an up-to-date literature review, which assesses the available research in this area, and to identify additional expert witnesses and other stakeholders from which the Committee might receive supplementary evidence.

Noted: The Committee noted that the Secretariat will prepare a draft plan for implementing the review on Assembly and Executive Reform for approval at a future Committee meeting.

8. Assembly engagement on cross-cutting Executive strategies (Topic 17) – scoping paper

The Clerk briefed the Committee on the scoping paper on the review topic on Assembly engagement on cross-cutting Executive strategies (topic 17), which had been suggested by The Executive Office (TEO).

Agreed: The Committee agreed to proceed with a review of Assembly committee engagement on cross-cutting Executive strategies.



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Agreed: The Committee agreed to seek the views of TEO on the draft Terms of Reference for the review of Assembly committee engagement on cross-cutting Executive strategies, in order to ensure that they cover the issues which gave rise to the original TEO suggestion.

Agreed: The Committee agreed to commission comparative research on the arrangements for committee scrutiny of cross-cutting issues in other applicable legislatures.

Noted: The Committee noted that the scope of the review could include the experience of post-legislative scrutiny of cross-cutting legislative requirements on the Executive/departments to report on the implementation or impact of policies (the Children's Services Co-operation Act (Northern Ireland) 2015 being cited as an example of such legislation).

Noted: The Committee noted that the Secretariat will prepare a draft plan for implementing the review on Assembly committee engagement on cross-cutting Executive strategies for approval at a future Committee meeting.

Gary Middleton left the meeting at 10.03 a.m.

John Stewart left the meeting at 10.03 a.m.

9. The development of a formal process and guidance on the handling of Westminster Statutory Instruments (SIs) which include a role for the Assembly (Topic 19) – scoping paper

The Senior Assistant Clerk briefed the Committee on the scoping paper for the review topic on the development of a formal process and guidance on the handling of Westminster Statutory Instruments (SIs) which include a role for the Assembly (Topic 19). The topic had been suggested by TEO.

Agreed: The Committee agreed to proceed with a review into the development of a formal process and guidance on the handling of Westminster SIs which include a role for the Assembly.



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Agreed: The Committee agreed to seek the views of TEO on the draft Terms of Reference for the review into the development of a formal process and guidance on the handling of Westminster SIs which include a role for the Assembly, in order to ensure that they cover the issues which gave rise to the original TEO suggestion.

Agreed: The Committee agreed to commission comparative research on the arrangements for the scrutiny of applicable SIs in the other devolved legislatures.

Noted: The Committee noted that the Secretariat will prepare a draft plan for implementing the review into the development of a formal process and guidance on the handling of Westminster SIs which include a role for the Assembly, for approval at a future Committee meeting.

Agreed: The Committee agreed that the following general order of priority will apply to the selected review topics, subject to work progressing concurrently across the selected topics where feasible:

1. Assembly and Executive Reform (topic 10);
2. Assembly engagement on cross-cutting Executive strategies (topic 17);
3. The development of a formal process and guidance on the handling of Westminster SIs which include a role for the Assembly (topic 19); and
4. Arrangements for Assembly Members' participation in inter-parliamentary and international bodies (topic 14).

10. Correspondence

Noted: The Committee noted the correspondence from a member of the public on the Cubbie Sensory Hub rollout.

11. AOB

None.



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12. Date, Time and Place of the next meeting

The next meeting of the AERC will take place on Tuesday 8 April 2025 at 9.30 a.m. in Room 21, Parliament Buildings.

The meeting was adjourned at 10.13 a.m.

Jonathan Buckley MLA
Chairperson, Assembly and Executive Review Committee
8 April 2025