



**Report by the Assembly Commissioner for Standards
on a complaint made by
Paula Bradshaw MLA against Timothy Gaston MLA**

Assembly-Confidential

Summary

This report sets out the findings of my investigation into a complaint received on 11 February 2025 from Ms Paula Bradshaw MLA, in her capacity as Chair of the Committee for the Executive Office, concerning the conduct of Mr Timothy Gaston MLA.

Ms Bradshaw alleges that during Committee proceedings, Mr Gaston failed to follow her directions as Chair, disregarded the rules relating to the Committee's remit, and has repeatedly made false or inaccurate public statements about her. She further alleges that, during the Committee meeting held on 23 October 2024, Mr Gaston addressed her with the remark "breathe" which she considered inappropriate and misogynistic. Ms Bradshaw contends that Mr Gaston's actions have unjustly undermined her integrity and constitute breaches of Rule 13 and Rule 15 of the Code of Conduct. Upon review of the complaint, I also identified Rule 10 as being engaged.

A preliminary investigation into the admissibility of the complaint commenced on 26 February 2025. I sought clarification from Ms Bradshaw regarding the substance of her complaint and requested and received a written response from Mr Gaston. I determined the complaint to be admissible and commenced a formal investigation on 1 May 2025.

During my investigation, I reviewed video recordings of all relevant meetings of the Committee for the Executive Office, a written response from Mr Gaston, and the *News Letter* article dated 6 February 2025. Having examined the available evidence, I found that Mr Gaston's comment to the Chair—to "breathe"—constituted an unreasonable and excessive personal attack, contrary to Rule 15. I further found that Mr Gaston, by repeatedly failing to respect the authority of the Chair, acted in a way that improperly interfered with the performance of the Assembly's functions in breach of Rule 13. In addition, his conduct, including telling the Chair to 'breathe', did not meet the expected standards of professionalism, courtesy, and respect required under the NI Assembly Behaviour Code, and therefore breached Rule 10 of the Code of Conduct.

I am satisfied, based on a careful analysis of the evidence and on the balance of probabilities, that Mr Gaston's conduct breached Rules 10, 13, and 15 of the Code of Conduct.

Complaint

1. I received a complaint from the Chair of the Committee for the Executive Office, Paula Bradshaw MLA, on 11 February 2025.¹ Ms Bradshaw alleges that during meetings of the Committee for the Executive Office (referred to herein as the “Committee”), Timothy Gaston MLA ignored her direction regarding the Committee’s remit, has repeatedly made public accusations that are false or inaccurate, and told her to “breathe” which Ms Bradshaw alleges is inappropriate and misogynistic.
2. I wrote to Ms Bradshaw to clarify her complaint.² Rules 11, 14 and 17 as alleged in the original complaint were not applicable nor investigated in relation to this complaint.

Investigation

3. I commenced my preliminary investigation on 25 February 2025 and moved the complaint to investigation on 1 May 2025.
4. My investigation focussed on the allegations relating to Rule 13 and Rule 15. During the course of my investigation, I found Rule 10 of the Code of Conduct to be engaged.
5. The Rules of the Code of Conduct investigated:

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 15. You shall not subject anyone to unreasonable and excessive personal attack.

Rule 10. You shall observe and comply with the Rules on All-Party Groups and any policy, guidance or instructions of any kind approved by the Assembly, or issued by the Assembly Commission or Assembly secretariat staff on its behalf or with its authority.

6. During my investigation, I carried out the following:

- Reviewed the video of the Committee meeting of 23 October 2024³
- Reviewed the video of Committee meetings of 11 September 2024⁴, 2 October 2024⁵, 9 October 2024⁶, 6 November 2024⁷ and 13 November 2024⁸ and 22 January 2025⁹

¹ Document 1

² Document 2

³ [Committee for the Executive Office Meeting 23 October 2024](#)

⁴ [Committee for the Executive Office Meeting 11 September 2024](#)

⁵ [Committee for the Executive Office Meeting 02 October 2024](#)

⁶ [Committee for the Executive Office Meeting 9 October 2024](#)

⁷ [Committee for the Executive Office Meeting 6 November 2024](#)

⁸ [Committee for the Executive Office Meeting 13 November 2024](#)

⁹ [Committee for the Executive Office Meeting 22 January 2024](#)

- Reviewed the Newsletter article of 6 February 2025¹⁰
- Requested and received written response to the complaint from Mr Gaston MLA¹¹
- Reviewed the NI Assembly Behaviour Code¹²
- Reviewed the Committee for the Executive Office Protocols and Practice¹³

All documents I have relied on in reaching my conclusion are at Annex A or in the text of the report.

