



Northern Ireland  
Assembly

# Committee on Standards and Privileges

## Minutes of Proceedings

**15 May 2024**

**Meeting Location:** Room 106, Parliament Buildings

**Present:**

Carál Ní Chuilín MLA (Chairperson)

Paul Frew MLA

Connie Egan MLA

Harry Harvey MLA

Brian Kingston MLA

Cathy Mason MLA

Colin McGrath MLA

**Apologies:**

Jemma Dolan MLA

Stewart Dickson MLA (Deputy Chairperson)

**In Attendance:**

Shane McAteer, Committee Clerk

Nick Mitford, Senior Assistant Clerk

Elaine Farrell, Assistant Clerk

Alison Ferguson, Clerical Supervisor

Helen Smyth, Legal Advisor (agenda item 5)

The meeting commenced at 10:03 a.m. in closed session

### **1. Apologies**

As noted above.

### **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.

The Chairperson declared an interest that she is a member of the proposed All-Party Group (APG) on Tourette's.

Ms Egan declared an interest that she is a member of the proposed APG on Access to Justice.

Mr Harvey declared an interest that he is a member of the proposed APG on Tourette's.

Mr McGrath joined the meeting at 10:05 a.m.

### **3. Draft Minutes**

**Agreed:** The Committee agreed the minutes of the meeting held on 1 May 2024.

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

##### Complaints against Ministers of alleged breaches of the Ministerial Code of Conduct

The Chairperson advised that, as per the Committee's decision at the meeting on 1 May 2024, the two investigation reports by the Commissioner for Standards on complaints against Ministers/former Ministers issued to the respondents for the opportunity to make written and oral responses. The Chairperson further advised that the Commissioner will attend the meeting on 29 May 2024 to brief the Committee on the reports and that any responses received from the respondents will be considered then.

#### **5. Review of Committee's disclosure practices – briefing by Assembly legal Services and consideration of policy options**

The Clerk briefed the Committee on the background to this agenda item.

Helen Smyth, Legal Advisor, joined the meeting at 10:12 a.m.

Ms Smyth briefed Members on the requested legal advice on the review of the Committee's disclosure practices. This was followed by a question and answer session.

The Chairperson thanked Ms Smyth for her briefing.

Ms Smyth left the meeting at 10:37 a.m.

In light of the legal advice received, the Committee discussed a number of options for recording closed- session briefings by the Commissioner for Standards on investigation reports and oral hearings from respondents.

**Agreed:** The Committee agreed that its practice going forward will involve an informal note of the briefing/hearing being made by the Committee Secretariat, which would be used to inform the drafting of the Committee's report on the case, where appropriate, and the minutes of proceedings of the applicable Committee meeting.

**Agreed:** The Committee agreed that the option of the respondent in complaint cases appearing before the Committee for an oral hearing should only be granted if a written submission has been provided by the respondent in the first instance.

**Agreed:** The Committee agreed that, at the next meeting on 29 May 2024, it will consider a redraft of the current standard letter, which issues to respondents in complaint cases, inviting them to make written and oral responses to the investigation reports by the Commissioner.

**Noted:** The Committee noted the potential case for proposing an amendment to Standing Orders so that there is a clearer distinction between public and closed proceedings of the Committee, in terms of the requirement to prepare and publish a substantially verbatim record of proceedings.

**Noted:** The Committee noted that a briefing on the wider issue of the review of procedural practices for the operation of the Committee's adjudication role will be provided at a future meeting.

## **6. Legacy recommendations of the previous Committee – an overview**

The Clerk briefed the Committee on the legacy recommendations contained in the Legacy Report of the previous Committee.

**Noted:** The Committee noted the potential work topics as proposed by the previous Committee in its Legacy Report, which will be considered individually during future meetings.

## **7. Legacy issue: Appointment of Lay Members to the Committee**

The Clerk briefed the Committee on the commitment, as outlined in New Deal New Approach, paragraph 1.12 of Annex A, on the appointment of lay members, with voting rights, to the Committee.

**Agreed:** The Committee agreed that, while it did not see a case for the appointment of lay members to the Committee, it will revisit the issue in the context of its wider consideration of the recommendations in the previous Committee's Legacy Report.

## **8. Proposed Committee Member Development Programme – update**

The Senior Assistant Clerk briefed the Committee on the progress to date on the proposed Committee Member Development Programme. Members noted the difficulties in sourcing local providers who can meet the Committee's specific requirements.

**Agreed:** The Committee agreed to seek examples from potential providers, including from beyond the local area as necessary, of training tailored to the needs of the Committee, before deciding on the final format of the programme.

## **9. Proposals for All-Party Groups (APGs)**

The Assistant Clerk briefed the Committee on the proposals for an APG on Tourette's and an APG on Access to Justice.

**Agreed:** The Committee agreed to approve the establishment of an APG on Tourette's.

**Agreed:** The Committee agreed to approve the establishment of an APG on Access to Justice.

## **10. Correspondence**

None.

## **11. AOB**

None.

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

The next meeting of the Committee on Standards and Privileges will take place on Wednesday 29 May 2024 at 10.00 a.m. in Room 106.

The Chairperson advised that, in addition to the scheduled meeting on 26 June 2024, there may be a requirement for an additional meeting on 12 June 2024 and that an updated meeting schedule will issue to members as necessary.

The meeting was adjourned at 11:13 a.m.

**Carál Ní Chuilín MLA**

**Chairperson, Committee on Standards and Privileges**

**29 May 2024**