



Northern Ireland  
Assembly

Report by the Assembly Commissioner for Standards  
on a self-referral from  
the Committee on Standards and Privileges

Assembly-Confidential

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## Summary

This is a report on my investigation of a referral received from the Committee on Standards and Privileges (“CSP”) on 5 July 2024 relating to the unauthorised disclosure of confidential information contained within an email from Chris Hazzard MP received by me as the Commissioner for Standards on 22 April 2024.

As part of the referral’s terms of reference, I was asked to investigate 1) whether any member/s of the CSP communicated, directly or indirectly, with any media outlet regarding the email correspondence from Mr Chris Hazzard MP dated 22 April 2024; 2) whether any disclosure of confidential information on the complaint may have been from a source other than a CSP member; 3) the nature, means and purpose of any communication between any CSP member/s and journalists relating to the live complaint; and 4) whether any communication by any CSP member/s was in breach of any of the rules of conduct and/or inconsistent with any of the principles of conduct as contained in the Code of Conduct for Assembly Members.

My investigation included interviews with nine members of the CSP, five members of the CSP clerking team, the Commissioner for Standards’ two personal secretaries and Mr Chris Hazzard MP. I also received a written response to questions from Dr Patrick Brown (former MLA).

The investigation was unable to identify the source of the unauthorised disclosure. On the balance of probabilities, it is my view that the disclosure was likely verbal in nature. The disclosure was extremely unlikely to have been made by three of the CSP members who did not attend the CSP meeting on 1 May 2024 and therefore did not have sight of the email correspondence from Mr Hazzard.

The CSP plays a vital role in holding Members to account and in raising standards. Therefore, members of the CSP should at all times demonstrate the leadership required to carry out the important functions of the Committee including that all Members adhere to their duties and obligations in regards to their CSP membership, to their MLA Code of Conduct relating to confidential information and to the Seven Principles of Public Life.

## **Referral**

1. I received a referral from the Committee on Standards and Privileges (“CSP” or the “Committee”) on 5 July 2024 to investigate whether any confidential information relating to the live complaint [20230001] against Dr Patrick Brown (the respondent and former MLA) had been leaked to the media.<sup>1</sup> The Committee’s decision for this referral was taken following concerns arising from media reports on the complaint and in light of correspondence from the complainant (Dr Patrick Brown, former MLA) to 202400019 dated 25 May 2024.<sup>2</sup>

## **Background to the investigation**

2. In August 2023, I completed my investigation into complaint 202300001<sup>3</sup> made against Dr Patrick Brown (then MLA) by Mr Steve Pagan, Principal of Shimna Integrated College and Ms Denise Medea, Chair of the Board of Governors at Shimna Integrated College. As the Assembly was not fully functioning, the report awaited the consideration and adjudication by the new committee which was formed in February 2024 when the Assembly was restored.
3. In March 2024, I presented case 202300001 to the Committee. In line with its processes, the Committee offered Dr Brown the opportunity to submit written evidence and/or appear in front of the Committee; Dr Brown provided both a written statement and was to attend the Committee on 24 April 2024.

## **Investigation Terms of Reference**

4. I was asked to investigate the conduct of all members of the CSP during the Committee’s consideration of the complaint to establish:
  1. whether any member/s of the CSP communicated, directly or indirectly, with any media outlet regarding the email correspondence from Mr Chris Hazzard MP (herein referred to as the “CH email”) dated 22 April 2024, which related to the respondent’s conduct in relation to the complaint case 202300001;
  2. whether any disclosure of confidential information on the complaint may have been from a source other than a CSP member – e.g. Committee officials, other third parties;

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<sup>1</sup> Document 1

<sup>2</sup> Document 1

<sup>3</sup> <https://www.niassembly.gov.uk/assembly-business/committees/2022-2027/standards-and-privileges/reports/report-on-a-complaint-against-dr-patrick-brown/>

3. the nature, means and purpose of any communication between any CSP member/s and journalists relating to the live complaint;
4. whether any communication by any CSP member/s was, in the view of the Commissioner, in breach of any of the rules of conduct and/or inconsistent with any of the principles of conduct as contained in the Code of Conduct for Assembly Members; and
5. to identify any applicable lessons from the investigation and make recommendations to the Committee on related improvements to the applicable rules of conduct and to the Committee's complaint-handling procedures and practices.

## **Evidence**

### **Timeline of events leading to this referral**

5. On 22 April 2024, I received an email from Chris Hazzard MP informing me of a meeting he had with Patrick Brown on 4 March 2024.<sup>4</sup>
6. So as not to prejudice the ongoing consideration and adjudication by the CSP of complaint 202300001, I decided to await the Committee's adjudication of that case. Once that was completed and published, my intention was to initiate an own investigation in order to consider and investigate the contents of the CH email. Therefore, the CH email was not investigated nor forwarded to the Committee at this time.
7. On the evening of 23 April, prior to his scheduled appearance at the Committee on 24 April, Patrick Brown resigned as an MLA.
8. On 29 April, I wrote to the Committee in relation to two separate issues relating to 202300001; one of the issues is relevant to this investigation.<sup>5</sup> I explained in my letter that I had received an email from Mr Hazzard relating to a meeting he had with Dr Brown and that it was my view that it would not be in the public interest to launch an own investigation into the contents of the CH email as there would likely be no applicable sanction as Dr Brown was no longer an MLA. Due to Dr Brown's resignation and subsequent non-attendance at the Committee on 24 April, I enclosed the CH email in the event that the Committee may have

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<sup>4</sup> Document 2

<sup>5</sup> Document 3

wished to consider it in conjunction with 202300001 in light of the events unfolding as they had.

9. My 29 April correspondence to the Chair of the Committee, including the CH email, was tabled and included in members' confidential packs at the Committee meeting on 1 May 2024 and was available to view on screen for those members attending remotely via Microsoft Teams. The same correspondence was also considered by the Committee at its meeting on 29 May, and was included in members' packs on the day of the meeting as well as in the pre-meeting and virtual reading room prior to the meeting. It was also available to view on screen for those members attending remotely via Microsoft Teams.
10. On 24 May, the NI Assembly's Communications Team received correspondence from BBC journalist, Brendan Hughes, requesting information in relation to the confidential CH email.<sup>6</sup>
11. On 25 May, Dr Brown wrote to both the Chair of the CSP and to the Commissioner's Office expressing concern over correspondence he had received from Mr Hughes on 24 May requesting information relating to the confidential CH email.<sup>7</sup>
12. On 29 May, I wrote to the Committee Chair expressing my concern over the unauthorised disclosure of information relating to the CH email as evidenced by the email correspondence received by both the NI Assembly Communications Team and by Dr Brown from Mr Hughes.<sup>8</sup>
13. On 29 May, the CSP decided to refer itself regarding this matter at its meeting. I received the referral, including the terms of reference, on 5 July 2024.

## **Investigation**

14. I commenced my investigation on 31 July 2024.
15. In the course of my investigation, I carried out the following:
  - Wrote to BBC journalist, Brendan Hughes, on 31 July 2024 inviting him to interview.<sup>9</sup>
  - Requested and received a written response from the Clerk to the CSP on 28 August 2024.<sup>10</sup>
  - Interviewed nine members of the CSP:

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<sup>6</sup> Document 4

<sup>7</sup> Document 1

<sup>8</sup> Document 1

<sup>9</sup> Document 5

<sup>10</sup> Document 6

C Ní Chuilín MLA (CSP Chair)<sup>11</sup>  
Stewart Dickson MLA (CSP Deputy Chair)<sup>12</sup>  
Jemma Dolan MLA<sup>13</sup>  
Connie Egan MLA<sup>14</sup>  
Paul Frew MLA<sup>15</sup>  
Harry Harvey MLA<sup>16</sup>  
Brian Kingston MLA<sup>17</sup>  
Colin McGrath MLA<sup>18</sup>  
Cathy Mason MLA<sup>19</sup>

- Interviewed Chris Hazzard MP<sup>20</sup>
- Interviewed CSP NI Assembly clerking staff<sup>21</sup>
- Interviewed Commissioner for Standards Office staff<sup>22</sup>
- Requested and received written response from Patrick Brown<sup>23</sup>
- Requested and received written reply from Colin McGrath MLA to Patrick Brown's submission<sup>24</sup>

All documents I have relied on in reaching my conclusion are at Annex A

### **Evidence Obtained**

16. I wrote to Mr Hughes on 31 July requesting to meet.<sup>25</sup> I received a response from the BBC Litigation Department on 7 August requesting further information.<sup>26</sup> The BBC Litigation Department wrote to me again on 16 August to confirm that due to Mr Hughes' journalistic obligations he was not in a position to discuss the basis of the understanding in his email of 24 May and, regrettably, was unable to assist me with my investigation.

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<sup>11</sup> Document 7

<sup>12</sup> Document 8

<sup>13</sup> Document 9

<sup>14</sup> Document 10

<sup>15</sup> Document 11

<sup>16</sup> Document 12

<sup>17</sup> Document 13

<sup>18</sup> Document 14

<sup>19</sup> Document 15

<sup>20</sup> Document 16

<sup>21</sup> Document 17

<sup>22</sup> Document 18

<sup>23</sup> Document 19

<sup>24</sup> Document 20

<sup>25</sup> Document 5

<sup>26</sup> Document 21

## CSP Members

17. Nine members of the CSP were interviewed. All stated under oath that they did not disclose information relating to the CH email. Further, they confirmed under oath that they did not speak with anyone, including any journalists, outside the Committee about the CH email. One CSP member commented on a journalist contacting his party's press officer.

I'm not sure how, whether it was email or phone, but he said to me that Brendan Hughes from the BBC had been on asking about an email from Chris Hazzard pertaining to the Patrick Brown incident, but in relation to our work as the Standards and Privileges. As a member of the committee, our press officer asked me about - then I said to him, 'The issues that we talk about in that committee are confidential. I can't speak to you about it, never mind giving a comment to the BBC.' Therefore, the reply that went back to Brendan was that we couldn't comment on it.<sup>27</sup> C McGrath MLA

18. Two members of the CSP attended the 1 May meeting remotely via Microsoft Teams. Both confirmed that they did not take a screenshot of the CH email. Those Members that attended in person said they did not take away any notes relating to the CH email.
19. Apologies were recorded from three members in respect of attendance at the 1 May meeting: Carál Ní Chuilín MLA (Chair), Harry Harvey MLA and Jemma Dolan MLA. These Members did not attend and, therefore, did not have sight of the CH email correspondence on 1 May.
20. A number of members of the CSP expressed their disappointment at the unauthorised disclosure.

I just found this not only disappointing; I felt it undermined the work of the Committee and, for me, all the other aspects, why they're important to the individuals. As a member of the Committee, I just found it really disappointing and regrettable.<sup>28</sup> C Ní Chuilín MLA (CSP Chair)

I appreciate, given the circumstances of the investigation, how difficult it will be for you to come to any particular conclusion in respect of it. But the revealing of information by whoever gave it is, in my view, unacceptable - and indeed reprehensible - and particularly given... Should it have come from, either directly or indirectly, a member of the Standards and Privileges Committee, given the training and the advice, guidance - and indeed warnings - which we are given as members, then it would be a very serious offence.<sup>29</sup> S Dickson MLA (CSP Deputy Chair)

I think it's not good for politics as a whole that people see things as gossip as opposed to taking them seriously.<sup>30</sup> C Egan MLA

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<sup>27</sup> Document 14

<sup>28</sup> Document 7

<sup>29</sup> Document 8

<sup>30</sup> Document 10

I take that commitment very seriously and I take my role on the Committee very seriously.<sup>31</sup> P Frew MLA

21. A number of CSP members commented on the robust security in place regarding the handling procedures of committee documentation and member information packs. One member stated:

The professionalism that I've seen, how seriously they take the confidentiality of it, I think would really indicate to me from all the experiences that I've had with them is they take this very seriously. I would find it very difficult to imagine a member of staff of the clerk's team contacting a journalist in relation to this. If it is an MLA who has done this, I think they should be ashamed of themselves that staff are being questioned about this, and their professionalism is being questioned as part of this process, because that is not fair, and they're very professional, and they're absolutely fantastic in the way they help us. C Egan MLA.<sup>32</sup>

22. Members were asked what they thought the motivation could be of anyone who may have shared this confidential information. A variety of thoughts were shared and views ranged from it possibly being politically motivated to being personal in nature. This was undeniably speculative and did not provide conclusive evidence as to the motivation, but highlighted the fact that members believed there were a number of reasons why this leak might have occurred.

I mean, anybody who shared this information with Mr Hughes obviously wanted this to be in the public domain. That, for me, is clear. It's clear and apparent what this is about. Other than that speculation, I have no idea.<sup>33</sup> C Ní Chuilín MLA (CSP Chair)

My guess would've been just political. Yes, political motivation.<sup>34</sup> P Frew MLA

..my view is, whether it's other parties fishing in the same voter base or in the centre ground, ...<sup>35</sup> B Kingston MLA

Taking things like a breach of a code of conduct seriously, and see it as whether that's gossip, whether that's a way to get back at someone who may be their opponent, whether it's a way to undermine someone who they feel has wronged them at some point.<sup>36</sup> C Egan MLA

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<sup>31</sup> Document 11

<sup>32</sup> Document 10

<sup>33</sup> Document 7

<sup>34</sup> Document 11

<sup>35</sup> Document 13

<sup>36</sup> Document 10



### **Chris Hazzard MP**

23. Mr Hazzard confirmed under oath at interview that he did not disclose information to anyone relating to the 22 April email that he sent to the Commissioner for Standards Office.<sup>37</sup> Mr Hazzard stated that, in the first instance, he sought advice from a trusted colleague as to whether he should write to me in relation to his meeting with Dr Brown. He then made the decision to write to me and did not provide a copy of that correspondence to anyone, including any journalists or the colleague who provided him with advice.
24. Mr Hazzard confirmed and provided evidence via his phone that he was contacted by a BBC journalist Mr William Crawley on 8 May 2024 in relation to rumours circulating within the BBC about information relating to “a complaint” he had submitted (the CH email).<sup>38</sup> Mr Hazzard said he told Mr Crawley that it was not a complaint, that he couldn’t provide further details and that he hadn’t spoken with any party leaders in respect of the contents of his email (as suggested by the journalist).
25. Mr Hazzard stated clearly in his correspondence to me that he wanted his email to be treated in confidence. I assured him that it would be treated in confidence, but explained that the information he sent to me would likely have to be forwarded as a confidential document to the Committee and/or, if investigated, would form part of a published report.

### **Patrick Brown (former MLA)**

26. Dr Brown confirmed in his written response<sup>39</sup> that he had not received nor had view of or known about the CH email correspondence until he received Mr Hughes email on 24 May. Dr Brown forwarded this correspondence to me and to the Committee Chair and also submitted a complaint directly to the BBC.
27. In his written response, Dr Brown provided unsubstantiated evidence relating to Colin McGrath MLA.<sup>40</sup> I provided a copy to Mr McGrath to seek his response which I received on 24 September.<sup>41</sup>

### **CSP NI Assembly Clerking Team**

28. I interviewed four members of CSP staff, all of whom stated under oath that they did not disclose information relating to the CH email and had not spoken with any journalists. Additionally, during the time of the disclosure there was a temporary member of staff who had since left. I was able to obtain her contact details and interviewed her by telephone. She

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<sup>37</sup> Document 2

<sup>38</sup> Document 16

<sup>39</sup> Document 19

<sup>40</sup> Document 19

<sup>41</sup> Document 20

confirmed that she didn't recall the CH email and that she had not disclosed any confidential information.

### **Commissioner for Standards NI Assembly Secretariat Staff**

29. I interviewed both personal secretaries to the Commissioner for Standards Office who have access to the Standards Commissioner's email account. Each confirmed under oath that they did not disclose information relating to the CH email and had not spoken with any journalists.

### **CSP Document Handling**

30. The Clerk to the CSP received my correspondence to the Chair of the CSP on the 29 April which included a copy of the CH email. That correspondence was included in the restricted tabled meeting pack which the CSP members first had sight of at the Committee meeting on 1 May 2024. In line with the established handling procedure for protectively marked CSP papers<sup>42</sup>, the document was distributed to CSP members in protectively marked (including individually watermarked), hard copy packs at the meeting, which were then taken back from the members at the end of the meeting and shredded. The CH email was not shared with the CSP members in the physical or virtual reading rooms prior to the meeting on 1 May 2024 and was only available in hard copy on the day of the meeting to those that attended in person and online via a shared screen to those who attended remotely via Microsoft Teams. Minutes from the 1 May meeting can be found at the link below.<sup>43</sup>
31. The CH email was further considered and included in Members' confidential packs at the CSP meeting on 29 May 2024. The document would have been available in the reading room prior to the meeting and a copy would have been provided on screen on the day of the meeting for any Members attending remotely via Microsoft Teams. Minutes from the 29 May meeting can be found at the link below.<sup>44</sup>

### **Nature of the disclosure**

32. The information and questions contained in Mr Hughes 24 May correspondence<sup>45</sup> along with the content of the questions being asked by both journalists in correspondence with the NI Assembly Communications Team, Mr Hazzard and Dr Brown and the fact that nothing has been published in relation to the CH email to date and an FOI has been submitted by Mr Hughes requesting the CH email, indicates that it is likely that a hard copy of the CH email is not in circulation. This evidence, in conjunction with the strict handling procedures employed by the CSP clerking team, suggests that it is more than likely that the unauthorised

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<sup>42</sup> Document 22

<sup>43</sup> <https://www.niassembly.gov.uk/assembly-business/committees/2022-2027/standards-and-privileges/minutes-of-proceedings/session-2023---2024/1-may-2024/>

<sup>44</sup> <https://www.niassembly.gov.uk/assembly-business/committees/2022-2027/standards-and-privileges/minutes-of-proceedings/session-2023---2024/29-may-2024/>

<sup>45</sup> Document 4

disclosure was verbal in nature. Therefore, it was my view that it would be disproportionate to forensically examine Members' mobile phones, tablets and email accounts.

### **Context surrounding the disclosure**

33. On 8 May 2024, at least one BBC journalist was aware of the information relating to the CH email. At this point in time, reports of Dr Brown's resignation on 23 April had been in the media as had information relating to then live investigation of case 202300001 (which had been leaked to the media but is not the leak being investigated in this report).<sup>46</sup> Additionally, there was speculation in the media as to the reason for Dr Brown's resignation.
34. On 22 May 2024, the UK Prime Minister, Rishi Sunak, announced a 4<sup>th</sup> July general election. Two days later, on the 24 May 2024, Mr Hughes wrote to the NI Assembly Communications Team and Dr Brown and also tried making contact with Mr Hazzard in relation to the CH email. At this point in time, Mr Hazzard was standing for re-election as an MP in South Down, a constituency he shared with Dr Brown prior to his resignation and the same constituency of two members of the CSP, Cathy Mason MLA and Colin McGrath MLA; Mr McGrath was also standing in the election as an MP candidate.

### **Findings of Fact**

35. I found the following facts established to the required standards of proof:
  1. The CSP handling procedures for protectively marked papers are robust in relation to protective markings, delivery, collection, disposal and retention.
  2. At the CSP meeting on 1 May 2024, the CH email correspondence was tabled and included in members' confidential packs and was available to view on screen for those members attending remotely via Microsoft Teams.
  3. Three members of the CSP did not attend the CSP meeting on 1 May 2024 and did not see the CH email: Carál Ní Chuilín MLA (Chair), Harry Harvey MLA and Jemma Dolan MLA.
  4. On 8 May 2024, BBC journalist William Crawley called Mr Hazzard in relation to the rumours he had become aware of relating to confidential information contained in the CH email.
  5. On 24 May 2024, the NI Assembly's Communications Office received correspondence from BBC journalist Brendan Hughes requesting information in relation to the contents of the confidential CH email.
  6. On 24 May 2024, Mr Hughes emailed Dr Brown seeking further information in relation to the contents of the confidential CH email.

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<sup>46</sup> <https://www.bbc.co.uk/news/uk-northern-ireland-68894274>

7. On 24 May 2024 Mr Hughes contacted Mr Hazzard in relation to his email correspondence; Mr Hazzard did not reply.
8. On 25 May 2024, Dr Brown wrote to both the Chair of the CSP and to the Commissioner's Office expressing concern over correspondence he had received from Mr Hughes on 24 May requesting information relating to the confidential CH email.
9. On 29 May 2024, I wrote to the Chair of the CSP expressing my concern about the unauthorised disclosure of information relating to the CH email.
10. At the CSP meeting on 29 May 2024, the CH email correspondence was tabled and included in members' confidential packs and was available to view on screen for those members attending remotely via Microsoft Teams.
11. The nine members of the CSP said they did not communicate or speak to any journalists or other third parties about the CH email or the live complaint.
12. The five members of the CSP clerking team and the two Commissioner for Standards Assembly staff said they did not communicate or speak to any journalists or other third parties about the CH email or the live complaint.

### **Further Analysis and Reasoning**

36. History shows that investigations into unauthorised disclosures rarely find the person responsible for the unauthorised disclosure. This investigation is no exception, and has not identified the source of the leak. I note that the CSP Members who were not in attendance on 1 May 2024 did not have access to the CH email and therefore it is extremely unlikely that those members disclosed information in relation to it. However, the fact that I have been unable to definitively identify the source of the leak has an impact on the credibility of each member of the CSP. It also impacts the CSP clerking team and the Commissioner's secretaries. Collectively, this can damage working relationships, trustworthiness and the important work of the Committee. This highlights the need to adhere to the robust procedures and guidelines in place at all times.
37. It appears the disclosure was deliberate, but the motivation for the disclosure remains unclear. Unless and until the source of the leak is known, the motivation for the disclosure remains inconclusive and entirely speculative. It is clear the information was already leaked by the 8 May and known by at least one journalist. There appears to have been a renewed interest in the information contained in the leaked CH email on 24 May, which may or may not have been due to the UK election having been announced but coincides with the election announcement. It is also possible that the 24 May media correspondence came about due to a second unauthorised disclosure of the same information. Nothing was published in relation to the CH email nor has anything been published to date.