Evidence

Committee for the Executive Office

7. The Committee meetings referred to in the complaint form a major part of the evidence related to this investigation.

Mr Timothy Gaston MLA

8. Mr Gaston responded to the complaint in writing.¹⁴ He refutes that he has made any false accusations or allegations in public commentary, stands over his description of the actions of the Chair as ‘shielding’, believes that he was rightly seeking handwritten notes for reasons of transparency, and whilst Mr Gaston does not accept that telling the Chair to “breathe” was misogynistic, he accepts that it was ill-judged and stated that he apologised for it at the time in committee.

“I refute the suggestion that I have made accusations and allegations which are false in public commentary. I would also observe that Ms Bradshaw is, like myself, an MLA. She has the same access to the make statements in the Assembly and issue statements to the press which I have. I am quite happy to be challenged in either or both of those forums on anything I have said.”

“I reject the suggestion that I have failed to respect the remit of the committee.”

“I stand over my description of the actions of the chair as shielding.”

“I do not accept that my comment was misogynistic. However, I do accept that it was ill judged and that is why I apologised for it at the time in committee. Ms Bradshaw accepted this at the time and I believed that was the end of the matter.”

“I am not accountable for what David Thompson or any other journalist writes.”

NI Assembly Behaviour Code¹⁵

9. The NI Assembly Behaviour Code applies to those visiting Parliament Buildings or working for or within the Assembly and sets out how everyone should be treated and how we should treat each other. It includes:

¹⁰ Document 3

¹¹ Document 4

¹² [NI Assembly Behaviour Code](#)

¹³ Document 5

¹⁴ Document 4

¹⁵ [NI Assembly Behaviour Code](#)

- Show respect to and value everyone. Bullying, harassment, discrimination and sexual misconduct will not be tolerated;
- Be aware of power, influence or authority and don't abuse them;
- Think about how our behaviour affects others and always strive to understand everyone's perspective;
- Act professionally;
- Speak up about any unacceptable behaviour that you experience; and
- Display the highest ethical standards of integrity, courtesy and mutual respect.

Sample protocol on conduct and courtesy in committee meetings: Committee for the Executive Office Protocols and Practice¹⁶

10. All Members receive information on Committee protocols and practice which includes *conduct and courtesy* expected in committee meetings:
 1. Provide an apology in advance when 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 microphones as possible to avoid interference with the audio system.
 5. Use tablet devices discreetly and in a way which does not interfere with proceedings and be aware of the cameras when using the tablet device.
 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 session.

Roles in ensuring the effective operation of the Committee¹⁷

11. All Members receive information and guidance on Committee protocols and practice which includes *Roles in ensuring the effective operation of the Committee*:

Order and conduct

36. The chairperson must ensure that order is observed in committee meetings.

37. Chairpersons should encourage committees to agree a protocol on the conduct and operation of committees to ensure that conduct and behaviours are conducive to the effective operation of the committee.

¹⁶ Document 5

¹⁷ ibid

38. A key aspect of keeping order is calling Members to speak. Chairpersons should call Members fairly and not favour Members from any particular party. Chairpersons should ensure that Members from all parties have the opportunity to speak if they wish.

39. In practical terms, chairpersons may find it helpful to identify speakers they intend to call. The committee clerk can assist in this by keeping a running list of Members wishing to speak.

40. Chairpersons should ensure that Members' contributions are relevant to the subject under discussion and respectful to other Members and witnesses. It is for the chairperson to advise Members that they are out of order if the point they raise is not relevant.

41. Chairpersons must ensure that Members speak 'through the chair'.

42. It is important that chairpersons summarise and confirm decisions taken by the committee following discussion.

Progressing Business

43. It is the chairperson's responsibility to control the committee meeting and retain focus so that, where possible, the items of business on the agenda are progressed within the time available.

Belfast Agreement¹⁸

12. Strand One, Paragraph 9 of the Belfast Agreement (Good Friday Agreement) refers to the operation of the Northern Ireland Assembly, specifically the role of Ministers and Committees in the governance structure.

