



Northern Ireland  
Assembly

## Committee on Procedures

### Minutes of Proceedings

**9 October 2024**

**Meeting Location:** Room 21, Parliament Buildings

**Present:**

Kellie Armstrong MLA (Chairperson)  
Robbie Butler MLA  
Trevor Clarke MLA  
Danny Donnelly MLA  
Órlaithi Flynn MLA  
Maolíosa McHugh MLA

**Present by Video or Teleconference:**

Cara Hunter MLA  
William Irwin MLA

**Apologies:**

Sinéad Ennis MLA (Deputy Chairperson)

**In Attendance:**

Christine Darrah, Assembly Clerk  
Stella McArdle, Assembly Clerk  
Michael Best, Assistant Assembly Clerk  
Damien Brown, Clerical Officer  
Veronica Lo Pinto, Clerical Officer

The meeting started at 10.01 a.m. in public session.

### **1. Apologies**

As above.

### **2. Draft Minutes**

**Agreed:** The Committee agreed the minutes of the meeting held on 25 September 2024.

### **3. Matters Arising**

#### **Item 1 – Correspondence from the First Minister and deputy First Minister**

The Committee noted correspondence from the First Minister and deputy First Minister on potential priority areas of work for the Committee in advance of further consideration being given to the Committee's key priorities at the meeting on 23 October 2024.

#### **Item 2 – Correspondence from First Legislative Counsel**

The Committee noted correspondence from the First Legislative Counsel on potential priority areas of work for the Committee in advance of further consideration being given to the Committee's key priorities at the meeting on 23 October 2024.

### **4. Proxy Voting for Parental Leave in Plenary – Consideration of Draft Standing Order and Motion**

**Agreed:** The Committee agreed that the meeting should move into closed session.

The Committee moved into closed session at 10.06 a.m.

Trevor Clarke joined the meeting at 10:06 a.m.

The Committee considered draft Standing Order 27A.

**Agreed:** The Committee agreed paragraph 1.

**Agreed:** The Committee agreed the deletion of the term 'parental leave' in paragraph 2a, and in the Explanatory Note.

**Agreed:** The Committee agreed paragraph 2.

**Agreed:** The Committee agreed paragraphs 3 to 5.

**Agreed:** The Committee agreed the title Standing Order 27A Voting by Proxy.

**Agreed:** The Committee agreed that the Standing Order be tabled as a motion for debate in Plenary.

**Agreed:** The Committee agreed to write to the Speaker, immediately after the draft Standing Order is approved in Plenary, regarding when the guidance on proxy voting for parental leave in Plenary might be available.

## **5. Proxy Voting for Parental Leave in Plenary – Committee Draft Report**

The Committee considered its draft report on Proxy Voting for Parental Leave in Plenary.

**Agreed:** The Committee agreed the Powers and Membership Section.

**Agreed:** The Committee agreed the Introduction Section, paragraphs 18 to 22.

The Committee noted that it had previously agreed the Committee Consideration Section of the report, subject to an amendment to paragraph 42.

**Agreed:** The Committee agreed paragraph 42 as amended.

**Agreed:** The Committee agreed that draft Standing Order 27A be included in the report as Annex A.

**Agreed:** The Committee agreed to include Appendix 1: Committee Correspondence in the report.

**Agreed:** The Committee agreed to include Appendix 2: Minutes of Proceedings in the report.

**Agreed:** The Committee agreed that the Chairperson would approve the Minutes of Proceedings for this meeting to enable a link to them to be included in the report when published on the Committee's webpage.

**Agreed:** The Committee agreed to include Appendix 3: Research Papers, in the report.

**Agreed:** The Committee agreed to include Appendix 4: Other Documents relating to the Report, in the report.

**Agreed:** The Committee agreed the Executive Summary, paragraphs 1 to 17.

**Agreed:** The Committee agreed the Cover Page of the report.

**Agreed:** The Committee agreed that the report be the first report of the Committee on Procedures to the Assembly and that it should be published.

**Agreed:** The Committee agreed to provide an advance copy of the report to the Speaker.

The Committee considered a draft media release to accompany publication of the report.

**Agreed:** The Committee agreed the draft media release.

The Committee noted the provisional date for the motion to be debated in Plenary.

## **6. Annual Debate on the Executive's Legislative Timetable – Legal Advice and Draft Standing Order**

The Chairperson welcomed Ms Alice McKelvey, Assembly Legal Adviser, to the meeting.

Ms McKelvey outlined a draft illustrative Standing Order and associated legal advice on provision for an annual debate on the Executive's legislative timetable based on the approach adopted in the Scottish Parliament and Welsh Parliament.