38. Members of the CSP and Assembly staff are well aware of their duties and obligations, especially in relation to keeping confidential the often highly sensitive and protectively marked information regularly received and considered. At the first meeting of each new mandate, the Committee notes/agrees the following documents which have express provisions relating to maintaining confidentiality of live complaints: the Assembly Code of Conduct<sup>47</sup> (including Rules 12 and 17), the Committee's *Protocol for Handling of Protectively Marked Meeting Documents* which includes the *Notice on Handling Protectively Marked Meeting Documents*<sup>48</sup>, the *Protocol on Conduct and Courtesy in Committee Meetings*<sup>49</sup> (at point 9), and *A Guide to the Powers and Operation of Standing and Ad Hoc Committees for Chairpersons and Members*<sup>50</sup> (at paragraph 46). The Committee also receives a briefing from Assembly Legal Services on the importance of procedural fairness in the context of the CSP's work, which among other things, highlights how a Member discussing a live complaint case outside Committee proceedings would risk prejudicing the Committee's proceedings. In addition, in a recent report relating to a complaint case, the current Committee has reminded all MLAs of the importance of maintaining confidentiality during the complaints process. It concluded that:

In order to safeguard the fairness and integrity of the process and avoid any unnecessary reputational damage to any of the parties involved, it is imperative that the confidentiality of complaints is upheld until the consideration and, where applicable, the investigation and adjudication of complaints has concluded.<sup>51</sup>

39. The Clerk to the CSP explained at interview:

As I say, there's that awareness amongst members and staff; and the members themselves - there's a notice; they agreed it. Handling procedures are agreed at the first meeting of each committee and each mandate, and there is a notice attached to those. That's included in the hard copy restricted pack, at the top of the pack, each time - drawing members attention to the importance of confidentiality. The awareness is certainly there, amongst both members and staff. I think it gets back to the issue of trust. There's also the point about no matter how robust and restrictive the process procedures are for the papers; if someone is intent on leaking something, it can still be done verbally, in any event.<sup>52</sup>

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<sup>47</sup> <https://www.niassembly.gov.uk/about-the-assembly/corporate-information/publications/code-of-conduct/the-code-of-conduct-together-with-the-guide-to-the-rules-relating-to-the-conduct-of-members/#:~:text=The%20purpose%20of%20Code%20of,to%20the%20Code%20of%20Conduct.>

<sup>48</sup> Document 22

<sup>49</sup> Document 23

<sup>50</sup> Document 24

<sup>51</sup> <https://www.niassembly.gov.uk/assembly-business/committees/2022-2027/standards-and-privileges/reports/report-on-a-complaint-against-tom-buchanan-mla/>

<sup>52</sup> Document 17

40. The CSP members I interviewed were aware of the importance of the CSP's work and its vital role in upholding standards. Therefore, it was not surprising that many of the CSP members and Assembly staff expressed great disappointment that this had occurred, as they are aware that such actions undermine the important work and reputation of the Committee and by extension the reputation of the Assembly. On another level, such disclosures have implications in relation to fairness and natural justice of live investigations; the CH email had not and has not been investigated by the Commissioner or Committee prior to it being leaked.
41. The MLA Code of Conduct rules and principles could not be any clearer in relation to Members' obligations in terms of confidential information. Rule 12 of the Code of Conduct states that "You shall disclose confidential or protectively marked information only when you are authorised to do so." The principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership are also to be adhered to as part of the MLA Code of Conduct. This disclosure was not in the public interest. Rather it was deliberate and self-serving and showed a complete lack of integrity and leadership. Therefore, any Member who may have leaked this information will have been acting in breach of the Code of Conduct Rule 12 and, in doing so, will have failed in their duty to observe the Seven Principles of Public Life.
42. There is no doubt that there was an unauthorised disclosure of confidential information relating to a live complaint. My investigation was not able to identify the source of the leak; all of those interviewed denied, under oath, having discussed or disclosed confidential information relating to the CH email. In the event that new evidence emerges that identifies the source of the leak, and that source was interviewed as part of my investigation, it should be noted that a witness who gives false evidence under oath in a matter which is material to an investigation by the Commissioner commits the offence of perjury, which may be investigated by the police and prosecuted.

### **Recommendations**

43. Many members commented on the robust document handling processes in place to ensure the confidentiality of materials presented to Committee members. Members and CSP staff additionally commented on the fact that while remote meeting attendance is helpful to members, a difficulty arises in relation to confidential information being shared onscreen and the potential of the information being "screenshot" during Committee meetings. Whilst there is no evidence to suggest that a screenshot of the CH email was taken (and no accessible way of assessing whether it had), such possibilities pose a risk. The Committee should consider whether confidential documents should be withheld from online attendees and be made available in-person only in reading rooms prior to the meeting or on the day of the meeting and whether the work of the Committee would be unduly obstructed should such documents be unavailable to remote attendees.

## **Conclusion**

44. My investigation was unable to establish the source of the leak. However, based on the evidence obtained throughout this investigation, I consider the disclosure was likely verbal. The document handling procedures that are in place are robust and CSP members and staff are aware of their duties and obligations in regards to confidentiality and the handling of protectively marked documents. There are no procedural steps that can be taken to fully eliminate the risk of sensitive or confidential information being disclosed without authorisation, save for one: Members fully committing to working in accordance with the Code of Conduct and Seven Principles of Public Life in order to build and maintain trust between each other and the public we serve.

Melissa McCullough  
NI Assembly Commissioner for Standards  
17 October 2024

**Annex A**

Document	Description
1	CSP referral (including Dr Brown 25 May email and Brendan Hughes 24 May email)
2	Chris Hazzard email 22 April 2024
3	Commissioner letter to CSP Chair 29 April 2024
4	Email from Brendan Hughes to NI Assembly Communications Office 24 May 2024
5	Letter to Brendan Hughes 31 July inviting to interview
6	Written response from CSP Clerk of Standards
7	Carál Ní Chuilín MLA interview transcript
8	Stewart Dickson MLA interview transcript
9	Jemma Dolan MLA interview transcript
10	Connie Egan MLA interview transcript
11	Paul Frew MLA interview transcript
12	Harry Harvey MLA interview transcript
13	Brian Kingston MLA interview transcript
14	Colin McGrath interview transcript
15	Cathy Mason interview transcript
16	Chris Hazzard MP interview transcript
17	CSP staff interview transcripts
18	Commissioner for Standards staff transcripts
19	Patrick Brown written response
20	Colin McGrath MLA response to Patrick Brown submission
21	Correspondence between BBC Litigation Department and Commissioner for Standards
22	CSP Complaint Handling Procedures Document
23	Protocol on Conduct and Courtesy in Committee Meetings
24	Excerpt: A Guide to the Powers and Operation of Standing and Ad Hoc Committees for Chairpersons and Members



Document 1: CSP Referral 5 July 2024



Committee on Standards and Privileges (CSP)  
Room 276, Parliament Buildings  
Tel: 028 9052 1843  
Email : [committee.standardsprivileges@niassembly.gov.uk](mailto:committee.standardsprivileges@niassembly.gov.uk)

05 July 2024

Dr Melissa McCullough  
Assembly Commissioner for Standards

Email: [Melissa.mccullough@niassembly.gov.uk](mailto:Melissa.mccullough@niassembly.gov.uk)

Dear Melissa,

**Terms of Reference for Referral to the Commissioner for Standards to investigate allegation that information relating to a complaint was leaked from CSP to the media [Case ID 202300001]**

I refer to your letter to the Committee on Standards and Privileges (the Committee) dated 29 April 2024, in which you attached email correspondence which you received from Mr Chris Hazzard MP dated 22 April 2024. The Committee considered this at its meeting on 1 May 2024.

At its meeting on 29 May 2024, the Committee noted correspondence (**Appendix 1**) from Dr Patrick Brown (the respondent and former MLA) dated 25 May 2024 to the Chairperson (and yourself) raising issues regarding the confidentiality of the (then live) complaint made against him. In particular, the respondent cites an enquiry he received from a BBC reporter and he alleges that information relating to the case was leaked from the Committee to the media.

This is the second occasion in which concerns have been raised regarding potential unauthorised disclosure of confidential information on the case. At its meeting on 1 May 2024, the Committee noted correspondence from Paula Bradshaw MLA expressing concerns around recent media reporting of the resignation of the respondent as an MLA and asking that Committee members be reminded of the requirements of Rules of Conduct 12 and 17 regarding maintaining the confidentiality of live complaints. In response to those

concerns, Committee members were reminded of the requirements of the applicable rules and procedures on maintaining the confidentiality of live complaint cases.

At the meeting on 29 May 2024, the Committee agreed to further consider the issues raised in the correspondence at the meeting on 12 June 2024, including how any potential unauthorised disclosure of information might be pursued. In the meantime, you also wrote to the Committee to raise your concerns in relation to the latest disclosure of confidential information (copy attached at **Appendix 2** for your convenience).

In light of the above, the Committee decided at its meeting on 29 May 2024 to make a referral, under Standing Order 69A(5)(a)(i), to you to investigate whether any confidential information relating to the (then live) complaint against the respondent was leaked from the Committee to the media. In that regard, the Committee agreed the **attached** terms of reference for the investigation to be conducted under the referral.

When considering this matter, the Committee noted that the procedures for "referrals" are different to those for complaints. Under Standing Order 69A(5)(a)(i), the Commissioner must investigate a referral made by CSP that *relates to the conduct of members*. Also, under paragraph 5 of the General Procedures Direction, the Commissioner must investigate a referral in accordance with the terms of reference of the referral. The Committee also noted that, while the Commissioner is not empowered, under Standing Orders or the Act which created the office, to investigate the conduct of persons other than Members, the Commissioner may take evidence from such persons where such evidence relates to the investigation. The terms of reference have been framed accordingly.

If you have any queries regarding the referral, I shall be available to discuss.

Kind regards



**Shane McAteer**  
Committee Clerk

## **Annex**

### **Referral to the Commissioner for Standards**

#### **Terms of Reference**

##### **Background:**

At its meeting on 12 June 2024, the Committee on Standards and Privileges (CSP) agreed to make a referral to the Commissioner for Standards to investigate whether any confidential information relating to the live complaint [Case ID 202300001] against Dr Patrick Brown (the respondent and former MLA) has been leaked from the CSP to the media. This decision was taken following concerns arising from media reports on the complaint and in light of correspondence from the complainant dated 25 May 2024 (**Appendix 1**).

Moreover, the decision to make this referral to the Commissioner is in the context of the CSP having recently highlighted to all MLAs the importance of maintaining confidentiality during the complaints process. In order to safeguard the fairness and integrity of the process and avoid any unnecessary reputational damage to any of the parties involved, it is imperative that the confidentiality of complaints is upheld until the consideration and, where applicable, the investigation and adjudication of complaints has concluded.

This referral to the Commissioner for Standards is made under Assembly Standing Order 69A(5)(a)(i) and paragraph 5 of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 (General Procedures) Direction 2021.

##### **Purpose:**

In light of the allegation by Dr Brown that information relating to the complaint was leaked from the CSP to the media, the Committee refers the following to the Commissioner for Standards. The Commissioner is asked to investigate the conduct of all members of the CSP during the Committee's consideration of the complaint to establish:

1. whether any member/s of the CSP communicated, directly or indirectly, with any media outlet regarding the email correspondence from Mr Chris Hazzard MP dated 22 April 2024, which related to the respondent's conduct in relation to the complaint case (the Committee considered this correspondence at its meeting on 1 May 2024, as an attachment to your correspondence dated 29 April 2024);

2. whether any disclosure of confidential information on the complaint may have been from a source other than a CSP member – e.g. Committee officials, other third parties;
3. the nature, means and purpose of any communication between any CSP member/s and journalists relating to the live complaint;
4. whether any communication by any CSP member/s was, in the view of the Commissioner, in breach of any of the rules of conduct and/or inconsistent with any of the principles of conduct as contained in the Code of Conduct for Assembly Members; and
5. to identify any applicable lessons from the investigation and make recommendations to the Committee on related improvements to the applicable rules of conduct and to the Committee's complaint-handling procedures and practices.

**Output:**

It is expected that the Commissioner will provide the Committee with a report on the investigation as soon as is practicable, which should include the findings in relation to 1 – 4 and, where applicable, recommendations in relation to 5.

## Appendix 1 – Correspondence from Dr Patrick Brown

----- Forwarded message ----- From: **Brown, Patrick** <[patrick.brown@mla.niassembly.gov.uk](mailto:patrick.brown@mla.niassembly.gov.uk)>  
Date: Sat, 25 May 2024 at 08:35  
Subject: FW: FAO Patrick Brown: BBC News NI - comment? To: Caral Ni chuilin  
[REDACTED] Cc: +StandardsCommissioner  
<[standardscommissioner@niassembly.gov.uk](mailto:standardscommissioner@niassembly.gov.uk)>

Dear Caral and Melissa,

As Chair of the Standards and Privileges Committee and Standards Commissioner respectively, I wanted to bring to your attention the below email which I received from the BBC yesterday.

This is from the same journalist who previously reported on the complaint against me by Shimna Integrated College. It is now abundantly clear to me that this journalist is receiving information from within the Standards and Privileges committee. Information which even I, as the person who the alleged complaint is about, was not even aware of.

Melissa, when we met previously and I provided testimony in relation to this case, I made clear at the time my view that the entire complaint by Shimna was vexatious and orchestrated to a) expose constituents who had brought concerns to me in confidence and b) damage me politically. I also sought your assurance that the case would be investigated in confidence and I believe also expressed my concern about it being leaked to the media. Despite you giving me these assurances, that has not happened – indeed on two occasions now someone close to the process appears to have fed information to the BBC and potentially other outlets.

I was very clear with you Melissa that over several years the school has engaged in attempts to bully, demean, expose or minimise those who have brought valid concerns about how the school is being run at present. I can only conclude that exactly the same strategy is being deployed here against me, and that other political parties, the media and potentially members of the S&P committee have been engaged as part of this process.

I believe I have complied and engaged in good faith with the investigation process throughout, and this same treatment does not seem to have been extended to me. This is even more concerning given the allegations below are being made after I have left politics and were sent to my new place of work. This has the potential to damage me personally and professionally – concerns I will also raise separately with the BBC

However, given this latest press leak, my lack of faith in the process to grant me the confidentiality which other members have enjoyed, and the fact I am no longer a member, I wish to formally give notice that I will not be engaging or cooperating with any existing or further investigation by the committee, and would also respectfully request an apology from the committee for how I have been treated throughout this process.

I look forward to hearing from you in due course.

Regards,

Patrick Brown

**From:** Brendan Hughes - <[brendan.hughes@bbc.co.uk](mailto:brendan.hughes@bbc.co.uk)>

**Date:** Friday, 24 May 2024 at 12:14 **To:** "[info@equalright.org](mailto:info@equalright.org)" <[info@equalright.org](mailto:info@equalright.org)>

**Subject:** FAO Patrick Brown: BBC News NI - comment?

Hi Patrick,

It's Brendan here from BBC News NI. Apologies for another media query given that you've left the Assembly, but I was wondering if you'd wish to comment on this?

We reported on how there is a Stormont standards watchdog investigation into your alleged conduct towards an integrated school:

<https://www.bbc.co.uk/news/uk-northern-ireland-68894274>

We now understand the commissioner is also now investigating another allegation over your conduct during your time as an MLA.

This is because Sinn Fein MP Chris Hazzard wrote to the commissioner alleging that you met with him, brought up the standards probe, and asked if he could in any way encourage or influence Sinn Fein reps on the committee to go easy on you.

It's understood Mr Hazzard expressed how he found this approach inappropriate given the ongoing investigation and therefore wanted to put it on the record.

- May I ask, what is your response to these claims?

- What did you ask Mr Hazzard to do in relation to Sinn Fein's involvement in the standards probe process?

..and any other comments you have.

Please let me know if you receive this. It would be great to get a response by the end of the day.

Thanks for your help,

**Brendan Hughes**

Political Reporter

BBC News NI

## Appendix 2 – Correspondence from the Commissioner for Standards



**Commissioner for Standards**  
222 Parliament Buildings  
Ballymiscaw  
Stormont  
Belfast  
BT4 3XX

Tel: 028 9052 1220  
Email: standardscommissioner@niassembly.gov.uk

Ms Carál Ní Chuilín  
Chair, Committee for Standards and Privileges  
Parliament Buildings  
Ballymiscaw, Stormont  
Belfast  
BT4 3XX

29<sup>th</sup> May 2024

Dear Chair

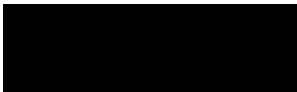
I am writing to you in relation to Dr Patrick Brown's email of Saturday 25 May 2024.

Dr Brown raises valid concerns relating to the apparent leak of information to a BBC journalist of what appears to be information relating to the email from Chris Hazzard MP which I forwarded to the Committee on 29 April 2024.

As you are aware, prior to this there was a disclosure of the complaint itself on 25 April 2024 in the Belfast Telegraph; Dr Brown wrote to me then to raise concerns. However, there were many who had knowledge and information relating to the investigation including myself, the Committee, Dr Brown, the complainants and the witnesses.

This is very concerning and I would ask you to consider what can be done in relation to this latest disclosure of confidential information to a BBC journalist on Friday, 24 May 2024. It appears, from the information attached to Dr Brown's email from the BBC to him, that the journalist may have had access to the letter or was told about the letter, as the detail is quite accurate.

Yours sincerely



**Melissa McCullough**  
Northern Ireland Assembly Commissioner for Standards

**Private & Confidential**

## Document 2: Email from Chris Hazzard MP to Commissioner for Standards 22 April 2024

**From:** South Down <[southdownmp@gmail.com](mailto:southdownmp@gmail.com)>

**Sent:** 22 April 2024 11:21

**To:** +StandardsCommissioner <[standardscommissioner@niassembly.gov.uk](mailto:standardscommissioner@niassembly.gov.uk)>

**Subject:** FAO Dr Melissa McCullough

**Dr Melissa McCullough**  
**Standards Commissioner**  
**Parliament Buildings**  
**Stormont**  
**BT4 3XX**

Melissa a chara,

I want to take this opportunity to bring to your attention what I believe was an inappropriate approach to myself in recent weeks that will be of interest to your work.

On 4th March in Stormont I was asked by Patrick Brown MLA to meet him in his office for a quick chat; he made no reference to what it was about - as a fellow South Down public representative I presumed it was about a local issue - so I had no hesitation in calling in for a chat.

After a general conversation about South Down and the restoration of the Assembly, Patrick informed me that a local school had made a complaint about him to yourself and that the Standards Committee was likely to consider your report in the time ahead.

He then proceeded to ask that I use whatever influence I had to ensure he had a fair hearing from the Committee - he stressed that he believed the complaint was vacuous but he wasn't being given a fair opportunity to put forward his case.

I replied that first and foremost this was an issue for the Commissioner, and the Standards Committee; I had no interest in the veracity of the complaint nor would I be speaking to any Committee member about the issue.

I added that I would expect the Committee would ensure their considerations would be in keeping with the standards expected of a public body, and that he should have no fear of not getting a fair hearing, and the discussion ended at that.

In all honesty I didn't really think about the discussion again for a few weeks but recently it has sat uneasy on my mind and I felt it was best to bring it to your attention - I do so confidentially, I've never had any issue with Patrick, nor do I have any interest in becoming involved in this complaint which involves a South Down school.



I do however believe it is appropriate to flag it with yourself.

Thank you for your consideration of these matters,

Chris

**Chris Hazzard MP**

South Down Sinn Féin

MP Constituency Office  
2 Circular Road  
Castlewellan  
Co Down  
BT31 9ED

**Tel:** [028 437 70185](tel:02843770185)

**Email:** [southdownmp@gmail.com](mailto:southdownmp@gmail.com)

**Document 3: Commissioner for Standards letter to CSP Chair, 29 April 2024**



**Commissioner for Standards**  
222 Parliament Buildings  
Ballymiscaw  
Stormont  
Belfast  
BT4 3XX  
  
Tel: 028 9052 1220  
Email: standardscommissioner@niassembly.gov.uk

Ms Carál Ní Chuilín  
Chair, Committee for Standards and Privileges  
Parliament Buildings  
Ballymiscaw, Stormont  
Belfast  
BT4 3XX

29<sup>th</sup> April 2024

Dear Chair

I am writing to you in relation to two pieces of information I received last week.

On Monday 22<sup>nd</sup> April, prior to Dr Brown's resignation, I received an email outlining a meeting that allegedly occurred on 4 March 2024 (Item 1 attached).

Having received legal advice on Tuesday 23<sup>rd</sup> April in relation to this new information, I had intended to deal with this matter under the "Commissioner investigation" procedure once the current case was completed. It was my view, informed by legal advice, that bringing this information to the Committee prior to that would have inevitably contaminated the consideration by the committee of the Shimna Integrated College report and any decisions and sanctions related to it.

However, since Dr Brown's resignation, it is my view that a Commissioner investigation into this further matter would not be in the public interest especially as there would likely be no meaningful sanction available to the Committee.