“...All Ministers will be subject to the scrutiny of Assembly Committees, with the power to call for persons and papers, and to initiate legislation. The Committees will have a scrutiny, policy development and consultation role with respect to the Department with which each is associated, and will have a role in the initiation of legislation.”

Findings of Fact

13. I found the following facts established to the required standards of proof:

1. During the Executive Office Committee on 23 October 2024¹⁹:

i. Timothy Gaston MLA told the Chair, Paula Bradshaw MLA, to “Take a step back. You're okay, you're okay. Breathe”.²⁰

¹⁸ [Belfast Agreement \(Good Friday Agreement\)](#)

¹⁹ [Committee for the Executive Office Meeting 23 October 2024](#)

²⁰ ibid: 10:10

- ii. After the meeting had been concluded and the recording stopped, Mr Gaston apologised for this comment.
- iii. During the meeting, the Chair explained and reiterated on six occasions the Committee's remit and the requirement that all questions posed must relate specifically to the work of the Executive Office.²¹
- iv. The Clerk intervened on two occasions during the meeting to confirm that the questions Members ask should be in relation to the work of the Executive Office.²²
- v. Mr Gaston asked the First Minister at least nine questions that were not related to the work of the Executive Office.²³
- vi. The Chair told Mr Gaston that he was 'badgering the witness' in relation to his questions to the First Minister.²⁴

2. During the Executive Office Committee meetings on 11 September 2024 and 6 November 2024, Mr Gaston was reminded by the Chair of the remit of the Committee in scrutinising the work of the Executive Office.²⁵

3. Mr Gaston has repeatedly alleged, both in public and in-Committee, that the Chair was "shielding" witnesses from questions.

14. 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. He did respond but did not challenge any of my findings of fact.²⁶

Analysis and Reasoning

15. The core focus of this investigation concerns Mr Gaston's behaviour in relation to three key areas: allegations of an unreasonable and excessive personal attack, constituting a potential breach of Rule 15; conduct that may amount to improper interference with the performance of the Assembly's functions, in potential breach of Rule 13; and adherence to the Northern Ireland Assembly Behaviour Code, as required under Rule 10 of the Code of Conduct.

Rule 15: Gratuitous personal insult

²¹ [Committee for the Executive Office Meeting 23 October 2024](#) at 8:33, 13:35, 37:20, 39:20, 40:45, and 43:00

²² ibid: 22:00 and 41:49

²³ ibid: 37:45 to 43:25

²⁴ ibid: 40:40

²⁵ [Committee for the Executive Office Meeting 11 September 2024](#) at 1:29:30; [Committee for the Executive Office Meeting 6 November 2024](#) at 6:05

²⁶ Document 6

16. During the Committee meeting on 23 October 2024, at approximately 10:00, Mr Gaston questioned the Chair on her role in directing proceedings, specifically asking how she can “limit what Members are going to ask”. The Chair responded by clarifying that she was not seeking to limit questioning. During this exchange, Mr Gaston interrupted and addressed the Chair with the remark: “Take a step back. You’re okay, you’re okay. Breathe.”
17. Mr Gaston stated that he apologised to the Chair for his comment, and that the apology was accepted. Ms Bradshaw confirmed that an apology was offered but noted that it took place after the meeting was adjourned and was no longer being recorded. In response to the apology, Ms Bradshaw recalled replying along the lines of, “Sure, you’ve been doing this from the start.”²⁷ It is evident from the content of her complaint that Ms Bradshaw does not regard this exchange as amounting to a meaningful or public apology for what she considered to be an inappropriate remark.
18. Rule 15 of the Code of Conduct prohibits MLAs from subjecting any individual to an “unreasonable and excessive personal attack.” In considering whether Mr Gaston’s comment amounted to a breach of this Rule, I have considered the ordinary meaning of the relevant terms. According to the *Concise Oxford English Dictionary* (11th Ed), “excessive” means “more than is necessary, normal, or desirable,” while “unreasonable” is defined as “beyond the limits of acceptability.” A “personal attack” may be understood as an abusive remark or a severe criticism directed at an individual.
19. In my view, Mr Gaston’s comment was both unreasonable and excessive, as it served to undermine the authority of the Chair by implying that she was emotionally unbalanced or incapable of managing the proceedings—thereby casting doubt on her competence. The directive to “breathe” can reasonably be perceived as dismissive or invalidating, suggesting that the Chair’s response was exaggerated or inappropriate. It is important to recognise that phrases such as “breathe” or “calm down” can, particularly in professional and formal settings, function less as attempts to de-escalate and more as mechanisms to silence, dismiss, or diminish the contributions of the person being addressed. It has been identified that this can occur especially when that person is a woman in a position of authority where remarks of this nature serve to delegitimise and diminish by implying that they are overly emotional or irrational, and therefore unfit to lead.²⁸ This pattern is neither new nor isolated. In 2011, then-Prime Minister David Cameron faced widespread criticism for telling MP Angela Eagle to “calm down, dear” during a Parliamentary exchange.²⁹ Such examples reflect a broader cultural issue in which women’s arguments are trivialised by framing them as emotional outbursts or lacking self-control³⁰—an unacceptable tactic that has no place in any democratic institution, including the Northern Ireland Assembly.