Cara Hunter left the meeting at 10.35 a.m.

The briefing was followed by a question and answer session.

Robbie Butler left the meeting at 10.49 a.m.

**Agreed:** The Committee agreed to request further legal advice on the issues discussed from Assembly Legal Services.

The Chairperson thanked Ms McKelvey and she left the meeting.

## **7. Schedule 6B of the Northern Ireland Act 1998 - Provision for the Windsor Framework Democratic Scrutiny Committee in Standing Orders – Committee Consideration**

The Chairperson advised Members that she and the Deputy Chairperson had met with the Chairperson and Deputy Chairperson of the Windsor Framework Democratic Scrutiny Committee (DSC) on 7 October 2024 to discuss the likely approach to be taken in relation to provision in Standing Orders for the DSC and a note of the issues discussed had been circulated prior to this meeting.

The Committee considered draft Standing Order 59A to provide for the DSC and substitute members, as requested by that Committee.

**Agreed:** The Committee agreed paragraph 1, that introduces the Standing Order.

**Agreed:** The Committee agreed paragraphs 2 and 3, that recognises the establishment of the DSC and its purpose and functions.

**Agreed:** The Committee agreed paragraph 4, that outlines how membership of the DSC will be determined.

**Agreed:** The Committee agreed paragraph 5, that sets out the requirements for substitute members for the DSC.

**Agreed:** The Committee agreed paragraphs 6 and 7, that set out when a substitute member can attend the DSC and the functions they will undertake.

**Agreed:** The Committee agreed paragraph 8, that sets out the arrangements for the chairing of a DSC meeting in the absence of the Chairperson.

**Agreed:** The Committee agreed paragraph 9, that sets out the arrangements for the chairing of a DSC meeting in the absence of both the Chairperson and the Deputy Chairperson.

**Agreed:** The Committee agreed paragraph 10, that is an interpretation provision.

**Agreed:** The Committee agreed to include reference to Section 44 powers in the draft Standing Order.

**Agreed:** The Committee agreed not to restrict the use of substitute members for the DSC to Assembly Recess periods as initially requested by that Committee in light of the views expressed by the Chairperson and Deputy Chairperson at the informal meeting on 7 October 2024.

**Agreed:** The Committee agreed that there was no need to include the operational arrangements such as the process for nominating a substitute member in the Standing Order and these details should be covered by guidance.

**Agreed:** The Committee agreed that the provision of proxy voting, as requested by the DSC, should not be included in the draft Standing Order given the legal advice received.

**Agreed:** The Committee agreed to undertake a review, in conjunction with the DSC, of the provision of substitute members and whether, together with the availability of remote attendance facilities for committee meetings, the arrangements are sufficient to enable the DSC to effectively discharge its statutory functions, 12 months after introduction of the proposed Standing Order.

**Agreed:** The Committee agreed to request a revised draft Standing Order and related legal advice from Assembly Legal Services to reflect the position agreed.

**Agreed:** The Committee agreed that the Chairperson should write to the DSC providing an update on the position agreed in relation to the draft Standing Order.

The Committee considered information on the content of Parts 3 and 4 of Schedule 6B of the Northern Ireland Act 1998 which sets out the procedures for the Stormont Brake and Applicability Motions and legal advice on what requirements there are to make provision in Standing Orders.

**Agreed:** The Committee agreed that it was not necessary to make provision in Standing Orders in relation to Parts 3 and 4 of Schedule 6B of the Northern Ireland Act 1998 and the Stormont Brake and Applicability Motions.

The meeting moved into public session at 11.20 a.m.

## **8. Forward Work Programme**

The Committee considered an updated Forward Work Programme for October to December 2024.

**Agreed:** The Committee agreed the Forward Work Programme.

The Committee considered information on the potential dates for the proposed Study Visit to the Scottish Parliament.

**Agreed:** The Committee agreed that the Study Visit to the Scottish Parliament would take place on 4 and 5 December 2024.

**Agreed:** The Committee agreed to respond to the Clerk regarding participation in the Study Visit.

## **9. Correspondence**

The Committee noted a copy of a letter from the Committee on Standards and Privileges to the Assembly Parties and independent MLAs on potential procedural changes to provide that Committee with a role in adjudications on complaints against Ministers of alleged breaches of the Ministerial Code of Conduct.

## **10. Chairperson's Business**

None

## **11. Any Other Business**

None.

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

The next meeting will be held on Wednesday 23 October 2024 at 10.00 a.m. in Room 21, Parliament Buildings.

The meeting was adjourned at 11.34 a.m.

Kellie Armstrong MLA

Chairperson, Committee on Procedures

23 October 2024