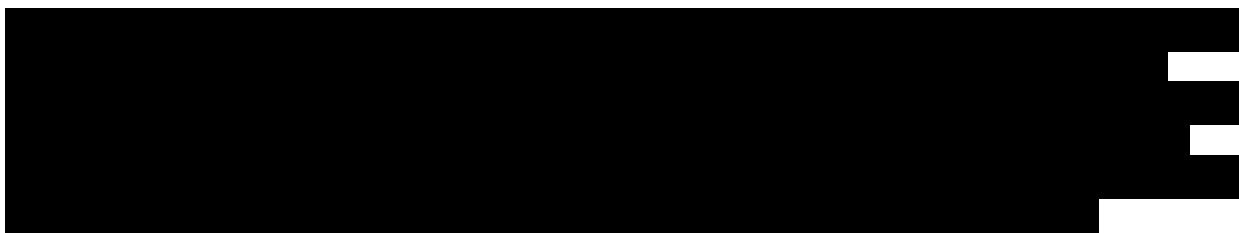
The Committee will be aware that, to commence a Commissioner investigation, I must be satisfied there is prima facie evidence of a breach of the Code of Conduct. With the proviso that I obviously do not know Dr Brown's version of these events, it seemed to me that the attached letter constituted prima facie evidence of a breach of the following rules of the Code of Conduct:

Rule 12. You shall disclose confidential or protectively marked information only when you are authorised to do so.

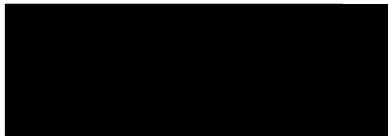
Rule 13 You shall not act in any way which improperly interferes, or is intended or is likely to improperly interfere, with the performance by the Assembly of its functions, or the performance by a Member, officer or staff of the Assembly of their duties.

Rule 14. You shall not use, or attempt to use, your position as a Member to improperly confer an advantage or preferential treatment for either yourself or any other person; or to avoid disadvantage or create disadvantage for someone else.

I thought it relevant to draw this matter to the attention of the Committee as they continue their consideration of the current complaint/report.

A large rectangular area of the document is completely redacted with a solid black fill, obscuring several lines of text.

Yours sincerely

A rectangular area of the document is redacted with a solid black fill, obscuring the signature of the sender.

**Melissa McCullough**  
**Northern Ireland Assembly Commissioner for Standards**

**Document 4: Brendan Hughes email to NI Assembly Communications Office, 24 May 2024**

**From:** Brendan Hughes - <[brendan.hughes@bbc.co.uk](mailto:brendan.hughes@bbc.co.uk)>  
**Sent:** 24 May 2024 11:20  
**To:** +Website Public Email <[info@communications.niassembly.gov.uk](mailto:info@communications.niassembly.gov.uk)>  
**Subject:** BBC News NI - comment?

Hi,

It's Brendan here from BBC News NI. I was wondering if the standards commissioner and/or the standards and privileges committee would comment on this?

We reported on how former Alliance MLA Patrick Brown is facing a standards watchdog investigation over his alleged conduct towards an integrated school:

<https://www.bbc.co.uk/news/uk-northern-ireland-68894274>

We now understand the commissioner is also now investigating another allegation over Mr Brown's conduct during his time as an MLA.

This is because Sinn Fein MP Chris Hazzard wrote to the commissioner alleging Mr Brown met with him, brought up the standards probe, and asked if he could in any way encourage or influence Sinn Fein reps on the committee to go easy on him.

It's understood Mr Hazzard expressed how he found this approach inappropriate given the ongoing investigation and therefore wanted to put it on the record.

May I ask:

- When did the commissioner receive this correspondence from Mr Hazzard, and what did it say?
- When was the committee made aware of this correspondence?
- What action will the commissioner and/or standards committee now be taking as a result of this latest allegation?  
..and any other comments you have.

Please let me know if you receive this. It would be great to get a response by the end of the day.

Thanks for your help,

Brendan

--

**Brendan Hughes**  
Political Reporter  
BBC News NI

## Document 5: Invitation letter to Brendan Hughes 31 July 2024



**Commissioner for Standards**  
222 Parliament Buildings  
Ballymiscaw  
Stormont  
Belfast  
BT14 3XX  
  
Tel: 028 9052 1220  
Email: standardscommissioner@niassembly.gov.uk

Mr Brendan Hughes  
Brendan.hughes@bbc.co.uk

31 July 2024

**Case ID: 202400019**

Dear Mr Hughes

I am currently investigating a matter and I believe you may have information which could assist.

As this process is confidential, I will refrain from providing further details at this point, but wish to arrange a convenient time to speak with you. I would be grateful if you can advise of your availability over the next few weeks to meet either remotely (via Zoom) or in person.

Yours sincerely



**Dr Melissa McCullough**  
**Northern Ireland Assembly Commissioner for Standards**

PRIVATE AND CONFIDENTIAL

## Document 6: Written response from Clerk to the Committee on Standards and Privileges

**From:** McAteer, Shane <[Shane.McAteer@niassembly.gov.uk](mailto:Shane.McAteer@niassembly.gov.uk)>  
**Sent:** 28 August 2024 17:00  
**To:** McCullough, Melissa Dr <[Melissa.McCullough@niassembly.gov.uk](mailto:Melissa.McCullough@niassembly.gov.uk)>  
**Subject:** FW: Confidential 202400019

Good afternoon Melissa,

See below my answers (in red) to your questions.

Please do not hesitate to get back to me if you require any further information.

Kind regards

Shane McAteer  
Clerk to the Committee on Standards and Privileges

**From:** McCullough, Melissa Dr <[Melissa.McCullough@niassembly.gov.uk](mailto:Melissa.McCullough@niassembly.gov.uk)>  
**Sent:** 27 August 2024 07:12  
**To:** McAteer, Shane <[Shane.McAteer@niassembly.gov.uk](mailto:Shane.McAteer@niassembly.gov.uk)>  
**Subject:** Confidential 202400019

Dear Shane

In relation to the above case, can you please provide the following:

1. The date you received the document (the email to me from CH).  
You sent the document to my Assembly email address on 29 April 2024 (it was attached to a letter from you to the Committee Chair, also dated 29 April 2024).
2. Who had access to the email account where the document was sent.  
Only I had access to my Assembly email address. For processing purposes, I then forwarded your letter (including the attached document in question) to two of my staff members individually ( [REDACTED] ) and to the CSP public mailbox. Those who had access to the CSP public mailbox include the following CSP staff at the time: myself, [REDACTED] (an agency staff member, who subsequently left the Assembly Secretariat).
3. Who had access to the document after its receipt.  
All of the CSP staff mentioned above had access to the document following receipt.
4. The details of the transmission of the email to members of the CSP including when and where they had access to the document.  
The email was added to the restricted tabled meeting pack which the CSP members only got sight of at the Committee meeting on 1 May 2024, which commenced at 10:08am in Room 106 (it was not shared with the CSP members in physical/virtual reading rooms prior to the meeting on 1 May 2024). In line with the established handling procedure for protectively marked CSP papers, the document was distributed to CSP members in protectively marked (including individually watermarked), hard copy, packs at the meeting, which were then taken

back from the members at the end of the meeting and shredded (for background information, see attached copy of the Committee's handling procedure for protectively marked papers). The document would also have been shared on screen when being discussed during the meeting, under Matters Arising, for the benefit of those members attending remotely (via Microsoft Teams).

5. Any other issues relevant to this matter.

The following CSP members attended the Committee meeting on 1 May 2024 in person: Stewart Dickson, Paul Frew, Connie Egan and Brian Kingston. The following CSP members attended the CSP meeting on 1 May 2024 via video conference (Microsoft Teams): Colin McGrath and Cathy Mason. The following CSP members were recorded as apologies/not attending: Carál Ní Chuilín, Harry Harvey and Jemma Dolan. The Minutes of Proceedings of the meeting held on 1 May 2024 are available [here](#).

Kind regards  
Melissa

## Document 7: Carál Ní Chuilín MLA Interview Transcript

### Interview Transcript: Carál Ní Chuilín MLA

**This interview is being tape recorded. I'm Melissa McCullough, the Commissioner for Standards. The date is the 29<sup>th</sup> August 2024 and the time is 10:00 am. I'm interviewing Carál Ní Chuilín, MLA, Chair of the Standards and Privileges Committee. Are you happy to be referred to as Ms Ní Chuilín, or do you prefer Carál?**

Carál, please.

**Carál, so I'm going to formally ask you to take the oath - which, because we're doing this virtually, will not be with a Bible but it'll be the affirmation. Is that okay?**

That's fine.

**I'm going to share the screen now. Let's see how good I am at this, let's see now, share screen. Here we are. [Short pause] Now, do you see what I see?**

Yes, so I take this now: I do solemnly, sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

**Thanks so much. I'm going to stop the screen share now [short pause]. Basically, if for any reason this technology fails us - because I'm actually connected up through my phone here in the office because I can't get online on this laptop - but if it should happen, just wait for each other to reconnect on the same link. To remind you: this is a confidential interview and nothing spoken about should be discussed outside of this interview. This transcript may be appended to the investigation report if I rely on it to reach any recommendations.**

**I'm sure you're aware, because you're the chair and you've referred this to me, but the matters... Just for the record: the matters I'm investigating relate to the referral from the CSP, which was the unauthorised disclosure of information to the BBC journalist, Brendan Hughes. I've highlighted the terms of reference from the CSP relating to the referral, in your invitation to interview letter, so I won't go over them verbatim. You know what they are. Do you have any questions before I start asking some questions?**



No.

**So, first of all, the meeting happened... I sent a letter to you on the 29<sup>th</sup> April, with a copy of the email from Chris Hazzard, and you know the background to that. So, I'm really just going to focus on the fact that it was disclosed - an unauthorised disclosure. I just want to focus on that meeting. I believe you were not in attendance, is that correct?**

That's correct.

**It's my understanding, this was the first time that the email in question was shared with the Committee members.**

That's correct.

**There were two members who attended virtually; that was Colin McGrath and Cathy Mason.**

I understand that to be the case; I wasn't there.

**There's just one thing about that that I wanted to pick up on from the minutes of that meeting. That was that the Committee then agreed - it shows in the minutes - that they would seek advice from information services or... Yes, information systems on the ability of tech to prevent any such - if there are screenshots being taken, to prevent such a thing. Now, I know that we don't have an answer on that. But I wondered, too, whether we know - or you guys had discussed at all - whether or not IS can see, can track whether or not anyone took a screenshot on the 1<sup>st</sup> May.**

I'm not aware of that.

**[Interruption 0:04:01.8-0:04:35.7]. Anyway, yes, so I will look into that as well but I wondered if you know anything about the traceability of any movements online in that respect.**

No, I'm not aware.

**So, just to the main point: do you know Brendan Hughes?**

No.

**Have you ever spoken with him, no?**

Not on a personal level. I would see him at events and say hello, acknowledge him, but by and large, I wouldn't have any dealings with him at all.

**I can assume, then, the answer to this question: did you speak with him during the ongoing investigation into Patrick Brown?**

No, I didn't.

**Did you speak to him at any point in relation to this email from Chris Hazzard?**

No, I didn't.

**I need to ask this because, as you know, this is difficult. Usually, people say it's unlikely that you can find who leaked information - especially if, as one might suspect from this, it might be a verbal disclosure. But do you have any idea on the motivation, what the motivation would be, in relation to sharing this information with Mr Hughes?**

None whatsoever. I mean, anybody who shared this information with Mr Hughes obviously wanted this to be in the public domain. That, for me, is clear. It's clear and apparent what this is about. Other than that speculation, I have no idea.

**This is where these things end up, is me asking you if you're... This is the way these are going, but look, I think the thing is, I just have to keep going and seeing where we wind up. Unless someone puts their hands up and says they spoke to Brendan Hughes, we're going to have difficulties here ascertaining exactly what happened. But I will be tracing up the IS, I will be tracing up as much as I can - information as I can gather. I know the Committee is aware that this is a difficult thing to find out, but I think it's very important that we carry on with the process of doing this because people need to recall and remember this is not acceptable behaviour. I don't...**

I totally agree.

**I think also, it makes me a little bit disconcerted that the member in question had resigned. What was the get there? What was the motivation? It's not like there was any**

**more... Well, I suppose there's always harm that can be done to people, but what was the...**

I just found this not only disappointing; I felt it undermined the work of the Committee and, for me, all the other aspects, why they're important to the individuals. As a member of the Committee, I just found it really disappointing and regrettable.

**Yes, I do, too. I wrote to you and said the same. As the Commissioner, I'm a bit shocked if it is somebody within the Committee - which we don't know and may never know. But if it is, you get so disappointed that this is the way we're operating. Again, having absolutely no idea who did this but wondering even just the motivation is inappropriate. Let's face it. This whole thing is inappropriate.**

Yes, it is. It is.

**It just doesn't look good.**

No.

**Anyway, look, I wanted to just ask you a final question, which is: is there anything you want to share with me that I haven't asked that you might - that is relevant to this investigation?**

Nothing, Melissa, to be honest.

**No problem. Well, I'm going to - that was short and sweet, Carál, but I think these are going to be.**

Yes.

**But it's 10:08 and I will stop the recording. Give me one second.**

**[END OF TRANSCRIPT]**

## **Document 8: Stewart Dickson MLA Interview Transcript**

### **Interview Transcript: Stewart Dickson MLA**

**This interview is being tape recorded. I'm Melissa McCullough, Commissioner for Standards. The date is the 29<sup>th</sup> August 2024. The time is 12:30. I'm interviewing Stewart Dickson MLA, Deputy Chair of the Standards and Privileges Committee. Are you happy to be referred on the tape as Mr Dickson, or do you prefer Stewart?**

Stewart.

**I'm going to ask you to take the oath - which, in this case, due to the virtual platform for this interview, will be an affirmation. I'm going to share my screen. Let's see where it is. Can you see what I see?**

Yes, I do.

**If you could just read that out.**

I do solemnly, sincerely and truly declare and affirm the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

**Thank you so much. If, for any reason, this technology should fail, I just ask that either of us get back on using the same link and wait for each other. This is a confidential interview, so nothing in this interview should be spoken about outside of it. This transcript may be appended to the investigation report if I rely on it to reach any recommendations. So, you know the matters I'm investigating because you've sent it to me. The Committee referred it to me.**

Yes.

**So, I won't go through them in detail, but I did put them on your interview letter. But basically, this is about the unauthorised disclosure of information to the BBC journalist, Brendan Hughes.**

Yes.

**I just thought I'd start with asking the questions about Brendan Hughes: do you know him?**

By reputation and as a journalist, but I have never actually met him as an individual - and I don't believe I've ever actually spoken to him as a journalist either.

**So, that would mean that you never spoke to him during the ongoing investigation of Patrick Brown?**

No.

**You never spoke with him at any point in relation to the email from Chris Hazzard?**

No.

**I do ask this question in case somebody wants to tell me they understand the motivation, why somebody would actually share this information with Brendan Hughes about Patrick Brown. Are you aware of any motivation for doing something like this?**

No - certainly not if you're a member of the Standards Committee. No.

**So, just to take you to the meeting on the 1<sup>st</sup> May, you were in attendance?**

Yes.

**I know Carál was not in attendance, but you were in attendance [over speaking 0:02:39.7] to confirm that attended virtually. That was Colin McGrath and Cathy Mason.**

Yes.

**But it's my understanding that at the 1<sup>st</sup> May meeting - I just want to confirm this - it was the first time Committee members would have seen in their packs the email from Chris Hazzard. Is that correct?**

That is correct.

**I think you and Carál might have seen it prior - obviously prior to that but...**

Yes, a few minutes before - well, shortly that morning, immediately before the meeting. Carál wasn't - I was actually acting chair, I believe, for that meeting so I had a briefing session with the clerk, and that's when I was made aware.

**Now, just while I have you here, so they were my main questions, believe it or not, because there's very little I can do than to ask you if you've ever spoken to him, have you told him anything? Are you aware of anybody that you would've spoken to, or would have been aware in your press office that would've spoken to, so indirectly could you have ever mentioned this to anybody that might have mentioned it to Brendan Hughes? Are you aware of that?**

No.

**Sometimes indirectly you can say things without knowing, and they could wind up with somebody. So, I guess the last question is really: is there anything that would - you want to share with me that would be of relevance to this investigation at the moment?**

I appreciate, given the circumstances of the investigation, how difficult it will be for you to come to any particular conclusion in respect of it. But the revealing of information by whoever gave it is, in my view, unacceptable - and indeed reprehensible - and particularly given... Should it have come from, either directly or indirectly, a member of the Standards and Privileges Committee, given the training and the advice, guidance - and indeed warnings - which we are given as members, then it would be a very serious offence.

**I agree. I do think, too... Can I ask you this: are you aware... This is probably beyond, but I'm going to ask it anyway: are you aware if Patrick Brown was aware of this letter before he resigned, of this email?**

I am not aware.

**I'm not aware either, but I also know that when he... By the time he sent the email when he was asked the questions by Brendan Hughes, I'm also none the wiser whether he was aware of that or not before he resigned. Just hold on one second. I'll close down this. The time is 12:36.**

**[END OF TRANSCRIPT]**

## Document 9: Jemma Dolan MLA Interview Transcript

### Interview Transcript: Jemma Dolan MLA

**This interview is being tape recorded. I'm Melissa McCullough, the commissioner for standards. The date is the 11<sup>th</sup> September 2024 and the time is 12:30. I'm interviewing Miss Jemma Dolan, MLA, member of the Standards and Privileges Committee. Are you happy to be referred to as Ms Dolan, or do you prefer Jemma?**

Just Jemma is fine.

**Jemma is fine, okay. I'm going to ask you - let me just say - ask you to take the oath which, due to the virtual platform, is going just to be an affirmation. Let me share the screen with you. This is interesting that I... There we go, hopefully you can see that. If you could just speak that out loud, please, Jemma.**

Yes. I do solemnly, sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

**Brilliant, so if for any reason this technology should fail, we just wait for each other to get back on. This is confidential, and nothing spoken in this interview should be discussed with anyone. Additionally, this transcript may be appended to the investigation report if I rely on it to reach any recommendations. You will have seen the letter I sent you which highlights the Committee's terms of reference for this investigation, because they referred themselves to me. But the matters I'm investigating relate to the unauthorised disclosure of information to a BBC journalist, or even just the unauthorised disclosure of information in general which relates to the email from Chris Hazzard to me. So, do you have any questions before I begin my questions?**

No.

**So, there were two Committee meetings; one on the 1<sup>st</sup> May 2024 and one on the 15<sup>th</sup> May 2024. I have the minutes of those meetings, and they state that you were not in attendance at either. You were apologies. Is that correct?**

That's correct, yes.



**So, at any point, just to confirm for the record, did you see the email or - from Chris Hazzard, which was written to me, which was shown to the Committee on those dates?**

No.

**Did you speak to anyone about that information which they might have seen from the Committee?**

No, not at all.

**So, you've not seen them, you don't know about them, is that correct?**

No. Yes.

**Therefore, basically your apologies - being on maternity leave - you've clearly not been in touch with this situation at all.**

No.

**I can understand. You might be one of the lucky ones, actually. Is there anything relevant you wish to tell me about anything that I didn't ask about?**

No.

**I'm going to end this interview. It's 12:33 - hold on - and I'll stop share and I will end this.**

**[END OF TRANSCRIPT]**

## Document 10: Connie Egan MLA Interview Transcript

### Interview Transcript: Connie Egan MLA

**We know it's under oath. I'll just make a note of that.**

Yes, absolutely.

**It's two o'clock on Tuesday 28<sup>th</sup> August 2024. I'm interviewing Connie Egan. I'm going to open this up now. The letter in question, it appears to have been leaked to the media. It was shared by me, by letter to Shane and the chair of the committee, and that letter was shown to the committee at a certain point. So I want to open this up to you to tell me, when did you see this correspondence, the correspondence being from Chris Hazzard to me?**

The first time I saw that correspondence was at the committee. I don't know the date of it, off the top of my head, but the first time I saw it was - it was in a committee pack, with [REDACTED] was the first time I read it. We all read our papers beforehand. It would have been, from my recollection of the timing - I don't have the exact date - it would have been late April would have been the first time I would have seen that. It was part of our committee pack, so I read the papers beforehand with [REDACTED]. That was the first time that I'd read that letter, the first time I was made aware of it, and then later it was part of our pack at the committee meeting.

**So that was part of your pack at the committee meeting, so it would be a day or two before that you're reading it.**

Yes.

**In the reading room?**

I can't remember the exact arrangements. [REDACTED] and I meet in my office if it's just me and my own in my office. If my staff are working from my office, we go to a private party room that I book for an hour, and we sit, the two of us, and we do that together.

**[REDACTED] is there simply to oversee?**

Yes, [REDACTED] oversees all our committee packs, and she monitors the reading room. She keeps us right, lets us know that, if we make notes, she has to take them with us, and then she can bring them back to committee, and make sure nobody's doing anything they shouldn't be doing.

**Like?**

Like nobody looked at their phone during it, nobody...

**Oh, okay.**

None of that.

**So that's a process that's involved.**

Yes. [REDACTED] keeps you right. She makes sure you know the expectations of what you can and can't do; keeps you right on the agenda. They're quite big packs. They're all in paper. She keeps you right and makes sure everything is collating with the agenda, and helpful, so she makes sure we're right that we're all very aware it's private, it's confidential, and that you're not on your phone during it.

**So nobody would be able to take a picture, for example?**

I couldn't see [REDACTED] allowing that to happen if it was just the two of them there. She's very professional.

**There's two people there, so you're not allowed your phone. If you took your phone out, it would be very, very obvious.**

Yes, and she asks you if you want to make notes, she makes sure you write them down on paper, 'I can take them away, and then you can have any notes you make back at the committee.'

**Then she takes them away again after the committee?**

She takes them away, yes.