²⁷ Document 7

²⁸ The incidents represent a common reaction to—and political strategy against—women making challenging arguments during disagreements: claiming that their emotions interfere with the validity of what they say. By attributing a woman’s arguments to emotionality, people assume she is unable to think clearly or rationally, and as a result, makes weak arguments.” <https://journals.sagepub.com/doi/full/10.1177/03616843221123745>

²⁹ <https://www.bbc.com/news/uk-politics-13211577>

³⁰ <https://journals.sagepub.com/doi/full/10.1177/03616843221123745>

20. While Mr Gaston does not accept that the remark was misogynistic, he does concede that it was ill-judged. Several Members, including the Chair, interpreted the comment as carrying misogynistic undertones. It is my view that Mr Gaston's comment may reasonably be perceived as condescending and patronising in tone. Taken together, the tone and context of Mr Gaston's remark undermined and disrespected the Chair's authority in a manner that goes beyond acceptable parliamentary discourse and, in my view, constitutes an unnecessary personal attack.
21. By way of precedent, in November 2021 I found a Member had breached Rule 15 of the Code by making the remark, "Do you want to phone a friend?" to a witness appearing before the Finance Committee. The Committee on Standards and Privileges concurred, concluding that the comment constituted a gratuitous insult, undermined the witness, and implied incompetence in his role as a senior civil servant. It was determined to be an unreasonable and excessive personal attack, and therefore a clear breach of Rule 15.³¹
22. For the reasons outlined above, it is my view that Mr Gaston's comment constitutes an unreasonable and excessive personal attack, amounting to a breach of Rule 15 of the Code. It can reasonably be regarded as a gratuitous personal insult and, as such, would not qualify for the enhanced protection typically afforded to political expression under Article 10 of the European Convention on Human Rights. While a finding of a breach of the Code represents a *prima facie* interference with Mr Gaston's Article 10 rights, I believe that interference is necessary in a democratic society for the protection of the rights and reputation of others—specifically Mrs Bradshaw MLA—and is therefore, in my view, both proportionate and justifiable.

Rule 13: improper interference with the performance of the Assembly's functions

23. Having reviewed the video recordings of the meetings of the Committee for the Executive Office, it is evident that Mr Gaston has on several occasions acted in a manner that appeared to improperly interfere with the effective functioning of the Committee.³² A notable example occurred during the meeting on 23 October 2024, which was attended by the First Minister. On that occasion, Mr Gaston posed approximately nine questions that fell outside the remit of the Committee. Mr Gaston persisted despite multiple interventions by both the Chair and the Clerk aimed at guiding Mr Gaston back within the scope of the Committee's responsibilities—to scrutinise the work of the Executive Office of FM and dFM. At one point, the Chair felt compelled to tell Mr Gaston that he was "badgering the witness"—in this case, the First Minister.

