



Northern Ireland
Assembly

Committee on Standards and Privileges

Minutes of Proceedings

1 May 2024

Meeting Location: Room 106, Parliament Buildings

Present:

Stewart Dickson MLA (Deputy Chairperson)

Paul Frew MLA

Connie Egan MLA

Brian Kingston MLA

Present by Video or Teleconference:

Cathy Mason MLA

Colin McGrath MLA

Apologies:

Carál Ní Chuilín MLA (Chairperson)

Jemma Dolan MLA

Harry Harvey MLA

In Attendance:

Shane McAteer, Committee Clerk

Nick Mitford, Senior Assistant Clerk

Elaine Farrell, Assistant Clerk

Alison Ferguson, Clerical Supervisor

Ciara Dorrian, Clerical Officer

The meeting commenced at 10.08 a.m. in closed session with the Deputy Chairperson in the chair.

1. Apologies

As noted above.

2. Declaration of interests

There were no interests declared.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 24 April 2024.

4. Matters Arising**Issues regarding printing of restricted packs**

The Clerk updated members on the problems which the Committee staff were experiencing in respect of printing restricted packs for Committee meetings. The Clerk outlined a number of potential solutions which have been presented by the Assembly's Information Systems Office.

Paul Frew joined the meeting at 10.14 a.m.

Agreed: The Committee agreed to continue with the provision of hard-copy restricted packs, subject to the availability of working printers; with the option to explore the alternative approach of the Committee members using digital PDF readers as a fall-back measure.

Additional security measures regarding restricted packs

Agreed: The Committee agreed to write to the Commissioner for Standards to request that she considers adding a protective watermark to correspondence which she issues in respect of complaint cases.

Agreed: The Committee agreed to seek advice from the Information Systems Office on the availability of technology for preventing screen shots from being taken of restricted papers that are viewed when shared on screen during Committee meetings or in the virtual reading rooms in advance of such meetings.

Correspondence from a former MLA

Noted: The Committee noted correspondence from a former MLA in relation to a complaint case and the acknowledgement of this from the Chairperson.

Correspondence from the Commissioner for Standards

The Clerk briefed members on the three items of correspondence that have been received from the Commissioner in respect of a recent complaint case.

Agreed: The Committee agreed to include the issues raised with the Commissioner in its current request for legal advice in respect of the complaint case referred to in the correspondence.

Correspondence from a Member

The Committee considered emailed correspondence from a Member expressing concerns around the recent media reporting of the resignation of a Member and asking that the Committee members be reminded of the requirements of Rules of Conduct 12 and 17 regarding maintaining the confidentiality of live complaints.

Agreed: The Committee agreed to write to the Member to advise that Committee members have noted the concerns raised and have been reminded of the requirements of the applicable rules and procedures on maintaining the confidentiality of live complaint cases.

Responses to media enquiries

Noted: The Committee noted factual responses from the Assembly's Communications Office on behalf of the Assembly to media enquiries around the recent resignation of a Member.

There were no additional matters arising.

5. Complaints against Ministers of alleged breaches of the Ministerial Code

The Senior Assistant Clerk briefed the Committee on this agenda item.

Helen Smyth, Legal Advisor, joined the meeting at 10.44.

Ms Smyth briefed the Committee on the requested legal advice on issues in relation to the process for considering complaints against Ministers of alleged breaches of the Ministerial Code of Conduct. This was followed by a question and answer session.

Cathy Mason left the meeting at 11.02 a.m.

The Deputy Chairperson thanked Ms Smyth for her briefing.

Ms Smyth left the meeting at 11.22 a.m.

Connie Egan left the meeting at 11.22 a.m.

Connie Egan rejoined the meeting at 11.26 a.m.

The Committee considered the available options on how it might exercise its functions in relation to considering the Commissioner's reports on investigations into alleged breaches of the Ministerial Code of Conduct.

Agreed: The Committee agreed in principle that, subject to receiving legal advice on the procedural implications, it will seek procedural changes to provide it with a role in adjudicating on complaints against Ministers and in recommending sanctions where applicable.

Agreed: The Committee agreed that, as an interim approach for handling the two investigation reports on complaints against Ministers which were received from the Commissioner, it will forward the reports to the Ministers/former Ministers concerned to afford them the opportunity to make written responses, which the Committee will include in its reports to the Assembly. The Committee **further agreed** that it will also offer the Ministers/former Ministers concerned the opportunity of attending oral hearings, subject to receiving legal advice in that regard.

Agreed: The Committee agreed that, in its subsequent reports to the Assembly on the two ministerial complaint cases, it would note the Commissioner's investigation reports and any written responses from the Ministers/former Ministers who are the subject of the reports.

Colin McGrath left the meeting at 11.47 a.m.

6. Legacy recommendations of the previous Committee – an overview

Agreed: The Committee agreed to defer consideration of this agenda item until the meeting on 15 May 2024.

7. Legacy issue: Appointment of lay members to the Committee

Agreed: The Committee agreed to defer consideration of this agenda item until the meeting on 15 May 2024.

8. Correspondence

None.

9. AOB

None.

10. Date, Time and Place of the next meeting

The next meeting of the Committee on Standards and Privileges will take place on Wednesday 15 May 2024 at 10.00 a.m. in Room 106.

The meeting was adjourned at 11.48 a.m. following which the Committee lost quorum.

Stewart Dickson MLA

Deputy Chairperson, Committee on Standards and Privileges

15 May 2024