**I didn't realise there was just that many structures.**

Yes. I think it's important, and I think you're - I was told, certainly, before I even went onto the committee how important confidentiality is. You're told the papers are confidential. They're not on our SharePoints, for example, which means not even our staff have access to them. They're only on paper. [REDACTED] and the clerks team has them, controls them, bring them to us, and then leaves.

**This whole issue raises questions because Patrick Brown raised the question, which he was very right to do so, if this is confidential. How did a BBC journalist start emailing myself and him questions about something that clearly relates to that letter?**

Yes.

**What's your thoughts when you read it?**

My thoughts when I read that, was, from our committee pack, it didn't appear that the journalist in question, Brendan Hughes, had a photograph or the wording of that letter, so, to me, that would indicate that his source was a verbal one.

**I think it indicates that as well, and that's why I think this is difficult.**

Oh, I think you have a very difficult job.

**You have to look at the motivation. Who would be motivated to speak with - assuming it is speak - the motivation for that is... Well, what do you think it is?**

I don't like speculating on people's motivations if I have no evidence for those, but, obviously, I'm sure everybody in the committee has their own thoughts and opinions and theories. The only evidence I would say is that I strongly, strongly believe it was not a member of staff who did that. The professionalism that I've seen, how seriously they take the confidentiality of it, I think would really indicate to me from all the experiences that I've had with them is they take this very seriously. I would find it very difficult to imagine a member of staff of the clerks team contacting a journalist in relation to this. If it is an MLA who has done this, I think they should be ashamed of themselves that staff are being questioned about this, and their professionalism is being questioned as part of this process, because that is not fair, and they're very professional, and they're absolutely fantastic in the way they help us.

I'm confident that [? █████ is 0:05:29.1] sharing information from mine, but again, I have to ask them anyway, and it's not fair, because you're questioning their integrity, but this is what this process is about.

Absolutely.

**It's about making sure - and even hoping that people take an oath seriously and can say... I wondered, being that you think, based on the evidence - and I saw the same evidence - that it's verbal, at what level would you contact the BBC with that type of information? I am under the impression, as is Patrick Brown, that I think it's the same person who he thinks has been targeting him in the media realm. Now, that's neither here nor there. Journalists will be journalists, but it also makes me think, well, somebody knew exactly who to tell this to who would be interested.**

Yes. From my own experience in the Alliance Party, Patrick has had a lot of media attention. Whether that is fair or unfair is a matter of opinion. Certainly, a lot of them are credible stories in the public interest that have been in the news about Patrick. I would not speculate or name anyone without evidence, and I don't have evidence to suggest who did it. I can understand why Patrick would feel that way, and I trust you will question everybody thoroughly to try and figure out what any motivation was.

**Of course. Someone who, obviously, is your Party colleague, in your view, I suppose this would be something the media would be interested in?**

The media are interested in politicians' lives, regardless of that. The same journalist asked me, previously, some very personal questions, and not in a professional context, but still, it puts you on edge. It's part of your job. Your job is a huge responsibility. I think it's not good for politics as a whole that people see things as gossip as opposed to taking them seriously. Taking things like a breach of a code of conduct seriously, and see it as whether that's gossip, whether that's a way to get back at someone who may be their opponent, whether it's a way to undermine someone who they feel has wronged them at some point. It should be taken seriously.

**I just want to confirm for the record that, at no point in time did you ever speak to anybody about that letter?**

I've never spoken to anybody about that letter.

**So, just taking you back to the process. You do mention a lot about it there, but I just want to get it on record as well. At the point in time where you can either go to a room that you book, or whatever, does everybody have to make a personal appointment with [REDACTED] view the documents?**

Yes, that's my understanding. I understand some party colleagues will read them together in a room. I'm certain I have never done that. I just manage my own diary myself, especially with that. We just haven't coordinated. I'm not sure what best practice is. I, personally, would think best practice would be reading them on my own, forming my own opinions. You're there as an individual, not as a party grouping on the standards committee, is my opinion. So, yes, I make an appointment with [REDACTED], you find out when's best, and they give you availability. You can do it remotely. They can do an online reading room, or they can do in-person where they bring the papers, and I've only ever done an in-person one with [REDACTED].

**So you can't really answer the question whether or not, if you're in an online reading room, you could take a screenshot without somebody knowing?**

I'm not sure of the technology, because I've never done the online reading room, and certainly, if I had done the online reading room, it's not something I would have tried to do. I'm sure it's not impossible. I'm sure there's a way to do it, but I don't think the issue here is actually to do with the security of the papers, because I don't believe Brendan Hughes, the journalist in question, actually - from the evidence I've seen, I don't believe that he has seen a hard or digital copy of that letter. I think the information has been passed to him verbally, which makes it difficult for our committee in terms of security.

**Yes, exactly, because somebody speaking is untraceable. I won't waste public resources on IT and looking into who opened what document. I mean, I think we're honest. I'm on your page on this. I believe what you're saying is likely the case. From what I read, I'm glad to hear it, because that's exactly the way I see this, that it's got to have been verbal. That doesn't mean somebody wouldn't have screenshotted it and then spoke of it, and the reason I say that, is what you've gleaned and what I've gleaned, is the questions are specific enough. The questions seem to dictate that, either someone has a very good memory of the letter that they saw, or they have a copy of it that they're referring to, because some of the information...**

It's a long letter.

**It's a long letter, and his questions are quite telling of having either read the letter, or has been read to him, or somebody has a very good memory of the letter.**

Or someone could have drafted the questions for him.

**True, yes. That's very true.**

A lot of this, again, is about relationships. I think we investigate this one, for Chris Hazzard specifically, because this was very tight, but there was a previous leak, but because it was wider and third parties knew about it, we chose not to investigate that. Whether it's the same person, I don't know.

**We also don't know. What we also don't know is if - I will find this out - if Chris Hazzard told anybody about it. You never know. I mean, we don't know. So there is that.**

Yes. There was no...

**It's just not as wide as the last one.**

Yes.

**The last one, yes, almost impossible, because you had externals, people involved with the complaint that were external to this place, who were witness to the investigation, but who - and there was the board of that school. It was so wide.**

I'm happy, just for clarity, and just in case to put on record, I knew before a complaint was lodged with your office. I had known previously that Paddy had somewhat of a dispute with an integrated school in his constituency. I was aware that that was happening, just within the party, but that was prior to the complaint being submitted to you. I was aware of that.

**You were aware of those things. People talk. Exactly. I'm conscious, very conscious, that the way this worked out, this Chris Hazzard letter, would have been a known investigation had it not have - I took legal advice, and that legal advice suggested that we don't mess up what was already underway with what was going on, even though it was tangentially related to it. But I think, at that stage, it gets to the point where - what I'm saying is, I'm conscious that there was a member of staff resigned - not staff - an elected member resigned over this, and over something, maybe not this, but definitely is no longer an MLA. So the public interest in this is a little... I need to do this, but in**

terms of, it would be more important, if he was still an MLA, that this would have been considered along with the other - as its own investigation at the time, and would have been specifically about looking at that letter, and did you actually contact him, etc., finding the facts out.

The unfortunate bit is now we have a letter which has no investigation to it, in which case I have to decide during this investigation how I square that. I will probably have to speak to Patrick, but anyway, it's not to investigate him, but again, this might be published. It's already FOIs and stuff. There's things that are going to happen, and this is a very sensitive thing, for a lot of parties, and there's a lot of parties to this complaint. Not parties political, but.... Anyway, I guess it's really important to hear your view on how secure you believe everything has been since you've become a member.

I believe the security is not the issue. It's people breaching the confidentiality, in my view, is the issue.

**Can I ask you this - and I don't want names, and I don't want details - but would you say it's a common occurrence that things are spoken of that shouldn't be spoken of?**

It wouldn't surprise me. When I was on Ards and North Down Borough Council, for example, we had confidential papers, things that were commercially confident, things that you're privy to that only certain members of the council would be allowed to - whether it's legal or commercial confidence, etc. - it was very common that they were leaked to the local press. There's a commissioner to investigate it in the way that you are, so I wasn't surprised that someone would leak this. It's something that happens in politics. Leaks happen a lot. Journalists rely on leaks a lot for stories. So, I'm not surprised. It's not a helpful culture, especially when you're trying to have high standards in public life.

**Yes, absolutely, and especially it's equally important across, but so particular to the standards committee. You could say it's almost ironic, that we're expecting MLAs not to breach confidence, and we see those cases coming before the standards committee, that anybody in it should think twice about doing that. Look, I'm confident that only members who have seen this are the members of the standards committee.**

Yes, I would be confident that the members - the MLAs who have seen that letter are members of the committee, and I think the clerk and his team will have made sure of that. I think their security and their privacy measures are stringent and they are not the issue. For me, I believe members to be breaching confidentiality.



**Is it possible - of course, you're going to say yes, but I'm exploring the idea that somebody from the committee could have just spoken to somebody, another member, anybody, who might have said.**

They may have. I think you have to think from a journalist's perspective. Journalists have standards as well. How much they uphold those is for everyone to interpret. The journalist didn't have a hard copy of the evidence, anyway. Is he going to run a story from a second-hand source, when he has no hard evidence?

**Did he run the story? I don't think he did. Did he?**

I don't think he did, but...

**So it just leads me to ask the question.**

It does. It does make me think that a journalist going down that line of questioning, I think he would have to have a trusted source, someone you've worked with, and I think that would be someone who sits on the committee.

**Because it's been twice.**

There's so many things that you speculate and you go through in your mind, things that I've thought of just from my own internal knowledge of political parties, could a member have told their press team, and could the press office have worked with the journalist? They work very closely and have good relationships with journalists. That could be the third party leak. That could have done it, but they may not have called the journalist up themselves.

**Now, this whole thing is confidential.**

Yes.

**We now have FOIs coming in from that journalist for all the specifics...**

Specifics of what?

**He wants a copy of the letter, he wants a copy of this, he wants... Yes, things that make me believe...**

It's hard to FOI something if you aren't supposed - how can he FOI something if he didn't know it existed in the first place?

**Well, he knows it exists. That's [over speaking 0:18:53.5].**

Yes, exactly.

**But we already knew that, because the reason Patrick complained is because he was asking questions about it, but why then go and get an FOI? I think he wants to run the story.**

Oh, he does.

**But, the funny thing is, my mind wanders to the point where I think it's probably what it is, is that he wants to run the story and he doesn't have all the facts of the letter, but he has parts of the facts of the letter.**

As MLAs we can't go back and look at the letter again. We don't have access to it unless it's in a committee pack.

**Yes, and perhaps he wants to - he knows I'm investigating this, so it's hard to know - with people it's all speculation. So yes, this is interesting to me, because it wasn't enough information to run the story, is all I'm saying. So it also leads to the whole verbal likelihood.**

Yes. I think if you interview Patrick, he definitely has his own opinions on the journalist's motivations, but that journalist in question does seem to have a particular interest in Paddy, which seems to now be continuing even after he's left public life.

**So, this has been really helpful. I know these are going to be short, sharp interviews, because there's only so much, and I'm asking people to speculate, but I'm not really. I'm asking them, 'What do you think happened?' because that's all we can go on is, 'What do you think?' That doesn't mean I think that's the gospel. I simply want to know what's been going through people's heads, because I have no idea who did this. I don't, and whether we ever will be a whole other thing. I think I'm already learning about, at least from your perspective, which I already knew, that there was tight security, from Shane. I know there's tight security.**

Shane and [REDACTED] keep us right, absolutely.

**So, yes, this is where I think we're going to be pretty clear on that bit, but it's the bits that we're never going to control, are we: politics.**

Yes. I trust you to carry this out, and will be the only conclusion you can come to, then, at the end, is someone leaked it, so someone is lying to you, which is disappointing.

**It's so disappointing, but I still always hold out hope that somebody... I mean, look, there's this outside chance that somebody will want to swear on the bible and tell the truth. You never know.**

Stranger things have happened.

**Stranger things have happened. Do you have any other questions for me, by the way?**

No. I don't think I have any questions for you at all. It's the first time doing an interview like this. I don't think anyone wants to make a habit of being interviewed by you.

**No, they don't. I'll call the time. It's 23-minutes-past-2:00, and that's the end of the interview.**

**[END OF TRANSCRIPT]**

## **Document 11: Paul Frew MLA Interview Transcript**

### **Interview Transcript: Paul Frew MLA**

**This interview is being tape recorded. I'm Melissa McCullough, Commissioner for Standards. The date is the 10 September 2024 and the time is 10:30 am. I am interviewing Paul Frew, MLA, a member of the Standards and Privileges Committee. Are you happy to be called Mr Frew, or Paul?**

Paul, please.

**I'm going to now ask if you would take the oath. You can take it on the Bible or just the witness affirmation; which would you prefer?**

I'll take the Bible, yes.

**Yes, if you read that one, please.**

I swear by Almighty God that the evidence I shall give be the truth, the whole truth and nothing but the truth.

**Thank you. This is just to remind you, these are just housekeeping: this is a confidential interview, and nothing spoken in this interview should be discussed with anyone. Additionally, this transcript may be appended to the report, once my report is complete. You will get a copy of this transcript, once I've done all the interviews, for approval. If there are any changes you need to make, it'll all be explained in the letter. As you're aware, I'm investigating an issue that was referred to me by the Committee; namely, the unauthorised disclosure of information - which looks like to the BBC journalist Brendan Hughes. I've highlighted all the terms of reference of this investigation into your invitation letter for interview. Any questions on that?**

No, that's fine.

**So, just to get into - this is not a long interview at all, it turns out. The meeting on the 1<sup>st</sup> May, you were in attendance in person. That's correct, I think, from the minutes.**

Yes, I think so.

**Yes, and it's my understanding, this was the first time that that email - you would've seen that email, which is the Chris Hazzard email, when I say the email.**

Yes. Each Committee merges into the other with regards to weekly or fortnightly meetings. I can't honestly answer that for sure with regards to accuracy but...

**My understanding is that is.**

Yes, no problem.

**You would've seen that the first time.**

Okay.

**I'm querying whether at any time you were in person, did you take any notes about that letter - that email, sorry, that Chris Hazzard email?**

No.

**You were in a reading room before that, so did you take any notes there? I know that it's - [REDACTED] normally sits in with that.**

Oh yes, okay. No. No notes were taken on those meetings.

**Then we move forward: two weeks later there's a meeting on the 15<sup>th</sup> May 2024. Again, you were in attendance in person. This would be the second time the Committee will have seen this email from Chris Hazzard. Again, did you take any notes relating to it on that day?**

No.

**Did you speak to anyone about that email relating to Chris Hazzard?**

No.

**Do you know Brendan Hughes?**

Yes. I know all of them.

**Have you spoken with him ever?**

Maybe he has tried to contact me from time to time, but not lately. He's not necessarily a journalist I would communicate a lot with, no.

**You didn't speak - did you speak to him during any ongoing investigation into Patrick Brown? That includes the Shimna case?**

No.

**That's that, then. Did you speak to anyone else aside from maybe your party colleagues who are on the Committee? Did you speak to anyone outside the Committee in relation to the fact that that email existed, even?**

No.

**I ask this question - you don't have to answer it but I've asked everybody...**

Sure.

**Do you have any idea of what the motivation would have been to share this confidential information?**

My guess would've been just political. Yes, political motivation. Probably just a [?farce 0:04:03.2] - probably.

**Yes. Is there anything relevant to this investigation which you - I haven't asked about what you wish to tell me?**

No, I don't think so. I'm quite closed when it comes to this Committee. I was on this Committee years ago and I actually valued it at the time. This is me going back on to it again, and I would be quite bullish even in my party. So, the fact that if some of my party were to come to me and say, 'I want to talk to you about something,' I would be saying no because it would just annoy them more than anything. It would actually be - I'm quite bullish like that, so to actually have that level of integrity and say, 'Look, I'm not talking to

you about this,' no matter who it is. Whether it be a party leader or whether it be chief executive or whoever, so I would be quite tight like that.

**Well, that's good.**

And have that level of knowledge and power, if you know what I mean. Having it in inside and not being able to get it out, is fine. So, no, I take that commitment very seriously and I take my role on that Committee very seriously. I am the group lead so the party has assigned me as to be the leader of our group, our three members. So, we would, if you like, have little wash-up sessions straight after each meeting - but that's confidential between the three of us, and that's the only time we would communicate.

**That's good to know. Also, very much appreciate that you have a very strong sense - for whatever your many reasons.**

Yes.

**But for me, this is so critical.**

Yes.

**It's critical in so many ways that we can... It's fine, confidentiality is not forever; it's during the case being heard. That's only right.**

Yes.

**We need all members to be feeling the same way, that they don't - that they keep it tight, because otherwise we're in this situation here, which is never ideal. You have no other questions, I have no other questions. I am content that your answers are that you've never discussed this email.**

No.

**I'm going to end the interview. It's 10:36.**

**[END OF TRANSCRIPT]**

**Document 12: Harry Harvey MLA Interview Transcript**

**Interview Transcript: Harry Harvey MLA**

**I'm Melissa McCullough, Commissioner for Standards. The date is 29<sup>th</sup> August and the time is quarter-to-twelve. I'm interviewing Harry Harvey, MLA, member of the Standards and Privileges Committee. You're happy to be referred as Mr Harvey, or do you prefer Harry?**

I prefer Harry.

**Okay, Harry.**

Thank you.

**So I'm going to ask you to formally take the oath, which today can either be on the *Bible* or an affirmation, if you don't want the *Bible*, which would you prefer?**

Yes, *Bible* is fine. Thank you.

**If you could just say out loud the top bit.**

Okay. I swear by Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

**Thank you so much.**

Thank you.

**Okay. So this is a confidential interview and nothing spoken in this interview should be discussed with anyone. Additionally, this transcript may be appended to the report, just to let you know that. Also, you'll get a chance to view the transcript once I get it through.**

Okay.



**So the matters I'm investigating relate to the referral from the Committee, namely the unauthorised disclosure of information to the BBC journalist Brendan Hughes. In your letter I will have highlighted the exact terms of reference, you will have seen on your interview letter. So I won't go through those in detail right now, but they're there for you. I don't know if you have any questions before I begin with my questions.**

No, not really. I mean I'm not even familiar with Brendan Hughes, I have no contact.

**That's my next question. Okay, so firstly, do you know Brendan Hughes?**

Not in any way.

**Not in any way. You've never spoken to Brendan Hughes?**

No, I wouldn't know him if I'd seen him.

**Do you know anybody who indirectly would have spoken to him, from your point of view, that you've talked to?**

No.

**Okay, so you've never spoken. Do you have any idea on what the motivation would be in relation to anyone sharing the information shared?**

They must have motivation for something, but I couldn't...

**No idea of what that would be?**

No idea, no.

**Okay. Also, I just want to bring you back to the meeting on 1<sup>st</sup> May 2024. You were not in attendance, I don't believe. The minutes show that you were an apology.**

Okay, if that's the case, then that's how it was.

**So do you recall the first time you saw the email that I had - I had sent a letter along with the email to the chair, and I think the first time the Committee will have seen that was 1<sup>st</sup> May meeting.**

Yes, so it must have been after that when I've seen it, yes.

**You saw it after that?**

Most have been, yes. Maybe in the next meeting.

**In the next meeting, okay.**

Yes.

**Okay, and I suppose, I mean because you weren't at the meeting, but you do remember seeing it again tabled at a different meeting.**

I don't.

**You don't remember. So it might not have been tabled.**

Might not have been, no. I have absolutely no recollection.

**Okay. Have you ever seen the letter?**

I don't think so.

**You don't think you have?**

No.

**Okay. Well, basically...**

I just came here for me to be interviewed by for you, for you to ask me, because I don't know, because I thought...

**Okay, what is happening...**

...whatever you ask me, I'll tell you what I know. That's all I can do.

**Yes, well it's basically Brendan Hughes contacted Patrick Brown asking him if he could clarify...**

I think I do remember it being talked about it at Committee now, when you say.

**Yes, it would have been talked about.**

Yes, so it must have been talked about in the next couple of meetings.

**We understand the Commissioner is also investigating another allegation over Patrick Brown, over your conduct during your time as an MLA, and he's writing this to Patrick Brown, and he says this is because Sinn Féin MP, Chris Hazzard, wrote to the Commissioner alleging that you met with him, brought up the standards probe and asked if he can in any way encourage or influence Sinn Féin reps on the Committee to go easy on you.**

Yes, I do remember hearing that, yes.

**You do? Yes. It's understood Mr Hazzard expressed how he found this approach inappropriate given the ongoing investigation. So he asked for his response to the claims. What did you ask Mr Hazzard to do? Any other comments you have? So that tells me that he either saw the letter, he was in receipt of the letter or was told about the letter.**

Yes, which sounds like there had been some conversation about it.

**Yes, something. But you know nothing? You've not heard anybody talk about this or have you?**

No.

**No? Nothing?**

No, and I haven't spoken purposely with - would not speak to anybody about anybody. No. Not at all.

**Okay. Now the other thing I was going to say is, have you ever attended remotely any meetings, virtually?**

No, I would generally always be here, yes.

**Okay. Now I just wanted to know just if you'd ever done that.**

No.

**Because I'm wondering...**

No, I haven't.

**We're looking at various issues on remote attendance.**

Yes. No, I would always be. That one that you say I missed would probably have been the only one I'd missed and I can't remember my reason back then.

**No, I just wanted to confirm that.**

I mean even a meeting today, I wouldn't do remotely. You probably know [?the staff 0:04:59.2].

**Yes, no, and I prefer face-to-face.**

You know, the only way because I love to see people.

**I know and then sometimes though...**

I don't do that.

**Sometimes it is a preference thing, and some people prefer not to have to travel, so you have to...**

Oh, I don't mind.