³¹ <https://www.niassembly.gov.uk/assembly-business/committees/2017-2022/standards-and-privileges/reports/report-on-a-complaint-against-mr-jim-wells-mla/>

³² [Committee for the Executive Office Meeting 23 October 2024](#); [Committee for the Executive Office Meeting 11 September 2024](#); [Committee for the Executive Office Meeting 6 November 2024](#)

24. The questions posed by Mr Gaston clearly did not pertain to the work of the Executive Office, and as such, the Chair was fully justified—and indeed obliged—to intervene in order to uphold the rules and ensure the proper functioning of the Committee. A sample of the questions posed by Mr Gaston includes:

“How many days did Michael McMonagle work for you?”
“What happened in your constituency offices?”
“Had he done any work? or was Sinn Féin using the money for themselves?”
“You are ducking the question?”
“If you don’t want to follow the Ministerial Code or uphold the Seven Principles of Public Life, that is up to you.”
“Why was the IRA in Sinn Féin Offices?
“Do you want to take this opportunity to apologise to Maria Cahill?”

25. In my view, given the out-of-scope questions posed by Mr Gaston, it is disingenuous for him to allege — and to continue alleging, including in his response to this complaint — that the Chair was “shielding” the witness from scrutiny. The Assembly’s *Guide to the Role of Committee Chairpersons* makes it unequivocally clear that it is the responsibility of the Chair, Ms Bradshaw, to “ensure that Members’ contributions are relevant to the subject under discussion and respectful to other Members and witnesses. It is for the Chairperson to advise Members that they are out of order if the point they raise is not relevant.”³³ That Mr Gaston persists in making this allegation despite his knowledge of the relevant protocols and procedures, and despite repeated clarifications from both the Chair and the Clerk(s) across multiple Committee meetings³⁴ that Ms Bradshaw was acting fully within the scope of her duties is, in my view, an improper interference with the Assembly Committees’ functions.

26. It appears to me that Mr Gaston has chosen, for whatever reason, not to recognise that the Chair was upholding established norms and protocols of scrutiny—norms that are widely respected across democratic societies and parliamentary committees worldwide, and which are recognised within the framework of the Belfast Agreement. These procedures³⁵ are fundamental to the effective operation of the Committee and fall squarely within the Chair’s remit. Mr Gaston’s repeated challenges to this approach, rather than engaging constructively with the Committee’s established processes, served to undermine the authority of the Chair and impede Committee business. It is a fact that Members on committees will occasionally ask irrelevant and out of scope questions and in such circumstances would or could be brought to order by the Chair. However, it is Mr Gaston’s persistent, repetitive undermining of the Chair and Committee protocols that, in my view, amounted to an inappropriate interference with the Committee’s functioning. It contributed significantly to a public perception of disorder, including the inaccurate and misleading claim that the Chair was obstructing legitimate scrutiny—a claim that, as Ms Bradshaw has consistently clarified, is

³³ Document 5

³⁴ [Committee for the Executive Office Meeting 23 October 2024](#); [Committee for the Executive Office Meeting 11 September 2024](#); [Committee for the Executive Office Meeting 6 November 2024](#)

³⁵ Document 5

without foundation. By persisting with behaviour which was out of order, Mr Gaston was in effect diverting the Committee from performing its proper function.

27. In addition to the allegations regarding the Chair “shielding” witnesses, it is alleged that Mr Gaston has also made further inaccurate claims—both within the Committee and publicly—namely: (1) that an illegitimate vote was taken during the Committee meeting on 16 October 2024 concerning whether to provide questions in advance to the First Minister ahead of her appearance on 23 October; and (2) that the Chair failed to challenge what he described as a “racial slur” made by a witness against the Northern Ireland Housing Executive.³⁶ Based on the information available to me, both of these allegations appear to be false or misleading. The vote in question was conducted appropriately, with an audio recording confirming its legitimacy.³⁷ As for the latter allegation, the comment referenced was made by a witness recounting their personal lived experience.³⁸ In my view, the Chair responded appropriately and sensitively by offering the organisation a right of reply—an approach that demonstrated fairness and balance.
28. I have reviewed the *News Letter* article dated 6 February 2025. Mr Gaston, of course, holds a right to freedom of expression under Article 10 of the European Convention on Human Rights, and this right carries enhanced protection in the context of political discourse. While the journalist does not include direct quotations from Mr Gaston and presents the article in the form of a summary of issues relating to the Committee, there are statements and assertions within the piece that closely mirror Mr Gaston’s accusations regarding the Chair. This suggests a clear alignment between the article’s narrative and Mr Gaston’s previously stated criticisms. However, this article did not have a bearing on my findings.
29. I consider that Mr Gaston acted in a way that improperly interfered with the performance of the Committee and needlessly served to impede the work and credibility of the Committee in breach of Rule 13.

