



Northern Ireland
Assembly

Report by the Assembly Commissioner for Standards on a
complaint against Timothy Gaston MLA
by Sinéad Ennis MLA

Assembly-Confidential

Summary

This report sets out the findings of my investigation into a complaint submitted by Ms Sinéad Ennis MLA against Mr Timothy Gaston MLA. Ms Ennis alleged that Mr Gaston breached Rule 12 of the MLA Code of Conduct by issuing a press statement disclosing that he had submitted a formal complaint to the Commissioner for Standards regarding First Minister, Michelle O'Neill MLA. The complainant provided a copy of the press statement issued by the TUV on 3 October 2024 as evidence.

Rule 12 of the Code states: *"You shall disclose confidential or protectively marked information only when you are authorised to do so."*

I commenced my investigation on 7 May 2025. A written response to the complaint was requested from Mr Gaston and received on 15 May 2025. In his response, Mr Gaston acknowledged that, on the same day he submitted his complaint about the First Minister, he informed the press.

Having considered all available evidence, it is my view that Mr Gaston's unauthorised disclosure constituted a breach of Rule 12 of the MLA Code of Conduct.

Complaint Background

1. On 31 March 2025, I received a complaint from Ms Sinéad Ennis MLA alleging that Mr Timothy Gaston MLA had disclosed confidential information relating to a complaint he had submitted to me, thereby breaching Rule 12 of the MLA Code of Conduct.¹ Rule 12 provides: “*You shall disclose confidential or protectively marked information only when you are authorised to do so.*”
2. In support of her complaint, Ms Ennis submitted a copy of a press statement issued by Mr Gaston, in which he publicly confirmed that he had lodged a formal complaint.²

Investigation

3. In the course of my investigation, I carried out the following:
 - Reviewed the complaint and evidence provided
 - Requested and received a response to the complaint from Mr Gaston MLA³

All documents and evidence I have relied on in reaching my decision are at Annex A.

Allegations contained in complaint

4. Mr Gaston breached the confidentiality of the complaints process when he disclosed confidential information via a press release, stating that he had submitted a complaint against the First Minister, Michelle O’Neill, in contravention of Rule 12 of the MLA Code of Conduct.

Findings of Fact

5. I found the following facts established to the required standard of proof:
 1. Mr Gaston MLA submitted a complaint to the Commissioner for Standards against the First Minister, Michelle O’Neill, on 3rd October 2024.
 2. On 3rd October, Mr Gaston MLA advised the press that he had submitted a complaint against the First Minister.
6. In accordance with paragraph 7.14 of the General Procedures Direction, Mr Gaston was afforded an opportunity to challenge any of the above findings before I finalised my report. Mr Gaston did not challenge my findings of fact but did provide a written response.⁴

¹ Document 1

² Document 2

³ Document 3

⁴ Document 4

Evidence

7. Mr Gaston's unauthorised disclosure took the form of a press release.⁵
8. In Mr Gaston's response to the complaint he stated:

“On the day on which I submitted my complaint about the First Minister I also advised the press.”

“When it comes to a matter as serious as the one I lodged with you about the First Minister, is it seriously suggested that when constituents contact me about the matter I am to tell them that I cannot say if I have made a complaint to your office or not.”

Reasoned Decision

9. Confidentiality is a cornerstone of the work of the Office of the Commissioner for Standards and is essential to preserving the integrity of the complaints process. It serves to protect all parties involved—both the complainant and the subject of the allegation. For this reason, the MLA Code of Conduct includes two distinct provisions requiring Members to uphold confidentiality throughout the process.
10. In his response, Mr Gaston acknowledged that he had informed the press of his complaint submission. However, he contended that merely disclosing the fact that a complaint had been lodged should not constitute a breach of the Code.
11. It is my view that Mr Gaston knew, or ought reasonably to have known, that issuing a public press release concerning an active and confidential complaint submitted to this Office was inappropriate and in breach of Rule 12 of the MLA Code of Conduct.

Observations

12. Confidentiality is of paramount importance to the work of the Office of the Commissioner for Standards. In my view, treating breaches of confidentiality with the seriousness they warrant is essential to safeguarding the integrity of the complaints process and to preventing potential misuse or harm arising from such breaches.

Report Conclusions

13. I am satisfied, based on my analysis of the facts and evidence, that Mr Gaston's actions were in breach of Rule 12 of the MLA Code of Conduct.

Melissa McCullough
NI Assembly Commissioner for Standards
23 May 2025

⁵ Document 2

Annex A

Document	Description
1	Complaint
2	Complaint supporting evidence: Press release
3	Timothy Gaston MLA response to complaint
4	Timothy Gaston MLA response to Findings of Fact

From: +StandardsCommissioner
Sent: Mon, 31 Mar 2025 09:41:39 +0000
To: [REDACTED]
Subject: 202400051 FW: Complaint Against Timothy Gaston MLA

From: Ennis, Sinead <Sinead.Ennis@mla.niassembly.gov.uk>
Sent: 28 March 2025 12:36
To: +StandardsCommissioner <standardscommissioner@niassembly.gov.uk>
Subject: Complaint Against Timothy Gaston MLA

Dear Commissioner,

I am writing to you to lodge a complaint against Mr Timothy Gaston MLA in breaching the confidentiality of a complaint he formally lodged with you In October 2024.