**I like offering it, but I'll tell you where I got used to doing this, I never did it remotely before. It's when COVID hit.**

That's the only time I done it. Once COVID was over and there were still people who want to do it, I was like, no, I need to see the people. So I got to be - only a personal thing, like, but if I had a choice, we were meeting, because we got so many meetings. I'm like, oh, I'm going to the person ones, I don't care what the other one's about. I prefer to see the person.

**Yes, the one in person, yes, exactly, people, I mean it is so much better here. Is there anything relevant to this investigation that you would like to mention that I haven't asked you about?**

I don't think so. I mean even contact with Patrick Brown, I mean whenever he left the place, I just mannerly said to him - I'll show you the message. Even all the best to you, because Patrick was my friend, like colleague and counsel. I'll look at the message and I'll show you, and that's the only con-, only speaking I've done with him before all this.

**With Patrick?**

Yes.

**Right, but nothing ever with Brendan Hughes?**

Oh, no. Do I need to show you? I can show you.

**No. I mean, it's not really...**

That was just to wish the guy well. I'll have a new contact on [over speaking 0:06:21.2].

**Oh, that was nice, yes. Patrick Brown is not in question here.**

Okay, but I'm just showing you, that's the only...

**Yes, thank you. It's funny because he was no longer an MLA at the time this was leaked to Brendan Hughes, it appears. He had resigned.**

Yes. So that would have been that - because that night it was the Alliance Party, Patrick saying that he had resigned. So I thought is that right or not? So I just [unclear words 0:06:47.4] and that was, that's...

**It's the issue that somebody, the motivation, the person is no longer an MLA.**

Yes.

**So I do find that a little disconcerting that somebody would be feeding information that's confidential from the Committee.**

Yes, I don't - I actually don't like it myself.

**To Brendan Hughes, over a man who is already - but that's just the way politics is.**

I do hope you get to the bottom of it.

**Yes, I do too.**

I really do.

**I wish. Okay, I'm going to close this interview, it's 11:55.**

**[END OF TRANSCRIPT]**

## **Document 13: Brian Kingston MLA Interview Transcript**

### **Interview Transcript: Brian Kingston MLA**

**This interview is being tape recorded. I'm Melissa McCullough, the Commissioner for Standards. The date is the 10<sup>th</sup> September and the time is 9:18 am. I'm interviewing Brian Kingston, MLA, member of the Standards and Privileges Committee. Are you happy to be referred to as Mr Kingston or Brian?**

Either, so Brian is fine.

**I'm going to ask you to formally take the oath. You can choose either the Bible or the witness affirmation, whichever you choose.**

Okay.

**If you could just read out the top, please.**

I swear by Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

**Thank you so much. This is a confidential interview. Nothing spoken about in this interview should be discussed with anyone. Additionally, this transcript may be appended to the investigation report if I rely on it to reach any recommendations. You will get a copy of this transcript soon after I complete all the interviews - and you can approve that. The matters I'm investigating relate to the referral from the Committee for Standards of - Committee on Standards and Privileges, and which is namely the unauthorised disclosure of information to the BBC journalist, Brendan Hughes - or just the disclosure, we could call it. Those terms of reference were highlighted in the letter inviting you to interview. Have you any questions for me before I begin?**

No, that's fine.

**So, you had a meeting - a Committee meeting - on 1<sup>st</sup> May. You were in attendance in person from record, is that correct?**

Yes, that must be the case.

**It's my understanding that this will have been the first time the email - the Chris Hazzard email - was shared with the Committee members. Do you recall that email?**

I recall seeing the email, yes.

**You would've got a pack, I assume?**

I presume I would've read it at the reading meeting in advance with [REDACTED], yes.

**Yes. Now, at any point during the reading time, did you happen to take notes about that email?**

Certainly not during the reading time. I take an odd note during the meeting just for my own memory because - but I haven't checked. I would take very few notes at those meetings, but I am in a habit at meetings that I attend that I will take a note just as an aide-memoire of key points, because I attend that many meetings.

**Yes, but at any time, that any notes you may've taken, were they available to anybody to see if you took any notes?**

No. They're only for my own purpose; I don't share them with anyone else. I haven't actually typed up any notes on those meetings. It's as much actually the act of making a note helps me remember something.

**I'm similar that way.**

Yes.

**Yes, I do take notes - a lot of notes, whole books full of notes here. On the 15<sup>th</sup> May you had another Committee meeting. You were in attendance again in person, I believe. That was two weeks later.**

I don't think I've missed any of the Committee meetings.

**Yes, you're in person...**

Yes.



**I don't think you've even attended online, maybe, no?**

No, I think I've attended every one in person.

**Personally, yes.**

Yes.

**So, at that 15<sup>th</sup>, two weeks later from the 1<sup>st</sup> May meeting, the 15<sup>th</sup> May meeting was the second time members will have seen the email. Do you recall that?**

Yes.

**In relation to that email, did you speak to anybody outside of that Committee about that email?**

No, I have not spoken to anyone about that email or about this case.

**Do you know Brendan Hughes?**

I was trying to remember. I think I might've spoken to him once or twice because when I was group leader on Belfast City Council, I have quite regularly been contacted by media about things happening through the Council. I was DUP group leader up to 2022, but I don't think he was very... As a journalist, I don't think he was very prominent up to that stage. It was only after that that I think his career has grown, so I might've spoken to him once or twice, but not often. I remember speaking to him at the City Hall count in 2023 for the local government elections, but again it was only brief. There had been what I think was almost a bit of a fun event, where one of my colleagues brushed against his shoulder slightly and he put a video of that as if this was somebody trying to intimidate him. But I think it was done in a slightly comical way, but it had got a bit of traction in the media.

**Oh, did it?**

That somebody had sort of bumped into him, passing in the corridor, but I just made a point of speaking to him briefly. Yes, he's not someone I've had very many dealings with.

**So, you did not speak to him during the ongoing investigation into Patrick Brown?**

No, literally I can't remember recall speaking to him since that election.

**2022, for example?**

It was 2023, I think, the council election was

**Three, sorry. That's that, then. You didn't speak to anybody about it. I have one question that I'm asking - but some have an answer, some don't. Do you have any idea what the motivation would be in relation to sharing this information either with anybody or Mr Hughes, what the motivation would be?**

I don't know, but when I was in Belfast City Council we would've had confidential papers presented to us at times at Committee. I was surprised how often information on those ended up in the media - and it was exasperating. I was a group leader. I was used to getting confidential information and so I would've had suspicions about certain parties quite often, maybe the smaller parties, wanting to make things difficult for larger parties by sensitive issues being put into the media. But there was never any evidence of who was doing it. But it just seemed to me some people had no qualms about doing that. As I said, it was very frustrating for senior Council officers and for other group leaders on the Council.

Regarding Patrick Brown, I'm not sure. Have there been two articles? I know there's been one relating to the complaint and the issue within the school. There would've been a larger circle of people who were aware of that. Regarding the letter from Chris Hazzard - because when this came up at Committee I said, 'Well, I get that we're interviewing staff and Committee members, but there's a much wider circle of people who have known about that issue.' But when I thought about it, I accepted the letter from Chris Hazzard. There was a much smaller number of people who would've been aware of that. Only Chris Hazzard and his staff members, possibly, of his and Committee members. Whether or not Patrick Brown was aware of it, he might not have been aware that that letter had been sent in until he was contacted by a journalist. I'm not sure; I didn't look up, I'm not sure whether an article was done or it was only research for an article, for that matter.

**Yes, I can't find an article on the Chris Hazzard matter. I couldn't find that.**

Yes, but he says the journalist contacted him.

**Yes. I understand that that was the first time he understood that there was an email from Chris Hazzard.**

Yes, and at Committee I know we had discussion about, in whose interest would this be? So, we can have conspiracies, but I don't know. My conspiracy - my view is, whether it's other parties fishing in the same voter base or in the centre ground, I know one Committee member suggests it could have been Patrick Brown himself. But whether or not he knew the letter had been sent...

**Apparently, no.**

Anyway, I don't - we're only speculating.

**We're all speculating. It's because you can never...**

Yes.

**It's very difficult to find. Unless somebody comes in and says, 'Yes, I did speak to somebody.' I'm focussing on, did you speak to Brendan Hughes? But the truth is, did you speak to anybody about it would be a problem?**

No.

**I know you've said no to that already, but the problem is that it might be somebody who just found that this was a quite - well, let's not beat around the bush; it's quite an email. It is. It would probably - I don't know, maybe it's not to politicians but to, say, even me, the Commissioner for Standards, it is something that you would be like, 'Wow.' I was. I'm just thinking, someone could've just spoken about that just because it was so interesting, so unusual. I think for me, the unusual thing is possibly the fact that there's somebody following their code and saying, 'This was inappropriate and I'm going to bring this up,' because a lot of people would not possibly do that, even though they should, because it's not the culture sometimes.**

When I first joined this Committee, because it went through our own group, some people say, 'Oh, you joined that Committee' and I don't even mention to people that I'm on this Committee because I just... I recognise that it is - you're dealing with confidential information. I am used to doing it. I'm on two school boards of governors and at times, there are sensitive matters. There's one that recently became a news story because of a court case, but I'd been aware of that before it broke in the media. I'm used to knowing what things that you just don't discuss with other people - even family members. It protects them as well as protecting me and protecting the process.

**Absolutely.**

So, it's just better for everyone.

**Yes, that's why the code is so strong on confidentiality as well. But also things are all marked, things are all - you can't be any clearer. I think, too, for me whether or not this is politics at play or maliciousness or a mixture, I don't know. If you speak to someone like Patrick Brown, he believes that Brendan Hughes has a target of him, targeting him. So, everybody has their own view. I think in terms of this investigation, it's just looking at: did somebody - who was it that leaked? I take your answers on board to these, that you've never spoken about any of it, so it wasn't you.**

No, and I don't speak to party colleagues - apart from the two members in the Committee that recently we have done the readings together with [REDACTED].

**Oh yes.**

I found that helpful just because sometimes you're reading through things and you're trying to understand them. At least we can clarify matters with each other, so whether that's permissible or not - but we just find that's more practical. It'll be discussed in Committee anyway, but no, the three of us are very - are all quite strict about not discussing it with others.

**That's really important and I'm happy for that.**

Yes, and I think the fact that these interviews have been done will reinforce that to everyone. Whether or not anything is forthcoming from it, it makes an important point.

**It does, I agree, and these have been very short interviews because there are only so many questions that are relating to this. Once that's exhausted, well, we move to the next. Do you have any other questions for me?**

No.

**There is one question I've asked everybody: is there anything relevant that I've not asked you about, but you wish to tell me about?**

Right. No.

**Well, I'm going to close the interview. It's 9:31. That is the end of the...**

**[END OF TRANSCRIPT]**

## **Document 14: Colin McGrath MLA Interview Transcript**

### **Interview Transcript: Colin McGrath MLA**

**This interview is being tape recorded. I'm Melissa McCullough, Commissioner for Standards. The date is 5<sup>th</sup> September, and the time is 10:05. I'm interviewing Colin McGrath, MLA, member of the Standards and Privileges Committee. Are you happy to be referred to as Mr McGrath, or do you prefer Colin?**

Colin is fine, thank you.

**I'm going to formally ask you to take the oath, which can either be on the bible or a witness affirmation. What would you prefer?**

Just a witness affirmation is fine, certainly. Which one are we at, sorry?

**This one here, if you could read it aloud.**

I do solemnly, sincerely, and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth.

**Thank you very much. Just to remind you that this is a confidential interview, and nothing spoken in this interview shall be discussed with anyone. Additionally, this transcript may be appended to the investigation report if I rely on it to reach any conclusions. As you're aware, because the committee referred itself to me, I'm investigating the unauthorised disclosure of information to the BBC journalist, Brendan Hughes. I've highlighted the terms of reference relating to the referral in your invitation letter, so I won't go over them again. Do you have any questions before I begin?**

No, that's fine. That's grand.

**Firstly, the meeting on 1<sup>st</sup> May 2024, you were in attendance virtually.**

Yes.

**This will have been the first time the email in question was shared with the committee members.**

I'd have to take your word on that, yes. There was quite a number of meetings, because there was such a backlog of work whenever we return, so the meetings were practically every week in some instances, some every fortnight.

**It was a busy period.**

Yes.

**I believe from what I understand, I have confirmed this with others, it would have been the first time that that email - I know from the fact of when I forwarded it what date would be the first time, so that should be that. You were attending remotely, and at any point during that call, did you screenshot that email?**

No.

**At any point did you take any notes relating to that email?**

No.

**The email from Chris Hazzard, when I say the email.**

Yes, no.

**Then there was a meeting on 15<sup>th</sup> May 2024. This was two weeks later, you were in attendance in person, I believe, from the minutes.**

Yes.

**This will have been the second time that email was shared with the committee members.**

Okay, yes.

**That's sort of the times when that email would have been on view. You have never taken a screenshot when you were in virtual, is that correct?**

I've never taken screenshots of any of the meetings.

**On to Brendan Hughes, do you know Brendan Hughes?**

I know him as a BBC...

**Do you know him to speak to him? Have you ever spoken to him?**

No, I know him just like I know all of the journalists, but I wouldn't know him any better or any worse than...

**Have you ever had conversations with him?**

Yes, as a journalist, but a year ago, six months ago, but not on this issue or around that time.

**Did you ever speak to anybody in your party or anybody outside your party about this email?**

No.

**You didn't speak to Brendan Hughes during the ongoing investigation into Patrick Brown.**

No.

**At any point in relation to the email from Chris Hazzard, you have not spoken to anybody about what was in the email, the fact that the email exists, or anything to do with the email.**

The only thing that I would have done is that our press officer asked me about the email, because the BBC had approached him as our press officer for comment on it, but I had told our press officer that I wasn't allowed to discuss any issues relating to the committee because it's confidential. Therefore, I couldn't speak to him about it, and I couldn't give a comment on the email.

**That is a very important point, because when I say anybody, I mean the press officer as well, so he received an email from Brendan?**



I'm not sure how, whether it was email or phone, but he said to me that Brendan Hughes from the BBC had been on asking about an email from Chris Hazzard pertaining to the Patrick Brown incident, but in relation to our work as the Standards and Privileges. As a member of the committee, our press officer asked me about - then I said to him, 'The issues that we talk about in that committee are confidential. I can't speak to you about it, never mind giving a comment to the BBC.' Therefore, the reply that went back to Brendan was that we couldn't comment on it.

**I wonder if you could get me a copy of that.**

The...?

**That reply to him.**

I could, but it may have been by phone. I'd have to check that. I can check that, certainly, I can ask [REDACTED]

**It's just to understand, those dates are important to me because of the timeline. This I'm asking everyone, but you can say you don't have any idea, but do you have any idea what the motivation would be in relation to sharing this information with Mr Hughes? This is an email saying, 'Patrick Brown came to me, he asked me to try to...' I won't paraphrase here, but you know what the email said. Why would that be something anybody would share with Brendan Hughes?**

I have a personal political theory on it, but that may not be of any use, but I was surprised about the letter from Chris. Again, I want you to be able to tinge this massively with the fact that both Patrick and Chris are in my constituency, so by default, we're kind of quasi political opponents, if you want to phrase it like that. I'm saying to you, this is my theory on it, but of course, it...

**Can I just double-check, you have the same constituency as they have, you share?**

Yes, and in terms of certainly the Patrick Brown, and I don't know if - I'd need to go and check with the Chris thing, but I'm pretty sure it's even [unclear words 0:06:02.3], but definitely with the Patrick stuff right from the beginning, I made a declaration of interest saying that over that whole issue, I was a constituency colleague. Also, that the school that was involved in that whole issue had approached me. At which point, I had to say, and I said this to the committee, 'You either go to the person's party leader or you go to the

Standards Commissioner,' but that was my advice to the school, so I had declared that right at the beginning. I'm not so sure if I declared - whenever that Chris Hazzard letter that said he's the MP for my area, I don't know if I did that or not, but I think it would be fairly - everybody in the room would know. The bit that got me in that was that came out - the approach to Chris was in date X.

**Yes, that was possibly three weeks before I got that letter.**

Yes. Let me get this one right. Patrick stood down on date Y, and the letter came from Chris in date Z, in that order. I couldn't help but think to myself there is somebody that's making sure that the person that then stands down doesn't turn around and say, 'But I spoke to you,' because if Patrick had said that he spoke to Chris, and Chris didn't declare that, then actually, Chris could have been against the rules, because he was...

**His own rules.**

Yes, because he would have been approached by somebody and asked to break the rules. He didn't break the rules, but he didn't report it on, but suddenly, as soon as it came to light that Patrick was stepping down and no longer being an MLA, suddenly this letter. The letter came in three weeks after the approach. Why do you wait three weeks?

**This is interesting, and I just want to put on record, just so you know, and it's not - obviously, this is a confidential thing, but you have it slightly wrong there.**

Okay.

**I think it's just that when you saw it, it was after- but I received the letter before the resignation.**

Okay, there you go, it's my heavily political theory on it, because I would have thought if I was in that position of Chris, I probably would have gone, 'Flip, he's resigned, he could go off and say I approached him.'

**I suppose what I am going to say too is that I'm not saying that Patrick Brown resigned because he did or did not know that that had come through. I wouldn't know if he knew. I wouldn't have told him. The way it was working was that I took legal advice, because you as a committee had not made a decision on the Patrick Brown case, that was going**

**to be treated as a separate, own investigation, because the legal advice was let's not prejudice what you guys are currently doing.**

Already doing, let it go in order.

**Then bring this, but then it became clear within the next - I think I got it on a Friday, and I think on the Tuesday night there was the resignation, and that was before he was going into Committee. This is why then it was before, because then otherwise I'd be sitting with a letter.**

I understand that order of it being delivered to us, but actually not knowing that at the time, my own wee theory was just well, okay, this happened maybe in a corridor here, two weeks later Patrick steps down. Maybe then I was thinking oh, Chris has gone all jeepers here, I could get caught out here for not reporting that, and reported it.

**Yes, but it's reversed actually. I just thought I'd say that because in fairness, there would be nothing to lead me to believe that Chris Hazzard would know he would resign.**

He wouldn't because he put it in before.

**Yes. Politically, it's interesting to know that you're all in the same...**

Yes.

**The last question is just is there anything relevant to this investigation which I have not asked you about which you wish to tell me?**

Not really. I suppose in a more general conversation, I just don't see how conversations in that committee can ever be confidential. I think personally, and I've spoken to my party about this as well, about the potential for withdrawing from that committee, because you only book it yourself stuck into things, but I'm not happy with the way the committee operates. I'll leave it there. If you've nine representatives of parties that are then going into a meeting and going back out again, then the stuff just ends up all over the place. I don't know how you do it. I don't think there's a perfect way to do it, but I haven't had an awful lot of faith in the committee.

**Just out of curiosity, because I'm looking at the lengths the Committee staff seem to go to - of course, I have no control over what they do once they get the information, but my understanding from a number of people is that all of that is confidential, they go to lengths to have reading rooms, they go to lengths to ensure the papers are taken back, they're named on top. I wonder what more you think they could do in that respect.**

I don't think there is. I'm not criticising the committee because of the people that are on it or the way that they're organised, I just don't know how you do it. I'll take ourselves just as an example, so I'm not picking on anybody else. If we have eight members, I go in there, and there's an entire meeting for three weeks in a row discussing a member, then I go and sit in a room three days later with that member and talk with them, or I give them a lift and we're going to Derry for something or going wherever, it puts a person in a position where I just don't know how they don't talk about these things. We thankfully haven't had one against our member yet that I've been put into that position, but how does - if a party leader walked into a member that is on a committee and said, 'Is that committee looking into such and such? How is that going?' are they really going to turn around and say, 'I'm sorry, party leader, I'm not permitted to talk about that'?

**Well, they should.**

Exactly. I know that, you know that, and I've never been in the position because I haven't had a member of our party that's actually had stuff up on the committee, but I think the position that - I think personally, if there was someone from my party that was up at the committee, I would just step back from the whole process.

**Honestly, at that stage, and it's up to the member, they can recuse themselves.**

Absolutely, but that hasn't happened. We've dealt with two or three cases so far where their party members have remained. I think, well, at least the whole Patrick Brown stuff has ended up out into the public, but I just don't know, I think it's difficult.

**Yes, it's a difficult one. I take your point on that, it is difficult. However, I don't get into the politics of stuff. I do understand the context of all of that, but I didn't fully understand that you were all sharing a constituency. You could have said, 'I'm recusing myself.' You could have. That is a personal choice, by the way, that is not something I'm saying you should have, would have, or might have done. I just think you also have...**

We had a discussion about that, about whether you should recuse yourself if it's - because at the very start, we did inductions and stuff, and that was part of it. For example, one of the Alliance councillors in our area posting to say that it's disgraceful that people are attending Standards and Privileges Committee meetings virtually. Okay, that is on the minutes that you attended virtually, but my God, you're going Assembly website, find the committees, find the committee name, find the minutes that are posted, open that, have a look through to see who did and didn't attend, and then how they attended, then decide to go and post that...

**Is this someone from the committee?**

It would have been Patrick Brown's colleague, a councillor in the town that I'm in. I paid no heed to it, I didn't rise to it, because technically, Jemma Dolan, I think attended, because I remember me and her were both on virtually.

**Yes, there were a few. That day, I can tell you virtually was yourself and Cathy Mason, apologies were given by Jemma because she was on maternity.**

Yes, she was on maternity leave.

**Cathy Mason is the other one, and then there was nobody on 15<sup>th</sup> who was virtual.**

Previously, Jemma had been on, so I think the point was the post was saying something akin to I think it's disgraceful that members can attend Standards and Privileges Committee virtually. Again, there is no evidence to that, but I just don't think that Joe Public, to which a councillor is, would literally go to such lengths to find the actual minutes.