Rule 10: Adherence to the Northern Ireland Assembly Behaviour Code

30. Rule 10 of the Code requires Members to comply with the policies of the Assembly Commission, which includes adherence to the NI Assembly Behaviour Code agreed and published by the Assembly Commission and is displayed prominently throughout Parliament Buildings. The Behaviour Code sets out clear expectations that all individuals working within Parliament Buildings should act professionally and uphold the highest standards of integrity, courtesy, and mutual respect.
31. Video evidence demonstrates that the Chair consistently advised Members that, to fall within the remit of the Committee, questions must relate specifically to the work of the Executive

³⁶ [Committee for the Executive Office 22 January 2025](#) from 2:08:00

³⁷ [Committee for the Executive Office 16 October 2024](#)

³⁸ [Committee for the Executive Office 18 September 2024](#); [Committee for the Executive Office 22 January 2025](#)

Office. Despite these clear directions, Mr Gaston repeatedly disregarded this guidance from the Chair. In doing so, his conduct fell short of the professionalism and courtesy expected under the NI Assembly's Behaviour Code.

32. Mr Gaston's conduct—particularly his repeated refusal to respect the Chair's authority, his public and in-Committee challenges to the Chair's authority and integrity, and his comment, "Take a step back. You're okay, you're okay. Breathe"—did not meet the expected standards of professionalism, courtesy, and respect.
33. The Committee's own protocols and procedures also emphasise the importance of courtesy and respect for each other and the authority of the Chair. These internal standards reinforce the expectation that all Members should engage with one another respectfully and support the orderly and effective conduct of Committee business.
34. I consider Mr Gaston's conduct to be a breach of Rule 10 of the MLA Code of Conduct.

Principles

35. The Code's principles require MLAs, as elected representatives, to uphold values such as leadership, respect, the promotion of good relations, and the fostering of constructive working relationships. Paragraph 3.1 further highlights the importance of conduct that helps to maintain and strengthen public trust and confidence in the integrity of the Assembly. In my view, Mr Gaston's repeated failure to respect the authority of the Chair in matters concerning the Committee's remit, his continued assertions alleging that the Chair was shielding witnesses without substantiated basis, and his ill-judged "breathe" comment did not reflect these principles and fell below the standards of behaviour expected under the Code.

Observations

36. This is not merely a case of the accepted "rough and tumble" of political life. It speaks to something more fundamental: the need for all Members to treat one another with courtesy and respect, to uphold the authority of the Chair, to recognise and adhere to the established remit and norms of the Committee, and to engage in the work of the Assembly with integrity and in pursuit of the public good. At its core, this is about safeguarding the credibility of the democratic process and ensuring that basic decency underpins how we do our work. The effectiveness of the Assembly—and public confidence in it—depends on Members setting an example of respectful and responsible conduct. And, if we are genuinely committed to a political culture in which women are fully represented, respected, and supported, then behaviour that undermines that aim cannot be excused, dismissed, or allowed to pass without scrutiny. Mutual respect is not merely aspirational—it is a fundamental requirement of public office. It is essential that all Members commit to fostering an environment of mutual respect and collegiality.

37. I would note that the Committee for the Executive Office is currently functioning effectively—an outcome that should be welcomed by all. I recognise that Mr Gaston was a new Member of the Northern Ireland Assembly and of the Committee during the period to which the main elements of this complaint relate. It is my view that perhaps Mr Gaston has gained some valuable experience since that time, and I trust that this report will contribute to positive and constructive engagement going forward.

Conclusion

38. I am satisfied based on my analysis of the facts and evidence that on the balance of probabilities, Mr Gaston's conduct was in breach of Rules 10, 13 and 15 of the Code of Conduct.