I believe that the public declaration that a complaint had been made is in breach of Rule 12 of the rules of conduct, which states that a Member:

"shall disclose confidential or protectively marked information only when ... authorised to do so."

The Committee on Standards and Privileges has previously highlighted the importance of maintaining the confidentiality of live complaints in order to safeguard the fairness and integrity of the process and to avoid any unnecessary reputational damage to any of the parties involved.

Despite this rule, Mr Gaston issued a press statement stating explicitly that he had formally lodged a complaint with you (screen shot attached) in relation to Michelle O'Neill MLA. I believe that, if he was not authorised to make this statement, he is in breach of Rule 12.

I would be grateful if you would investigate this matter.

Many thanks,
Sinéad Ennis MLA
Tel: 028 41754448

Gaston challenges Stormont to face up to issues surrounding O'Neill and lodges formal complain with Standards Commissioner

BY TUV OFFICE | OCTOBER 3, 2024 | 0 COMMENTS | 129 VIEWS



Statement by TUV North Antrim MLA Timothy Gaston:

"The Stormont system has many deficiencies but one of the improvements to it made by my predecessor Jim Allister was to make provision for the Assembly Commissioner for Standards to investigate potential breaches of the Ministerial Code. Following today's publication of a photograph showing Ms O'Neill in close proximity to convicted sex offender Michael McMonagle at an event in Stormont's Great Hall in February last year, I have today written to the Commissioner asking her to investigate potential breaches of the Ministerial Code. The code requires Ministers to uphold the seven principles of public life, including openness and honesty. The photograph published today demands that the First Minister answers for how she has upheld these principles.

"I have also tabled a Matter of the Day and an Urgent Oral question on the matter which I trust will result in an opportunity for these profoundly serious issues to be discussed on the floor of the Assembly on Monday.

"It is important to note that Ms O'Neill is not the only person in the Sinn Fein ministerial team with serious questions to answer. During yesterday's meeting of the Executive Office Committee I attempted to ask Junior Minister Reilly if she would say the same as the First Minister and claim that she didn't see McMonagle at the Stormont event. Ms O'Neill, with the assistance of the committee chair, shielded Junior Minister Reilly from that question. Had she been required to answer and the committee performed its proper role in scrutinising the Ministers rather than having a chair protect them I would have challenged Junior Minister Reilly on the fact that she can be seen in a photo with McMonagle.

"This whole affair proves once again that Sinn Fein are supremely unfit for office. It's time the Unionists in the Executive pulled the plug."



Emailed to: standardscommissioner@niassembly.gov.uk

Ref: TG/SM/Assembly/12769

15 May 2025

Standards Commissioner

Dear Commissioner

Re Complaint against me from Ms Sinead Ennis MLA

On the day on which I submitted my complaint about the First Minister I also advised the press.

In doing so, I was following the precedent set by, among others, the complainant's party in March 2021 (see <https://sinnfein.ie/news/dup-mlas-comments-on-working-with-loyalist-group-concerning-kimmins/>).

I would add that merely reporting the fact that a complaint has been made should not be something which is a violation of the rules. As you will be aware, a member of my staff has lodged a complaint with your office regarding comments in the Assembly chamber. These were public comments, on the official record, which are demonstrably false. In order to close down repetition of this slur it has been necessary for Mr [REDACTED] to advise those who made it that the complaint has been lodged. Furthermore, if he is asked about the matter by the press he intends to advise them that he cannot comment because the remarks are under investigation.

Are you telling me that if the lies about my staff member are repeated in the Assembly chamber or in Committee I cannot say that there is a complaint with your office? How therefore do I rebut the claims?

Similarly, when it comes to a matter as serious as the one I lodged with you about the First Minister is it seriously suggested that when constituents contact me about the matter I am to tell them that I cannot say if I have made a complaint to your office or not.

In summary - if I have breached the code then so has the party of the complainant in identical fashion and secondly if it is deemed to be a breach of the code then it (a) undermines the ability of your office to perform its role as Mr [REDACTED] case illustrates and (b) leaves MLAs in a bizarre position if their constituents ask them reasonable questions.

Timothy Gaston MLA, 38 Henry Street, Harryville, Ballymena, Co Antrim BT42 3AH

Tel: 028 25 640250

Yours sincerely,



Timothy Gaston MLA

Timothy Gaston MLA, 38 Henry Street, Harryville, Ballymena, Co Antrim BT42 3AH

Tel: 028 25 640250



Emailed to: standardscommissioner@niassembly.gov.uk

Ref: TG/SM/Assembly/12769-1

21 May 2025

Standards Commissioner

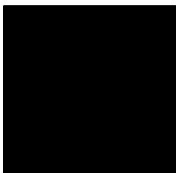
Dear Commissioner,

Case ID: 202400051

I do not dispute your findings of fact. However, as I noted in my previous letter, I believe it is relevant that the complainant's party has acted in a similar manner. I respectfully suggest that this context is pertinent to the case.

Furthermore, I find it difficult to understand why submitting a complaint to the Standards Commissioner should be treated as a confidential matter—particularly in high-profile cases involving alleged or suspected misconduct. In such instances, it is natural and reasonable for the public to ask their elected representatives what steps they are taking in response to the issue.

Yours sincerely,



Timothy Gaston MLA

Timothy Gaston MLA, 38 Henry Street, Harryville, Ballymena, Co Antrim BT42 3AH

Tel: 028 25 640250