**Let me tell you, you'd be surprised at the lengths that members go to in any respect, members of the public. Sometimes, it doesn't shock me anymore.**

I'm not, and this person is best friends with Patrick Brown. Patrick Brown is a member of the Alliance Party, so how does Patrick, who was there, able to know that somebody was attending something virtually unless they had heard it from somebody that was in...? You can find leaks all over the place, but there are ones that you can't prove. In the context of this, I just don't rise to that because I think that was a pointed comment at me.

**Yes, because it's not the only way it could have been leaked, but that's why I'm asking you the question about screenshotting, because we can't trace that, and so this is why**

**anybody online, you're asking those questions, anybody who wasn't online, did you take notes, did you give those back at the end? Because you can tell by the letter, the questioning from Brendan Hughes, that he either had sight or someone told him pretty verbatim somehow, or else has a very good memory of what they saw and said it. I believe, rightly or wrongly, that it could likely be verbal.**

I'm not a gambler. I would give a tenner to anybody that can screenshot a - literally, because what you do is you get the reading room and you read the papers, then virtually what's in that document is then put up. It's about four or five hundred pages. Then as you're going through the meeting, it is just a Word document, like a PDF on the screen, and they're just scrolling it up. How can you read a scrolling document?

**Do you think there would be difficulty in screenshotting it?**

I'm not going to say you'd need to go back, if they were able to replay exactly how they did it, but it's not like it's here's this page, here's this page. It's one document that scrolls up, then you maybe refer back to something and it jumps up, then you scroll down. I pay little attention to what's on the - I have read the documents, you get the flow for what it is that you're actually discussing, and it's the discussion - Chris Hazzard sent the letter and you get the opportunity to read the letter. Do you need to have it on the screen in front of you? Actually, no, you don't, because you'll have read it in the reading room. It actually could be something that the committee could decide is that you don't need to put that type of evidence up on the screen, unless you question it or something.

**That could be a recommendation, that anything that is highly confidential, which you could argue all of it, but there are things that are much more confidential in terms of evidential documentation, that maybe if you've already gone to the reading room, I suppose there is also this thought, and I think this committee from what I can tell has been very prepared, but sometimes because members might not be prepared coming into the room, they might not have read it, that sometimes that's what you have to show. I don't know what their policy is on that.**

We could take a decision as a committee that if you're attending virtually and you haven't had the opportunity to read the papers, there's an element of tough. You've had the opportunity to read it, therefore you've had the opportunity to be prepared. If you're not in the room and then have it in front of you, well, you've had not one chance but two chances, so why should you be given a third chance to see information?

**It's increasing the likelihood of leaking too.**

Absolutely, yes.

**That's been really helpful. I'm going to call this. It's 10:25 and I'll end this recording.**

**[END OF TRANSCRIPT]**

## Document 15: Cathy Mason MLA Interview Transcript

### Interview Transcript: Cathy Mason MLA

**This interview is being tape recorded. I'm Melissa McCullough, Commissioner for Standards. The date is the 4<sup>th</sup> September 2024 and the time is three o'clock. I'm interviewing Cathy Mason, MLA, a member of the Standards and Privileges Committee. Are you happy to be referred to on tape as Ms Mason, or do you prefer Cathy?**

No, Cathy is fine.

**Great. I'm going to ask you to take the oath - which in this case, because of the virtual platform, will be an affirmation so I will try to share this screen. Give me one second [long pause]. Here we go. Now, do you see what I see?**

Yes, I can see it.

**Could you read that out, please?**

Yes. I do solemnly, sincerely and truly declare and affirm that the evidence I shall give and shall - give shall be the truth, the whole truth and nothing but the truth.

**Thank you so much. A few more housekeeping things. If, for any reason, our technology fails us just - we'll wait for each other to reconnect if that should happen. This is a confidential interview. Nothing spoken about in this interview should be discussed with anyone. Additionally, this transcript of this interview may be appended to the investigation report if I rely on it to reach any recommendations. So, I outlined in the letter to you the matters that I'm investigating, which were related to the referral by the Committee. So, I'm sure you're aware of them, but I won't go into the detail that I did on the letter just for time's sake. But I'm, basically, investigating the unauthorised disclosure of information to the BBC journalist, Brendan Hughes.**

**Those terms of reference are set out in the referral, so I'm just going to ask - start the questions. The meeting on the 1<sup>st</sup> May 2024, you were in attendance; that was online, correct?**

Yes.



**It's my understanding that this was the first time that the email in question that was disclosed, was shared with the Committee members. Is that correct?**

That's correct, yes.

**At any point during that call, did you take a screenshot of that email?**

No, I didn't.

**Did you take any notes relating to it?**

No, I didn't.

**Now, then the meeting on the 15<sup>th</sup> May, you were in attendance in person, is that correct?**

That's correct, yes.

**So, it's my understanding that this is the second time that that email was shared with the Committee. Am I right?**

Yes, as far as I'm aware. Yes.

**I just wanted to make sure we had that on record. Do you know Brendan Hughes?**

No, I don't. I know who Brendan Hughes is, but I don't - I have no personal connection or I've never spoken to him.

**So, you have never spoken to him and you didn't - definitely didn't speak to him during the ongoing investigation into Patrick Brown?**

No, definitely not.

**Never in relation to this email from Chris Hazzard?**

No.

**This is speculative so you don't have to have an answer, but do you have any idea what the motivation would be to share this information with Mr Hughes?**

No, I really don't - and I know that everybody's been interviewed on the Standards and Privileges Committee - but I do know that when you take the decision or you're put on that Committee, that everybody takes it very seriously. Looking around that room whenever we are in Committee, everybody does take it very seriously, so I can't really understand what the motivation would be.

**I know. This is why these interviews are going very quickly; because there are only so many questions I can ask.**

Yes.

**But is there anything else relevant to this investigation that you'd like to share with me that you think it's important?**

No, I don't think so. I'd just like to add that it is very disappointing that we are in this situation. I know even myself as a new member of the Committee, I do find it very useful in learning what the code of conduct and everything is for us as MLAs. So, it's very disappointing that we're in this situation that we are today.

**Yes, it is very disappointing. Obviously, I clearly find it very, very disappointing - and I think more disappointing that we may never know, but who knows?**

Yes.

**We're going to keep an open mind and keep going. That's where we are, but look, I know that it was a five-minute interview. But it's important that I ask everybody face to face about this.**

Of course.

**Because it's easy to write down stuff, but I'm always finding my experience is that face to face is far better.**

Yes. No, absolutely, of course - and I appreciate you taking the time to do it as well, commissioner.

**Thanks so much, Cathy. Have a good day.**

You, too. All the best.

**Bye.**

Bye.

**[END OF TRANSCRIPT]**

## Document 16: Chris Hazzard MP Interview Transcript

### Interview Transcript: Chris Hazzard MP

**I'm Melissa McCullough, commissioner for standards. The date's the 5<sup>th</sup> September 2024, the time is 12:05 pm. I'm interviewing Chris Hazzard, MP. Are you happy to be referred to on this tape as Mr Hazzard, or do you prefer Chris?**

Either, or. Chris is fine, yes.

**I've asked everybody to do the same. If you wish to take an oath, it can either be on the Bible or witness affirmation.**

Yes, just witness affirmation.

**You just want to speak that out, please.**

I do solemnly, sincerely, and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth.

**This is a confidential interview, and nothing in this interview should be discussed with anyone. Additionally, this transcript might be appended to the investigation if I rely on it to reach any recommendations. This is about the unauthorised disclosure of information to a BBC journalist, Brendan Hughes, relating to your email to me. The CSP, the Committee for Standards and Privileges referred themselves to me to investigate this leak. I should mention, this email was in front of the committee on the 1<sup>st</sup> May 2024, and then again on the 15<sup>th</sup> May 2024. There are a few people who attended online on the 1<sup>st</sup> May. Everyone attended in person on the 15<sup>th</sup> May. So there were two meetings where this was actually shown: the 1<sup>st</sup> May and the 15<sup>th</sup> May. Those two meetings are where, arguably, this information was out there, and then may have been leaked forward. Then why we know it is leaked is because Patrick Brown wrote into us, and also, I had emails from Brendan Hughes asking us to confirm this, this, this and this.**

**It was directly information from your email. So he's, obviously, either seen or heard about this email, and he wants to know more. Now, I should remind you, in case there's any confusion, that this date of the 1<sup>st</sup> May and the 15<sup>th</sup> May, when the**

**committee has seen this is after he resigns. You're really just a witness to this because I need to just ensure whatever relevant information you might have, but also, the question is, had you firstly spoken to anybody about the email? Well, first, have you spoken to anybody about the email you sent me? That might tell me if anybody knew about it, that I don't know about.**

On Wednesday, the 8<sup>th</sup> May, William Crawley from the BBC phoned me, probably, I'm guessing, with the same questions, asking me to confirm, I'm guessing, the same question. So it's the 8<sup>th</sup> May, so that's clearly been leaked from the 1<sup>st</sup>.

**That's really good information.**

I was in Dublin, actually, in Leinster House. He just said, 'Don't [?be doing 0:03:30.8] anything. I had no idea what it was about.' He says, 'Just want to confirm a number of things.' The first thing I had to correct him on was, he said, 'You put in a complaint about Patrick Brown.' I says, 'Let me stop you there.' I says, 'I wrote a letter of information to the commissioner.' He says, 'Look, it's fine. Can you confirm you then spoke to Michelle O'Neill and Naomi Long?' I says, 'I have no idea.' I says, 'I didn't speak to anybody about the contents of the letter, or I didn't speak to any Assembly leadership people or anything about the letter.' I says, 'The only time I ever spoke about this entire thing to anybody was whenever I first sought advice about, should I write to you in the first place.' My instinct was, I think I need to say this, and I was told, 'Yes, you should.' That's the only time I've ever spoken to anybody. So I was fine. I just said, 'Look, it wasn't a complaint, and I don't know anything about anybody else talking about it, or anything.' So that was on the 8<sup>th</sup> May, and I didn't hear anything else after that.

**This is interesting, because I've only known Brendan Hughes to be the one who... What's interesting, Patrick Brown really believes that there's been a target against him, since he's been a councillor. I think Brendan Hughes has covered a lot of stuff. I hadn't realised that it went wider into William Crawley unless you just... I know William, actually, funny enough. It could be that he knew you and thought maybe he could get further information.**

He had said he was thinking of doing a show but wanted to confirm what was what first before he'd done it. I was like, 'Okay.' I was still in my head going, what is the show? He said, 'I believe you've issued a complaint.' I says, 'Well, no, it wasn't a complaint, it was information.' He was keen to know then about how did Naomi Long - so I says, 'Look, I have

no idea.' I says, 'This is the first time I've hearing of Naomi Long even knows about it, or anything!'

**At that stage, nothing was published.**

No, it was literally nothing. I was involved in the European elections in the south, and then my own election in the north. I didn't really have any contact with MLAs.

**I suppose that's a really important bit of information.**

So I was just checking that date. It was the 8<sup>th</sup> May.

**So that tells you it was in the domain from the 1<sup>st</sup>. You've not ever spoken to Brendan Hughes, then?**

No.

**The only person you've spoken to is William Crawley?**

Did Brendan ever contact me? Let me see. I've never spoken to Brendan. 24<sup>th</sup> May, he sent me a WhatsApp. I didn't reply to it.

**Brendan Hughes did.**

Friday, 24<sup>th</sup> May. He contacted my press office, etc. It was all about the BBC report. Will I comment on it? I never even replied.

**What report is he talking about?**

He was referring to a BBC Patrick Brown Alliance MLA, who quit, was facing investigation. He CC'd it.

**In that report that they reported on, they don't mention your letter, do they, or do they? I can't remember if they, at that stage, go ahead and say that you had... I think I had thought, sillily, that it was something that was still...**

No, there was no mention of me in the BBC report.

**No, I haven't found any mention. The only mention now might be - I have to check this, but it might only be that there was an MP who wrote in, and they didn't disclose it. So now there are FOIs coming in to get a hold of it, so that they know that it's - whatever. I'm sure they maybe can't say your name in there. I need to do a little bit of research on that. It's immaterial in some respects because we now know that, if William Crawley knew on the 8<sup>th</sup>... Yes.**

Brendan would ask for stuff all the time. We just have a policy of, we pass journalists to our media team and say, 'Look, please deal with our press team.' Nobody has asked us, ever.

**Can I ask you this just out of curiosity? It won't even really matter. Did your media team know about this?**

No.

**They only knew from him, from someone contacting them?**

Our central press office, I don't think they're aware at all, actually.

**The only way they would be is if someone who knew about the letter told them. That's why I'm asking, had you told anybody?**

No. I only realised the membership of the committee whenever I get the email to set this up, and I'm on the website to get the information, and seeing who the committee... So it was only even - when was that? - last week I even seen who's on committee.

**So you weren't really au fait with all this?**

No.

**I mean, you were busy doing your thing.**

Yes, relaxing! Then in my own mind, even, whenever Patrick resigned, William obviously had made that phone call, that was it. In my own head, that was all done.

**Have you heard from Patrick since?**

No.

**I have a question. This is probably me just wanting to know, to put me in the full picture. As someone who investigates things, I have this one little thing. Did Patrick - to your knowledge, were you aware that he knew you had written me at all?**

I haven't communicated with him at all. I've spoken to Andy, the guy who replaced him, because I had a fairly good relationship with Andy. I've spoken with him a number of times, and he's never given any indication either that he knows that anything... There's been no change in the relationship there whatsoever.

**Just to let you know the reason I asked that, is because when your letter came in, and that was a Monday, or a Friday - I think it was a couple days before Patrick resigned. Now, Patrick wouldn't have known that I received that letter, by me anyway. So that's why I just was curious as to whether he knew about it before he resigned, because I will have to meet with him anyway to ask him this, but I just wanted to ask you first, just because, is it possible? It's good to know who knew, when they knew.**

Did I even message him to say all the best and stuff, whenever he did actually resign? I don't even think I did. No, I didn't, no.

**Okay, so there's really been no contact between you and him, even prior to you sending me the email?**

No.

**Then he resigned a few days later, so that was that.**

That was it. I actually don't think I've seen him or really heard anybody speak about him locally, even. He wasn't about at all for the election campaign. No, I haven't seen him.

**Is there anything else relevant? The questions I had were those. Is there - I'm asking everybody this - anything else relevant? You know how it's notoriously hard to find out who leaks things, especially if they're verbal or something like this. You never know if they're verbal. This sounds like it might be. The questions that you might have got as well would lead you to believe somebody saw the letter, but you don't know. Somebody could have a good memory and tell somebody about the letter. One way or another, something has gone on where the details have been disclosed to... Well,**



**now, we know Brendan Hughes and William Crawley, unless Brendan disclosed it to William.**

I'd have been surprised that it took - was up to the 24<sup>th</sup>. I'd have been surprised it took Brendan, what, three weeks after before he came to me, then.

**Before William did.**

If Brendan had have had that, I would have maybe expected him to come straight to me, maybe. I get the sense that's the kind of person he's like. He's like a dog with a bone, kind of thing. The only other thing is the school principal reached out to me during summer and asked for a conversation. I was, again, flat out off with the election, and I haven't got back to him yet, so I have no idea what that says. It could well be to have a chat, or a gloating session all about this whole thing. That's why I wasn't too keen to go back, to be honest! That's really about it, to be honest.

**The interviews are not running long because there's only so much we know. I'm just trying to get on record what everybody knew, and when they knew it, and what anybody said to anybody. So I can be pretty clear now, from what you've told me today, that you did not tell Patrick Brown that you had sent me that email. You did not express anything to your press officer. You did not speak to Michelle O'Neill. You did not speak to the Deputy First Minister or the First Minister, none of them, and that, basically, why you sent that in was because it was the right thing to do. Having met with him, realising, you took advice, and you wrote, and that was it. I could ask you what you think, because I've asked everybody else. It's worth asking, if somebody wants to tell me why you think somebody would be motivated to leak this information to the press.**

I don't really know, to be honest. I haven't even thought about it. I haven't even thought about it, to be honest.

**Clearly, politics comes into this, somehow. There's a motive somewhere, unless it's just a dislike of Patrick Brown. Maybe personal things, I don't know.**

You'd have thought, maybe, when he resigned, that would be it.

**That's what I would have thought.**

Why you'd want to really make the case or whatever. I don't know. I don't know who gains from...

**I don't know, either. I also think it's quite distasteful. I mean, somebody's on their knees.**

Yes, you're going in again.

**Yes. That's why I wondered if you knew anything that would help understand it better. It's not that it's going to help me find the... Sometimes, if you ask these wider questions, you can get some interesting context. Yes, I don't know, either. I don't know. It just makes me wonder what's in people's heads. I just want to bring this to a close. It's 12:20, and this is the end of the interview.**

**[END OF TRANSCRIPT]**

**Document 17: CSP Staff Interview Transcripts**

**Interview Transcript: Shane McAteer, Clerk to the Committee on Standards and Privileges**

**This interview is being tape recorded. I'm Melissa McCullough, the Commissioner for Standards. The date is the 18<sup>th</sup> September, and the time is 3 pm. I'm interviewing Shane McAteer, who's the Clerk of Standards. Would you like to be referred to as Shane?**

Yes, please.

**I'm just going to ask you to take the oath. Can I just share this screen? One second...**

I do solemnly, sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

**Thank you. This is a confidential interview, and nothing spoken should be discussed with anyone. Additionally, any transcript that comes from this may be appended, and likely will, to the investigation report if I rely on it to reach any conclusion. I highlighted in your invitation letter all the terms of reference - which you are well aware of - but do you have any questions before I start?**

No.

**This is about the unauthorised disclosure of information that is the Chris Hazzard email - I'll refer to it as the email. I sent you the email on the 29<sup>th</sup> April 2024; is that correct?**

That's correct, yes.

**That would have been received and disseminated to the team. I've spoken to the team and they've all received it, in or around that date or day - within 24 hours.**

That's right, yes.

**Did you speak to anyone about the email, outside of the team?**

No - sorry, not until the pre-brief with the Deputy Chairperson, just immediately before the Committee meeting on the 1<sup>st</sup> May 2024.

**The 1<sup>st</sup> May is the first time the whole of the Committee would have seen it. But you spoke to Stuart and Carol just before that meeting, so they would have been aware of it, right before that meeting.**

Carol was an apology to that meeting, so she didn't attend the pre-brief; it was just Stuart, I recall. I think it was in my office. I did mention that this was coming up under - I think it was 'Matters Arising'.

**At that meeting - either on the 1<sup>st</sup> May, which would have been the first time the Committee saw it, or on the 15<sup>th</sup> May, which would have been the second time - did you notice anything strange about any individuals taking notes, or anything in particular?**

No, no. [Unclear word 0:02:46.3] procedure that I shared with you, the Committee's agreed handling procedure means that restrictive papers are present in hard copy with a restricted order mark, and individually named and numbered. They're handed out at the meeting, and members take notes on those. They're taken back from the members, at the end of the meeting, and secured in appropriate filing facilities.

**Just while I have you in terms of the confidentiality of those papers, is there anything based on this particular case, or previous ones, that you think could be tightened up? It's pretty tight, I think; but is there anything further to it, that you think could be done?**

Well, I think in my email response to your questions, dated 27<sup>th</sup> August 2024, I provided a copy, as I say, of that handling procedure, pretty much, the Committee has. That's unique to the Committee on Standards and Privileges. No other Assembly Committee applies such rigorous handling procedures, and that's because of the sensitivity of the information that the Committee deals with. Members and staff - including myself - are well aware of the sensitivity of it. In fact, in terms of staff, you might be interested to note that at a corporate level, when Assembly staff are being inducted, they are briefed on the confidentiality policy, on a corporate level - the Assembly's confidentiality policy. They're taken through that, both permanent and agency staff, and they sign a confidentiality agreement - that's at a corporate level. But then, at the Committee level, staff are totally aware, including myself, of the importance of confidentiality, and of that process that's followed. The Committee as are members of the Committee - this current Committee -

has, in recent cases - complaint cases - in its reports, have highlighted, again, the importance of maintaining the confidentiality of live complaints.

In terms of improvements... During COVID, there was a system introduced whereby remote or virtual reading rooms could take place in advance of Committee meetings; in place of the normal in-person physical reading rooms. At those physical reading rooms, by the way, one of the members of staff takes the hard copy - restricted type - to the member and sits with them as they read it, and then takes it back from them; they don't leave it with them. But because of the COVID situation, the remote/virtual option was applied. As far as I know, at the moment, it's back to mainly in-person, but there is still that option of the remote reading room. There's also, at the Committee meeting, members can attend remotely - as any of the committees in the Assembly - standing orders provide for members to attend via video conference, so that is an Assembly way of procedure for committees - members can attend by video conference. If the meetings are in Room 21, it would be via Zoom; if they're in Room 106, it's via Teams.

During the meeting, then - the process meeting - whenever the Committee is considering the confidential pact, a member of staff would share the documents on the screen and scroll down through those for the benefit of the members attending remotely. That has been applied since, as I say, the period during COVID. In terms of looking at improvements: one, while recognising, first of all, that there are very robust and rigorous processes in place; and, secondly, that there always has to be an element of trust placed in members, and in staff, that they will maintain the confidentiality, and they recommend [unclear word 0:07:10.2] maintain that. That's always going to be the case, no matter what processes and procedures we have in place; but maybe a potential change, if the Committee wanted to tighten things even further. But again, there's a balancing exercise, because the tighter the procedures are, the less flexibility there is for members, and the more difficult it is for members to get time to read the papers.