Melissa McCullough
NI Assembly Commissioner for Standards
23 May 2025

Annex A

Document	Description
1	Complaint from Paula Bradshaw MLA
2	Email correspondence clarifying complaint
3	Newsletter article of 6 February 2025
4	Response from Timothy Gaston MLA
5	Committee for the Executive Office Protocols and Practice
6	Response to Findings of Fact T Gaston MLA

Complaint number: 202400045

Complainant: Paula Bradshaw MLA

Date of complaint: 11 February 2025

Submission: Online

Complaint against: Timothy Gaston MLA

Code of Conduct: MLA

Complaint:

Mr Gaston has subjected me, as Chair of the Committee (and arguably also a witness at the Committee on 23 September 2024, the First Minister and Deputy Speaker, though they must speak for themselves) to unreasonable and excessive personal attacks on an ongoing and almost weekly basis. These attacks on the Chair consist of accusations which are contrary to fact, allegations which fall outside the remit of the Committee and broad disrespect up to and including a misogynistic remark for which there has been no public apology (also a breach of Rule 14).

Evidence solely from Committee meetings and associated publicity includes: - consistent failure to respect the remit of the Committee, including ignoring the Chair's direction and making repeated and entirely unfounded accusations of 'shielding' when in fact I as Chair was ensuring that remit was adhered to consistently; - nonsensical demands for hand-written notes which, by logical progression, constitute an attack on the Chair's and other officials' integrity; - claims of a 'lack of challenge' where a clear right of reply was put in place (and implemented, including in one case on which Mr Gaston chose to be absent) by the Chair; - a claim that a vote was taken illegitimately when it was in fact taken entirely legitimately in his absence; - continuing, on an ongoing basis, to have placed in public commentary accusations which are inaccurate and allegations which are false; and - a misogynistic remark accepted publicly but not apologised for publicly.

Mr Gaston has also subjected the Chair of the Committee to unreasonable and excessive personal attack by continuing to refer to a plainly false allegation of 'shielding' with reference to an Executive Office Committee Meeting on 23 October 2024; however, this in fact began beforehand as the dissemination of a confidential complaint against me occurred between 9 and 11 October (itself potentially a breach of Rule 11). With specific regard to his ongoing attacks on me simply for enforcing the Committee's remit as Chair, it should be noted, firstly, that at the Executive Office Committee Meeting of 11 September 2024, at around 36 minutes, it was clarified by me to Mr Gaston that questions must be within scope, and that witnesses (at that or any other meeting) would have the option of whether to respond to questions which fell outside scope. It should also be noted that the remit of Committees is clearly stated in the Belfast Agreement itself, notably in Strand One, Paragraph 9 ('Committees will have a scrutiny, policy development and consultation role with respect to the Department with which [it] is associated'). As a consequence, at the Executive Office Committee Meeting of 23 October 2024, after around 40 minutes Mr Gaston became one of several members reminded by the Chair, as previously on 11 September, that questions must be within scope or the witness (in this case, the First Minister) would have the option of whether to respond to them. After seven minutes of the Executive Office Committee meeting of 6 November 2024, Mr Gaston made reference to what he has consistently described (also in plenary on several occasions) as 'shielding' the First Minister despite the fact he had had it clarified to him, and not only on 23 October, that questions must be within the clearly defined scope of the Committee for a witness to be compelled to answer them. This is an entirely false accusation, and its constant repetition makes it no less false (though it does constitute an unreasonable and excessive attack on the Chair).

At 2 hours 33 minutes of the next Executive Office Committee meeting of 13 November 2024, Mr Gaston continued his unreasonable and excessive attacks on me as Chair by

demanding hand-written notes of a meeting held on the morning of 23 October 2024, even though written minutes had been published; as I pointed out from the Chair, this was a clear attack not only on her but also officials' integrity (so it was, in addition simply to wasting Committee time, also a potential breach of Rule 13) and the Committee comprehensively rejected his demand. At the Executive Office Committee meeting of 22 January 2025, from 2 hours 8 minutes in, Mr Gaston claimed that a racial 'slur' made by a witness on 18 September 'went unchallenged'. This was another false claim aimed at me as Chair; the Chair was in fact clear that any organisation which had been accused by the witness of 'institutional racism' (or similar) would have the right of reply; to this end, the NI Housing Executive was appearing at the meeting that day, and the PSNI had already appeared on 2 October 2024. It may be noted that Mr Gaston's concern was certainly not about racism in any form; he had in fact chosen to leave that meeting at 3.14pm on 2 October before the PSNI or anyone else presented on the topic. Notable also was Mr Gaston's absence from a meeting on 16 October 2024, which he took to have been carried out in private at Ebrington. Curiously, a Newsletter journalist subsequently approached the Chair of the Committee to challenge the legality of a vote taken to provide questions to the First Minister ahead of her appearance at Committee the following week, to ensure they were within the legal vires (in other words, the established remit under the Agreement) of the Committee, on the grounds that any vote was taken in private; in actual fact, the meeting was audio-recorded, just not videoed, so the decision was entirely in line with procedure. This was just one example, culminating in the article of 6 February 2025, of Mr Gaston rushing off to the media with a complaint before even seeking to check the facts were accurate, and making accusations without knowledge of nor reference to the facts (and thus of ongoing unreasonable and excessive personal attacks on the Chair).