The nature of the Standards and Privileges work, some of it - as you know yourself, Commissioner - some of it can be very detailed and complex, and voluminous papers. That is a balancing exercise that needs to be struck, that members having short reading room opportunity - of maybe 30 minutes before the meeting; and then, during the meeting. Then, even tightening that further, if a member was unable to. One approach might be - that a member doesn't get, attending the in-person only reading rooms. If it was changed to in-person only reading rooms, and the member didn't get - attending those prior to the meeting - then the Committee could tighten the procedures further; that the documents wouldn't be shared on screen, while still allowing members to attend remotely. I do think that members will want that option, but that would be a matter for the Committee to decide - whether you're allowed remote attendance. But, as I say, standing orders provide for that across Committees. There might be scope for tightening it further and not having the virtual

reading room option, and in not sharing documents on screen during the meeting. As I say, there is a balancing exercise, but that places further pressure on members.

**Would you have information on how many people attended the virtual reading room before the 1<sup>st</sup> of May?**

Well, I think in my email of 27<sup>th</sup>... As it happened, there was no reading room that week, in relation to those papers - that document - the Chris Hazzard document - because it arrived... It was a tabled paper, so it arrived... I don't even think there were reading rooms that week, but if there were, it arrived after those, anyway. It wasn't dealt with in a reading room situation.

**Yes, thank you for reminding me of that. I forgot it was so close to the time, that they wouldn't have had it, in a reading room.**

Yes.

**Actually, do they ever do a reading room half an hour before the meeting?**

Half an hour...? Possibly. A member who maybe didn't get on the Monday or Tuesday could ask - the morning before the meeting started at ten - and the staff would try to facilitate that.

**That was really helpful, thank you. These have been very short interviews, because we're looking to see if anyone did speak about this - you have not.**

No.

**Is there anything relevant to this investigation which I haven't asked you about, that you'd want to tell me about?**

No. As I say, there's that awareness amongst members and staff; and the members themselves - there's a notice; they agreed it. Handling procedures are agreed at the first meeting of each committee and each mandate, and there is a notice attached to those. That's included in the hard copy restricted pack, at the top of the pack, each time - drawing members attention to the importance of confidentiality. The awareness is certainly there, amongst both members and staff. I think it gets back to the issue of trust. There's also the

point about no matter how robust and restrictive the process procedures are for the papers; if someone is intent on leaking something, it can still be done verbally, in any event.

**Absolutely, which appears, at this point, to be a very likely possibility - that it's verbal. It couldn't really be that somebody handed over... You take them away. How does the Committee stop a verbal leak of information? It's only trust - back to trust, as you're saying; it's all about that. But what you're also saying is that they're well aware of - and I know this, but for the record - staff and members are well aware of their duty of confidentiality to the Committee and to the paperwork, and everything else.**

Yes, and on top of all of that, one of the first or early meetings of these committees, the members go through the code of conduct, and they're aware of the relevant rules of conduct around confidentiality as well.

**There's only so much you can do. Do you have any other questions for me?**

No other questions, Commissioner, no.

**I'm going to end this. This is now 3:11.**

**[END OF TRANSCRIPT]**

**Document 17b: CSP Staff Interview Transcripts**

**Interview Transcript: [REDACTED], Senior Assistant Clerk**

**This interview is being tape-recorded. I'm Melissa McCullough, the Commissioner for Standards. The date is 17<sup>th</sup> September 2024, and the time is ten o'clock. I'm interviewing [REDACTED], the Senior Assistant Clerk.**

Hello.

**Hello. Are you happy to be referred to as [REDACTED], or would you prefer...?**

Yes, [REDACTED] fine.

**I'm going to ask you to formally take the oath. I've done this with everybody. You can either choose a witness affirmation or do it on the Bible. It's up to yourself. Which do you prefer?**

On the Bible is fine.

**If you could read the top one out, then?**

I swear by Almighty God that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth.

**So this is a confidential interview, and nothing spoken in this interview should be discussed with anybody, and additionally, this transcript may be appended to the investigation report if I rely on it for reaching any recommendations. I would assume most of these transcripts will be appended.**

Fair enough.

**The matters that I'm investigating relate to the referral from the CSP, as you know. Namely, the unauthorised disclosure of information, and that is the Chris Hazzard email, which I'll just call, 'the email.' I've highlighted in your invitation the terms of reference.**

Yes.



**I'm not going to over them again, because we would have to keep transcribing that. Are you happy enough?**

I'm happy enough. That's fine, yes.

**So, I sent the email to the committee through the clerk on 29<sup>th</sup> April 2024. When do you recall being made aware of that email?**

So, the process that we have is that, once the email comes in, and if that's gone to the clerk, then he will save that into our shared area, and at that point I will have access to it, but I wouldn't have seen it when it initially came in; only when it was then provided to the team. So it will have been within 24 hours, but I couldn't say exactly when, but within a day.

**So if we say 1<sup>st</sup> May...**

Something like that.

**By the time committee saw it, you've seen it.**

Yes, by the time the committee's seen it, I have seen it.

**That was 1<sup>st</sup> May is their first time.**

Yes.

**So when you saw it, did you speak to anyone about the email?**

No, because we get - there is so much paperwork, correspondence, communication, that goes into every pack, that it was just another email. I'll be frank, it wasn't anything out of the ordinary. So, no, I don't recall speaking to anybody about it, because, one, I wouldn't have been doing the administration of getting it tabled, so I wouldn't have had any need to speak to anyone about it.

**So you wouldn't have mentioned it in passing to anybody inside the parliament buildings or outside parliament buildings?**

I wouldn't, anyway, for anything that was to do with the work of the committee, and that's golden-rule number one, but even in this case, I can't recall talking to even a member of the team about that specific email.

**I'm asking you this, but it's probably more for a few others, but I'll ask it anyway. The email was made available on 1<sup>st</sup> May at the committee meeting, and on 15<sup>th</sup> May at the committee meeting. At any time during those committee meetings, where these papers would have been produced - and I realise they give them and you take them back again.**

Yes.

**Did you notice any MLAs taking note of any of the contents in relation to that email in particular?**

I don't recall anything out of the ordinary. Obviously, members will, while they are reading their confidential packs, they may well make a note of something of a question that they perhaps want to ask, but that happens with every item of business. I don't recall anybody fastidiously writing something down, or nothing that caught my eye in the meeting.

**In terms of the confidentiality of papers, we have this issue now where there's been a leak, and I know this is probably not - leaks occur in this place an awful lot - but in terms of this committee, I believe they have some stringent rules. Would you agree with that?**

Yes. Having worked in - I've worked in five different committees and clerked three, and the procedures in standards and privileges are way higher than any other committee. The confidential pack is a fool-proof system, as in you know who has access to the papers, when they have access to the papers, and what they can see. That isn't the same as other committees where, potentially, things would go out four days earlier in a pack, and to a certain extent, could then be in the public domain, and you have no control over that. The committee team has total control over what is seen by the committee, either before or on the day of the meeting, or after, because as you say, they're handed out at the beginning of the meeting. I think, on this occasion, because it was a tabled paper, there wasn't even a reading room, so no member would have had access to that correspondence before the meeting. So it would have been given at the start of the meeting, and taken away again at the end.

**Yes, that would have been 1<sup>st</sup> May.**

1<sup>st</sup> May, of course. By the 15<sup>th</sup>, obviously, they've been privy to it, but they wouldn't...

**They'd have a reading room at that stage.**

They have, but they wouldn't have had a copy of it.

**That's right, they won't have a hard copy.**

No, or an electronic copy.

**Exactly. So, having interviewed a number of people now, I realise that some of - so this is either a - because they didn't have an electronic copy, there's probably two options here. One is a screenshot of the actual document for people who were online, or people with a good memory that would repeat verbally.**

Yes.

**Now, I'm not sure - I keep my mind open, as you know - but it feels more like a verbal thing has gone on, from all that I've gathered so far, but I could be proven wrong.**

The only thing I would say for that is, if you're talking about potentially a screenshot from somebody who was virtually in the meeting, they are always on the screen. The people who are virtually on the meeting are always on screen, and in room 106, where we do it, the large screen, you can see those people. So it wouldn't be a screenshot, they would have to take a photo of their screen I think, so you would likely see that, or you would think, what's going on there? So, that does seem unlikely, but of course, could happen, absolutely.

**Could happen, but again, of course - and I've been in those meetings where it's scrolling.**

Yes, it's scrolling quickly, so for you to catch that bit, because it's not something that was dwelt on for a large - you go back and look at the meeting. It wasn't as if there was a half-hour discussion about it; there really wasn't. So, it would have gone past as...

**Probably quicker than someone...**

Probably quicker than someone could have - or they could have maybe got half of it. So I think you're right; verbal seems much more likely, yes.

**Can I just, for completeness, ask, do you happen to be friends with either Patrick Brown or Brendan Hughes, or any other BBC journalist?**

No. [Chuckles] I've never met Patrick Brown, actually. I've never met him in person, because when we came back, I never spoke to him.

**He didn't appear at that meeting.**

He didn't appear at that meeting, and by then he had resigned, so I never actually met him. I know who journalists are in the building, because everybody does, but I don't have any relationship with any of them, no.

**Last question is, is there anything - oh, it's actually not, because I was asking about the papers, but in your view - and I realise that it is quite different to all other committees that you've been in, in terms of the levels that they go to, to ensure confidentiality, but is there anything that you think they could reduce the risk of this happening again?**

I actually can't think of anything, because the members of the committee in the committee have to be provided with relevant papers. They cannot complete their work without doing that, and unless you didn't allow members to attend remotely, just specifically for this committee, if there was a confidential pack, and said they have to be in the room or they aren't attending the meeting, that is the only way I think you could negate the potential of a screen not in the room, but apart from that, the papers are so tightly controlled. You have to allow members to see them, and to be honest, they get scan time to see them anyway. You have to allow reading rooms, but that's never in a non-controlled environment. There's always a member of staff there, and if anything untoward like a member trying to take a picture of a particular page, or anything like that, then, obviously, the member of staff would intervene and would not allow that to happen. They know that anyway. They all know the process. So apart from the virtual thing...

**Which gives a little bit of a leeway, which could, but still we don't know.**

No, we don't know. That is the only way in which you think, well, how could somebody have got hold of the text, without writing it down that quickly, that's how you could do it.

**It's interesting, when I look at the text of the email that we were sent - I received an email from Brendan Hughes - it seemed very detailed, but somebody could have that memory. So if it was verbal, I'm not saying that someone could not have remembered the detail.**

Oh, yes, at the end of the day, it is a single page of A4. You could remember, if you wanted to. If you wanted to focus in on that particular page of the pack, you could do, because there would be time within the meeting for you to really digest that, should you want to. But apart from taking away the virtual side of it, and members not being in the room, I'm not really sure the committee staff and the procedures we have, we can do anything else to mitigate information potentially getting out from that committee room, because I don't know how you'd do it.

**And if it's verbal.**

If it's verbal, well, to a certain extent, you have an admiration for whichever member digested it all, or whoever digested all of that, and then was able to recant it, because...

**It's a lot.**

Yes.

**Even though it's one page, it is a lot.**

It is.

**And it was quite accurate in the piece.**

Yes.

**So that is what leads me to believe it's either a screenshot or it's somebody with a very good memory, who perhaps took notes.**

Who perhaps took notes and, again, in a meeting that lasts perhaps a couple of hours, that goes through several different agenda items, and you're all in the room. Members do take notes, and they do write down things because they want to ask questions, or if they are hearing evidence from yourself or from a legal adviser, they may still be writing notes about

that when you've moved onto the next item. So it's very difficult as a member of staff to see, to think, well, I wonder what they're writing, because, to be honest, there's too much else going on, so you don't really think about that.

**Plus, they're well aware of their duties.**

They are well aware of those, as we all are.

**Especially on this committee. We all are.**

Oh, well, I mean, this committee, it is front and centre. Just by the sheer process they have of dealing with their packs, it's so different to every other committee.

**As a commissioner, that's just wonderful to know.**

It is. Well, as staff it is, because you do feel assured that things are confidential.

**Of course, you cannot stop anybody, if it was a member, or anybody, from speaking. You have to rely on their integrity. You have to rely on the fact that they understand the rules, and they abide by the rules.**

Exactly, and they sign up to the code.

**They sign up to the code, yes.**

They are reminded of that when the committee is formed, and every week they are asked if there's any interests they wish to declare about a particular item, which reminds them of the code.

**Yes, exactly.**

So it's always there, as are the big packs that come out and hit the desks. It's always there.

**The lengths that the committee goes to and the staff go to, to have reading rooms, to have people sitting in and monitoring the reading room, there's a lot of lengths that are gone to for this.**

It's a very well-worn path of confidentiality. The committee has been doing it like this for a long time, and the vast majority of the time it works perfectly. It's not as if it's just a new process; it's been like this for mandates, so it is a well-worn process.

**Is there anything relevant to this investigation which I have not asked you about, but which you wish to tell me about?**

I don't think so. No, I think that's covered everything.

**Well, look, I want to thank you for your time today. I'll close this off. It's 12-minutes-past-10:00. Thank you.**

**[END OF TRANSCRIPT]**

**Document 17c: CSP Staff Interview Transcripts**

**Interview Transcript: [REDACTED], Assistant Clerk**

**This interview is being tape recorded. I'm Melissa McCullough, Commissioner for Standards. The date is the 17<sup>th</sup> September 2024. The time is 2:00 pm. I'm interviewing [REDACTED], who is the Assistant Clerk of the Standards Committee. Are you happy to be referred to as [REDACTED], or do you prefer [REDACTED]?**

[REDACTED]

**I'm just going to ask you to formally take the oath. You can choose either one. You could choose the Bible if you want and say that one, or just the witness affirmation. It's up to you.**

Yes, okay, I'll take the Bible. Yes.

**Thank you.**

I swear by Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

**Thank you. This is a confidential interview, and nothing spoken in this interview should be discussed with anyone. Additionally, this transcript may be appended to the investigation - it probably will - and if I... Especially if I rely on it to reach any recommendations or any conclusions. Now, the matter - as I'm sure you're aware - I'm investigating relate to the referral from the committee; namely the unauthorised disclosure of information. That is the Chris Hazzard email. I've highlighted in your interview letter the whole terms of reference. I don't intend to go through them again. Do you have any questions on those?**

No.

**So, I guess the first question is - or just confirmation is - I sent the email to the CSP via Shane, the Clerk, on the 29<sup>th</sup> April 2024. I just wanted to ask: when do you recall being made aware of that email?**



I don't recall specifically, but I would imagine our normal process is we - it would be immediate. Shane would look at it and then it would be sent to our public mailbox, as well as us individually.

**So, you had seen the email in and around the 29<sup>th</sup> when I sent it?**

Yes.

**Did you speak to anyone about the email?**

Well, probably just the team insofar as the process, what we were going to do with the email, and what Shane wanted us to.

**Well, that would be normal practice?**

That's normal.

**Did you mention these contents or that it existed, to anyone in passing or anything more, either inside Parliament Buildings or outside Parliament buildings - aside from your team that you just said?**

No.

**This email, we know it was made available to the committee as a tabled email on the 1<sup>st</sup> May meeting and then again on the 15<sup>th</sup>. But that would've been also available in the reading room for them to read through. So, those were the two times. At any time did you notice - during those meetings or in any other setting, did you notice any MLAs taking note of its contents at any meeting?**

No.

**I should ask also, because I think it's important to ask you yourself, if you think in terms of the confidentiality of papers; do you think there are any changes that can be made to reduce the risk of this sort of thing happening? We don't know, of course, whether it's a verbal leak or a - it's actually leaning towards that, in my mind. But do you think the processes can be changed to be tightened up in any way?**

Well, we have discussed that as a team. I think the attendance of members virtually; possibly stop that. For other committee meetings, maybe that works fine, but I think given the nature of the work that we do, if we didn't have a virtual meeting. So, everybody is required in the room. That also then means that we wouldn't have to share a screen as well. I think that might tighten up our procedures.

**Yes, I think that's sensible. I suppose the last question I have: is there anything relevant to this investigation which I haven't asked you about, which you think would be useful for me to know, or you wish to tell me?**

No, nothing.

**Have you heard anybody talking about this email - even in passing - aside from your team?**

No, not outside of our own team. No, chat.

**Well, it is five-past-two and I'm going to end the interview. Thank you.**

**[END OF TRANSCRIPT]**

Document 17d: CSP Staff Interview Transcripts

Interview Transcript: [REDACTED], Clerical Supervisor

This interview is being tape recorded. I'm Melissa McCullough, the Commissioner for Standards. The date is the 17<sup>th</sup> September 2024 and the time is 2:45. I'm interviewing [REDACTED] Your title, [REDACTED], in the Committee?

Clerical officer.

Clerical officer of the Committee. Are you happy to be referred to as [REDACTED], or do you prefer [REDACTED] for this interview?

[REDACTED] fine.

I'm going to ask you to take the oath, and because of the virtual platform I'm going to share the screen - and it's an affirmation rather than a Bible oath.

Yes.

Let me see if I can share this. Can you see that?

Yes.

So, if you can speak that out loud, please.

I do solemnly, sincerely and truly declare and affirm that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

Thank you very much. If, for any reason, this technology fails us, we'll just wait for each other to come back. This is a confidential interview, so I just wanted to remind you that nothing spoken in the interview should be discussed with anyone. Additionally, this transcript is likely to be appended to the investigation report, especially if I rely on it to reach any recommendations or findings. The matters I'm investigating relate to the referral from the CSP, as you know. In your interview letter, I laid that out. I'm not going to repeat it again, but do you have any questions about that?

No.

**This is about the unauthorised disclosure of information; that is the Chris Hazzard email, so I'll refer to it as the email. I just wanted to check. You will have received - so I sent the email to the clerk, Shane, on the 29<sup>th</sup> April 2024.**

Yes.

**When do you recall being made aware of that email?**

I think whenever Shane had - either it came in, Shane would've sent it into the public email, and then he had said that it was going to be tabled for the Committee meeting because it was too late to go into the packs.

**That's right. That would've been on the 1<sup>st</sup> May, that meeting, yes.**

Okay.

**It was a couple days after that, yes.**

Yes.

**Did you speak to anyone about the email outside of your team?**

No.

**Did you mention it to anybody - even in passing - either in Parliament Buildings or outside of Parliament buildings?**

No.

**One thing I wanted to ask you, there've been compliments about your - the way you handle your reading room and you're always available and you make sure everybody's right.**

Yes.

**Is there anything in the reading rooms that you attended with members, where you saw anything untoward relating to making notes about something to do with that email, or anything suspicious that you would say?**

Well, that specific email was tabled at the meeting, so it didn't go into the virtual - the room with members. But on a [unclear word 0:03:15.9] basis when we are doing - when I'm doing the meetings with the members, they can look through the pack, either on my tablet or print it out. They all know that if they make notes, they have to make it on the paper itself, and it gets taken away when I take it.

**I think I'm referring to the reading room before the 15<sup>th</sup>, because we know it was tabled at the 1<sup>st</sup>, but on the 15<sup>th</sup> May it was the second time they will have seen that email. So, you would've had - some of them have mentioned they were in the reading room for that meeting.**

Yes.

**You don't recall anything - and anyway, the notes they would have made would've been taken away anyway.**

Yes, I don't think anybody has ever... I think the only person that's asked to make notes was Connie at the very start, the first time she ever did her pack. When I said that this stuff comes straightaway, they can't take the notes with them, then nobody has ever made notes. I would notice if somebody was doing something obvious like using a phone.

**Exactly. Now, in terms of confidentiality of papers we - there are a lot of processes in place. I have known about them since I've started, but any changes you can think of that would lessen the risk of leaks of this nature?**

Probably, well, the only thing you can actually change because there's nothing... I don't think there's anything different I can do when I'm doing the reading rooms with them, because nobody writes stuff down and nobody takes photos and it's only the members in it. So, the only real difference would be if you were doing the virtual Teams meetings, sharing it on screen - because you obviously don't know what somebody's doing outside. But at the same time, you have to be able to trust members.

**Exactly.**

Yes, but the only thing I think you could do is probably stop - stop the share screen.

**Yes, possibly.**

Yes, because realistically, the members don't really get a chance to properly read it on screen anyway.

**It's always flowing pretty quickly.**

Yes.

**So, I'm content that you saw the email, as everybody else did in your team, that you've spoken to nobody about this email.**

No.

**Is there anything else relevant to this investigation which I've not asked you about that you'd like to tell me about?**

I don't think so.

**No, I'm glad I have this on record. I have to interview everybody - and thank you for taking the time to attend today. I really appreciate it.**

Yes. No worries, Melissa.

**Talk soon. Take care now.**

Bye.

**Bye.**

**[END OF TRANSCRIPT]**

Document 18a: Commissioner for Standards staff interview transcripts

Interview Transcript: [REDACTED], CfS personal secretary

This interview is being tape-recorded. I'm Melissa McCullough, Commissioner for Standards. The date is 17<sup>th</sup> September 2024. The time is 3:36 pm. I'm interviewing [REDACTED] [REDACTED] Do you prefer [REDACTED], or [REDACTED] today?

[REDACTED]

I'm just going to ask you to take the oath, which you can either take the *Bible* and read the top, or a witness affirmation without the *Bible*. Which would you prefer?

Oh, I don't mind. I'll take the *Bible*.

**If you just speak out the top bit?**

I swear by Almighty God that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth.

**Thank you. Now, just to remind you it's a confidential interview, and nothing spoken in this interview should be discussed with anyone. Additionally, this transcript likely will be appended to the investigation if I rely on it. The matters I'm investigating relate to the referral from the CSP, which was the unauthorised disclosure of information, and that information was the Chris Hazzard email. I'll just refer to it as 'the email.' In your letter that I sent you to invite you to interview, I highlighted those terms of reference.**

Yes.

**I'm not going to speak them out again, but do you have any questions about those?**

No.

**So, really, I only have a small number of questions. Firstly, on 22<sup>nd</sup> April, the email from Chris Hazzard came into my inbox. Do you recall seeing it?**

No.

**When were you aware that that email existed?**

To be honest, I couldn't even say, because I don't really pay much attention to your emails coming in, and that's the honest truth.

**That's good. I know that you pay attention if I haven't seen them.**

Yes.

**That seems to be the way we work.**

Yes.

**At what point, though, have you actually seen the email itself to read it? Have you ever seen it?**

No.

**So, really, you wouldn't have spoken to anybody about this email, correct?**

No. That's correct, I wouldn't have spoken to anybody, because I wouldn't even know the content of the email, because any emails that come into your inbox, I don't take time to read, because I don't feel like they've got anything to do with me.

**No problem. So is there anything else relevant to this investigation which you want to tell me about, that I need to know?**

No.

**That was short and sweet. The time is now 3:40.**

**[END OF TRANSCRIPT]**



**Document 18b: Commissioner for Standards staff interview transcripts**

**Interview Transcript: [REDACTED]**

**This interview is being tape recorded. I'm Melissa McCullough, Standards Commissioner. The date is the 17<sup>th</sup> September 2024 and the time is 10:45. I'm interviewing [REDACTED]. Are you happy to be referred to as [REDACTED]?**

Yes, that's fine.

**I'm going to ask you to take the oath. You can take the top one with the Bible or the witness affirmation; which do you prefer?**

It doesn't matter. I swear by Almighty God that the evidence I shall give should be the truth, the whole truth and nothing but the truth.

**Thank you. This is a confidential interview, and nothing that should be spoken about in this room or in this interview should be discussed with anyone. Additionally, this transcript may be appended to the investigation. It likely will if I rely on it to reach any recommendations. The matters I'm investigating relate to the referral from the CSP to me, which is namely about the unauthorised disclosure of information. That's the Chris Hazzard email. I've also included in your invitation the terms of reference so that you had it. I'm not going to repeat them again here unless you want me to.**

I've read them several times.

**Do you have any questions before I begin my questions?**

No.

**So, my question is just to confirm your role and why I'm interviewing you as a witness, is that you are my - along with [REDACTED] you and [REDACTED] are my PA. So, you would have access to the Commissioner's email.**

I do.

**You and me and [REDACTED] are the only three. I know we've talked about it many times before about the total confidentiality of that email.**

Absolutely.

**I just wanted to know, are you aware - were you aware that email came in on the 22<sup>nd</sup> April into the Commissioner's inbox. Were you aware of it on that date? Or when did you become aware of that email?**

I became aware of it when it was in the paper, so I didn't know... I didn't look at your email. I would only look at your email address if somebody rings or somebody... So, I didn't know about that complaint until it was actually in the news.

**In the news, okay.**

So, I knew about the Patrick - the first complaint with Patrick Brown, but I didn't know that Chris Hazzard had made a complaint until I read it in the newspaper.

**Just to confirm for the record: he didn't make a complaint; he actually sent in to let me... That email was him advising that that had happened. So, it was to be attached to that other complaint that was being investigated.**

Yes, so I had no idea of that until I read the news article in the paper.

**In the paper, okay.**

So, I didn't know it had anything to do with Chris.

**At any stage at all, did you go back and read that email or...**

I did.

**At any stage from when you became aware of it, when you saw that in the paper - which would've been... That would've probably been around - what date, that news article, 25<sup>th</sup>?**

I honestly have no idea.

**It was about then, yes.**

Honestly, that's how much attention I paid to it. I just read it in the newspaper and thought, is that actually true?

**So, at any point after reading... When you went back to read it, at any point, did you speak to anybody about the contents of that email?**

No.

**Are you friendly with any of the journalists at the BBC?**

Absolutely not.

**At no point did you make mention of it in passing to anyone inside PB - Parliament Buildings?**

No.

**Or outside?**

No - and I have worked on many of your cases previously.

**I know.**

So, absolutely not.

**Look, as far as the investigation, I have...**

No, I get it but I'm just saying it's part of my job, but why I did look at it and the reason I looked at it was that what was printed, was it correct? That was the only reason.

**Of course.**

So, that was the only reason I looked - I did look.

**Of course, you have full access to that and are able to read that and to keep yourself aware because calls come in, etc.**

Yes, so I...

**I know you have access.**

But to be fair, I generally don't look at it unless somebody prompts me, so like if I got a phone call, if you've sent something out and somebody will ring and say, 'The Commissioner has sent this out to me,' then I'll go back and maybe think, right. Well, what has the commissioner done or what is the complaint about, because generally it's more a process query that they have. What are the next steps and that kind of stuff. So, it's generally more about the process rather than the complaint. So, if a person rings, I would generally go in and have a look just to see what the complaint is and what the process - what you have done, if you know what I mean, on... If I have a query, I'll come to you and say, 'Melissa...'

**Yes, 'What's that about?'**

'Can you ring this person or speak to the person,' so...

**Also, I should mention that there's been a realignment of - and I think [REDACTED] actually does take... I think there's two... Sometimes when you're off, then she's looking more closely, so there is also a mixture of things going on with the workload of PA because [over speaking 0:04:50.1]...**

No, I suppose it's mainly... To be fair, it's mainly [REDACTED], and I kind of backfill if she needs to or if the phone... I have your phone - which, to be fair, doesn't ring that often but it's generally when you've sent something out to somebody. They'll come back, or somebody who has a query who hasn't made a complaint yet, but is considering making a complaint.

**In terms of just, is there any - have you heard anybody mentioning this email at all?**

No.

**Have you heard anything about it - aside from the paper?**

No, and I didn't even know which stage you were at in your - in the original complaint with Patrick so I didn't even... I hadn't any involvement in any of that, to be fair. So, it would only be if you have sent something out and somebody rings; it would prompt me. But when that article did come in, it did sound a bit strange, to be fair, so I did then go and look to see, is

that actually factually correct - because if it wasn't, I would've highlighted it to you to say, 'Melissa, have you seen this press release?'

**Yes, absolutely.**

So, that was the reason why I did then go and look.

**Yes, and my last question is: is there anything relevant to this investigation which I've not asked you about, which you wish to tell me?**

No.

**Well, look, I just want to thank you for attending. Thank you for your time. It's now ten to eleven and the interview is ended.**

**[END OF TRANSCRIPT]**

**Document 19: Patrick Brown written response**

**From:** McCullough, Melissa Dr  
**Sent:** 07 September 2024 07:31  
**To:** Patrick Brown [REDACTED]  
**Subject:** RE: Private & Confidential

Dear Patrick

Many thanks for your responses. If I need any further clarifications as my investigation progresses, I will be in touch.

Best wishes  
Melissa



**DR MELISSA MCCULLOUGH**

*Commissioner for Standards*

work: 02890521220

email: [melissa.mccullough@niassembly.gov.uk](mailto:melissa.mccullough@niassembly.gov.uk)

Parliament Buildings  
Ballymiscaw  
Stormont  
Belfast  
BT4 3XX

**From:** Patrick Brown [REDACTED]  
**Sent:** 06 September 2024 13:09  
**To:** McCullough, Melissa Dr <[Melissa.McCullough@niassembly.gov.uk](mailto:Melissa.McCullough@niassembly.gov.uk)>  
**Subject:** Re: Private & Confidential

Hi Melissa,

Thanks for accommodating that request. My responses are below each question

**From:** "McCullough, Melissa Dr" <[Melissa.McCullough@niassembly.gov.uk](mailto:Melissa.McCullough@niassembly.gov.uk)>  
**Date:** Thursday, 5 September 2024 at 17:22  
**To:** Patrick Brown [REDACTED]  
**Subject:** RE: Private & Confidential

Dear Patrick

That's no problem. I have a number of questions, if you wouldn't mind providing a response.

Are you in receipt of the email written by Chris Hazzard MP to me (herein referred to as “the email”)? If so, please explain.

**No, I have not received this email.**

When were you made aware of the email’s existence? Were you aware of its existence before you resigned as an MLA?

**I was not even aware it was an email until I saw this question, Mr Hughes letter said that Mr Hazzard had ‘written’ to you but I did not know if it was an email or letter. But the first time I was made aware of any correspondence was when Mr Hughes emailed me on 25<sup>th</sup> May, over a month after I resigned.**

Were you contacted by any other journalists regarding the email? If so, when and what was the request?

**No, only Mr Hughes from the BBC has contacted me about this. After I received the email from Mr Hughes I made a complaint to the BBC as well as forwarding it to you. The complaint was partially upheld, for what it’s worth.**

Are you aware of anyone speaking about this confidential email?

**No, no one else has mentioned it to me and I have no reason to think people are aware of it outside of you, Mr Hazzard, the S&P committee, Mr Hughes and myself.**

Did you speak to anyone about the existence of this email prior to receiving the request from Brendan Hughes?

**I was not aware the email existed until I received Mr Hughes’ request, so no.**

Can you please provide any other information that you believe would help my investigation into the unauthorised disclosure of this email.

**I am saying this entirely without any proof and you may wish to disregard it, and I highly doubt any of my sources for it would go on the record, but I have been informed by a number of people that Colin McGrath MLA, who is a member of the S&P committee, has a long standing friendship with Mr Hughes. I do not know the details of their relationship, however I have been told by people inside the SDLP that Colin on several occasions encouraged Mr Hughes to write stories relating to my former business Politrip, which went into liquidation after I sold it (as Volunteer USA). It is my suspicion (again, without evidence) that he may have shared information relating to this case with Mr Hughes after I resigned, presuming that the details of the email were shared with members of the S&P committee at that point.**

If you require any further clarification my number is XXXXXXXXXX.

Kind regards  
Melissa

---

**DR MELISSA MCCULLOUGH**

*Commissioner for Standards*

work: 02890521220

email: [melissa.mccullough@niassembly.gov.uk](mailto:melissa.mccullough@niassembly.gov.uk)

Parliament Buildings  
Ballymiscaw  
Stormont  
Belfast  
BT4 3XX

**From:** Patrick Brown [REDACTED]  
**Sent:** 05 September 2024 16:52  
**To:** McCullough, Melissa Dr <[Melissa.McCullough@niassembly.gov.uk](mailto:Melissa.McCullough@niassembly.gov.uk)>  
**Subject:** Re: Private & Confidential

Hi Melissa,

I would prefer to provide a written response if possible, but if necessary I could meet online

**From:** "McCullough, Melissa Dr" <[Melissa.McCullough@niassembly.gov.uk](mailto:Melissa.McCullough@niassembly.gov.uk)>  
**Date:** Thursday, 5 September 2024 at 16:10  
**To:** [REDACTED]  
**Subject:** [REDACTED]

Dear Patrick

I hope you are keeping well.

I am writing to you in relation to my investigation into the leaked document (re the Brendan Hughes email you received).

You, of course, are not under investigation. But, you may have information which could help in clarifying a few things.

Please let me know if you are happy to meet (this can be online).

Kind regards  
Melissa

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**DR MELISSA MCCULLOUGH**

*Commissioner for Standards*

work: 02890521220

email: [melissa.mccullough@niassembly.gov.uk](mailto:melissa.mccullough@niassembly.gov.uk)



**Document 20: Colin McGrath MLA response to Patrick Brown submission**



Commissioner for Standards  
222 Parliament Buildings  
Stormont  
Belfast

24 September 2024

Dear Commissioner McCullough

I refer to your correspondence of 20th September 2024 reference Case ID: 202400019

The remarks made by Mr Brown, which he himself indicates he has no proof of, are without foundation and are incorrect.

I appreciate you giving me the opportunity to respond.

Yours sincerely



Colin McGrath MLA

Document 21: Correspondence between BBC Litigation Team and Commissioner for Standards



British Broadcasting Corporation  
4<sup>th</sup> Floor Zone E, London Broadcasting House  
Portland Place, London W1A 1AA

From the Legal Department

Our ref: SH/Legal/Lit  
Your ref: 202400019

7 August 2024

By email only: [standardscommissioner@niassembly.gov.uk](mailto:standardscommissioner@niassembly.gov.uk)

Dear Dr McCullough,

Thank you for your letter of 31 July 2024 to Brendan Hughes.

Your letter was passed on to the BBC Litigation department as we deal with requests such as yours.

Please could you provide us with further information regarding the matter you would like to discuss with Mr Hughes so that we may take instructions?

Yours sincerely

*BBC Litigation*

**BBC Litigation Department**

**From:** +StandardsCommissioner <[standardscommissioner@niassembly.gov.uk](mailto:standardscommissioner@niassembly.gov.uk)>  
**Sent:** Wednesday, August 7, 2024 8:36 PM  
**To:** [REDACTED]@bbc.co.uk>  
**Subject:** In strictest confidence: RE: Case ID - 202400019

Dear Mr [REDACTED]

I am currently investigating a self-referral from the Standards and Privileges Committee relating to a disclosure of confidential information. The disclosed confidential information was referred to in an email on 24 May 2024 from Brendan Hughes to both myself via the communications office and to former MLA Patrick Brown. It is clear from Mr Hughes' email that he had received confidential information and I wish to speak with him about this.

I should note that this is not a legal matter; this is a Code of Conduct matter relating solely to my investigation into the possible disclosure of confidential information by members of the Standards and Privileges Committee and I believe Mr Hughes may be able to assist me in my investigation.

I look forward to your reply.

Kind regards



**DR MELISSA MCCULLOUGH**

*Commissioner for Standards*

work: 02890521220

email: [melissa.mccullough@niassembly.gov.uk](mailto:melissa.mccullough@niassembly.gov.uk)

Parliament Buildings  
Ballymiscaw  
Stormont  
Belfast  
BT4 3XX



British Broadcasting Corporation  
4<sup>th</sup> Floor Zone E, London Broadcasting House  
Portland Place, London W1A 1AA

From the Legal Department

Our ref : SH/Legal/Lit  
Your ref : 202400019

16 August 2024

By email only: [standardscommissioner@niassembly.gov.uk](mailto:standardscommissioner@niassembly.gov.uk)

Dear Dr McCullough,

Thank you for your email.

Given his journalistic obligations, Mr Hughes is not in a position to discuss with you the basis of the understanding set out in his email dated 24 May and he regrets is therefore unable to assist your investigation

Yours faithfully

*BBC Litigation*

**BBC Litigation Department**



Committee on Standards and Privileges (CSP)  
Room 276  
Parliament Buildings

Tel: 028 9052 1843

E-mail: [committee.standardsprivileges@niassembly.gov.uk](mailto:committee.standardsprivileges@niassembly.gov.uk)

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## Committee protocol for handling protectively marked meeting documents

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### Introduction

1. The 2017-22 Committee on Standards and Privileges (CSP) agreed a protocol to safeguard protectively marked documents. The protocol takes account both of the sensitive or classified nature of much of the documentation which comes before the CSP and the Northern Ireland Assembly Commission's "Information Assurance Policy" (in addition to the applicable Rules of Conduct). The protocol has been updated to reflect applicable revisions to the Information Assurance Policy.
2. The sensitive or in-confidence documents which the CSP receives could include, for example: correspondence from the Commissioner for Standards ("the Commissioner") on individual complaints; investigation reports from the Commissioner; legal advice from the Assembly Legal Services Office (which is legally privileged); and draft CSP reports on individual complaints. Such documentation will generally fall within the "Assembly Restricted" classification (though a higher classification may be used where appropriate), which is defined in the Information Assurance Policy as follows:

*"If a piece of information being compromised is likely to result in any of the following, an ASSEMBLY RESTRICTED marking is appropriate:*

1. *Cause substantial distress to individuals. Therefore, all special category data should be protectively marked. Special category data includes: race or ethnic origin; political opinion; religious or philosophical beliefs; trade union membership; processing of genetic data or biometric data to uniquely identify a natural person; data concerning health; and data concerning a natural person's sex life or sexual orientation.*
2. *Breach proper undertakings to maintain the confidence of information provided by third parties.*
3. *Breach statutory restrictions on the disclosure of information.*

4. *Undermine the proper management of the Assembly Commission and its operations.*
5. *Impede the effective development or operation of Assembly Commission or Government policies.*
6. *Make it more difficult to maintain the operational effectiveness or security of UK or allied forces.*
7. *Adversely affect diplomatic relations.*
8. *Cause financial loss or loss of earning potential to, or facilitate improper gain or advantage for, individuals or companies.*
9. *Disadvantage Assembly Commission/Government in commercial or policy*
10. *negotiations with others.*
11. *Prejudice the investigation of or facilitate the commission of crime.”*

### **Procedures**

3. Given the aforementioned context, the following procedures apply in relation to the handling and access arrangements for documents specific to the CSP with a marking of “Assembly Restricted – CSP: In Confidence” (or above as applicable):
  - 1) All “Assembly Restricted – CSP: In Confidence” documents and correspondence will be given a copy number (e.g. Copy 1 of 13) and bear a unique watermark which identifies to whom the document has been issued.
  - 2) Restricted documents will be included in a “restricted” meeting pack which will be produced in hard copy. The pack should not, under any circumstances, be sent to Members electronically. Each pack will bear the Member’s name and be marked “**Assembly Restricted – CSP: In Confidence**” in red.
  - 3) Packs will not be issued to Members prior to the meeting. Members will receive an email advising them that the CSP will be considering “restricted” documents at the next meeting and informing them that a reading room (either in person or virtual) will be available to Members prior to the meeting (e.g. the day before and/or the morning of the meeting) to allow Members time to read their restricted pack in advance of the meeting.
  - 4) Committee Office staff will be in attendance in the meeting room to issue packs to Members and collect them back before the Member leaves the room.
  - 5) The restricted meeting packs will be stored by Committee staff in accordance with the Assembly Commission’s Information Assurance Policy.
  - 6) If relevant, the packs will be re-distributed and collected at future meetings if the subject matter is being considered further.
  - 7) The notice at Annex 1 will be drawn to the attention of Members at the beginning of each reading room session and applicable CSP meeting.

## **Annex 1 – Notice on Handling Protectively Marked Meeting Documents**



### **COMMITTEE ON STANDARDS AND PRIVILEGES (CSP)**

#### **Notice on Handling Protectively Marked Meeting Documents**

In accordance with Rules 12 and 17 of the Assembly Members' Code of Conduct, and the approach agreed by the Committee on Standards and Privileges (CSP) on the handling of meeting documents which have been protectively marked in accordance with the Northern Ireland Assembly Commission's Information Assurance Policy, Members must:

- Not share any protectively marked documents, either in whole or in part, with any other person, nor discuss their content with any other person other than with the Members and Secretariat of the CSP;
- Not make copies (including electronic copies) of any protectively marked documents, either in whole or in part;
- Return any protectively marked hard copy meeting packs, in their entirety, to CSP staff following perusal in the reading room or at the end of a Committee meeting, including any notes made; and
- Comply with the above requirements until the CSP has concluded its consideration of the protectively marked documents and, where applicable, published its report on the matter under consideration.

In addition, Members are reminded of the special legal considerations that apply where the information provided to Members contains personal data. Article 32 of the UK GDPR places a duty on the controller and processor of personal data to take steps to ensure that any natural person acting under the authority of the controller or the processor who has access to personal data does not process them except on instructions from the controller, unless he or she is required to do so by domestic law.

Members should not process the personal data provided to the Committee, except as instructed by the Committee. It is unlawful to process personal data without a lawful basis as set out in the UK GDPR. Members are unlikely to have a lawful basis for copying or sharing the personal data received outside of the terms agreed by the Committee.



## Document 23: CSP Protocol on Conduct and Courtesy in Committee Meetings

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**Committee on Standards & Privileges (CSP)**  
Room 276  
Parliament Buildings  
Tel: 028 9052 1843  
E-mail: [committee.standardsprivileges@niassembly.gov.uk](mailto:committee.standardsprivileges@niassembly.gov.uk)

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**From:** Committee Secretariat  
**Date:** 16 February 2024  
**To:** Committee Members  
**Subject:** Protocol on conduct and courtesy in Committee meetings

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1. Provide an apology in advance when the Member is aware that they will not be able to attend a meeting.
2. Arrive in time for the start of the meeting.
3. Remain in a meeting once an evidence session or briefing has commenced.
4. Ensure mobile phones are on silent mode and keep them as far away from the microphone as possible to avoid interference with the audio system.
5. Use tablet devices discreetly and in a way that does not interfere with proceedings, and be aware of the cameras when using tablet devices.
6. Be aware of general noise levels and refrain from conducting private conversations with other members during evidence sessions.
7. Treat witnesses, members of the public, staff and other members with respect and courtesy.
8. Respect the authority of the Chairperson.
9. Respect Committee decisions and maintain confidentiality when dealing with matters in closed sessions.



## Document 24: Excerpt: A Guide to the Powers and Operation of Standing and Ad Hoc Committees for Chairpersons and Members

### Handling of committee information

43. Assembly committees seek to conduct their business in as open and transparent a manner as possible. The majority of papers and information provided to committees will therefore not carry a protective marking.

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Guide to the Powers and Operations of Standing and Ad Hoc Committees for Chairpersons and Members

44. However, some documents provided to committees may require a protective marking such as “Assembly Restricted” or “Assembly Confidential” to ensure the information is handled in an appropriate manner.
45. Where a protective marking has been applied to information, this has implications for how it is delivered and stored, who has permission to access it, and in what settings it can be discussed. The most common procedures used to safeguard protectively marked information include hand delivery of documents to Members, and watermarks and copy numbers being applied to documentation.
46. Committee clerks will advise Members of their responsibilities in terms of handling protectively marked documents on a case by case basis, depending on the particular marking applied. However, Members should be aware that unauthorised disclosure of protectively marked or confidential information may be considered a breach of the Code of Conduct for Members.