The third paragraph of a News Letter Article of 6 February concerning the Committee refers to the Chair and then to 'criticism' of 'attitude to questioning witnesses' but makes no reference to the Chair's clarity, on more than one occasion, of what falls within the scope of the Committee under the Belfast Agreement itself. The next two paragraphs refer to the issue raised directly above, when procedure was quite correctly followed to enable an institutional response to accusations of racism levelled against them. The sixth paragraph refers to questions sent to the First Minister for purposes agreed by the Committee and which were, in fact, never asked - literally a non-issue. The point here is that the article takes all of Mr Gaston's ongoing criticisms without any clarification that they have been explained or shown to be illegitimate (or irrelevant), and is thus just the latest in a series of articles in that newspaper taken, essentially, directly from Mr Gaston himself. It therefore constitutes further evidence of unreasonable and excessive personal attack on me as Chair, notably designed to provide no right of reply nor of explanation (nor indeed factual correction). There was also a misogynistic remark (saying "Breathe" to the Chair) directed at me as Chair on 23 October 2024, noted at the time by other Committee members. There has been no public apology. I would make two further points in closing. 1. There is a right to free speech, but Rule 15 is about "unreasonable and excessive" attack. Constant misrepresentation of the facts and of the remit of the Committee as established in the Belfast Agreement itself falls clearly under Rule 15 as an "unreasonable and excessive personal attack"; in other words, even free speech can be used "unreasonably and excessively" (that is, after all, the point of the Code and of this particular Rule). 2. This complaint is against Mr Gaston and nobody else. Under Rule 17, I will not be disclosing the details of it to anyone else, nor do I expect anyone else to be involved in Mr Gaston's response to it.

Rule(s):

15. You shall not subject anyone to unreasonable and excessive personal attack.

From: Melissa McCullough [REDACTED]
Subject: Fwd: Confidential 202400045
Date: 23 May 2025 at 10:11
To: melissa McCullough [REDACTED]

MM

From: Bradshaw, Paula <paula.bradshaw@mla.niassembly.gov.uk>
Sent: 14 February 2025 10:52
To: McCullough, Melissa Dr <Melissa.McCullough@niassembly.gov.uk>
Subject: Re: Confidential 202400045

Melissa,

Content for the complaint to proceed in relation to rule 15.

Thanks.

Best wishes,

Paula

Paula Bradshaw MLA

Assembly Member for Belfast South
Alliance Party Chief Whip
Phone (mobile): 07975763979
Phone (Constituency): 02890328162
Phone (Stormont): 02890521053
Twitter: @paulajaneb
Facebook: Paula Bradshaw MLA
Instagram: paula_bradshaw_alliance

From: McCullough, Melissa Dr <Melissa.McCullough@niassembly.gov.uk>
Sent: 13 February 2025 07:46
To: Bradshaw, Paula <paula.bradshaw@mla.niassembly.gov.uk>
Subject: Confidential 202400045

Dear Paula

I am processing your recent complaint. I just want to clarify prior to sending you a formal acknowledgement, what rules you are alleging.

In the online submission, you have entered Rule 15 only. However, in the body of the

in the online submission, you have entered Rule 15 only. However, in the body of the complaint Rules 11, 13, 14 and 17 are also alleged. Can I confirm that the Rules you are alleging are 11, 13, 14, 15 and 17?

Kind regards
Melissa



DR MELISSA MCCULLOUGH

Commissioner for Standards

work: 02890521220

email: melissa.mccullough@niassembly.gov.uk

Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX

A sitting of the Executive Office committee

MLAs get training on how to ask questions

A Stormont committee which faced criticism over its failure to get answers from the first minister over Sinn Fein safeguarding scandals has received training from an outside organisation on how to ask questions effectively.

The Executive Office committee cleared its schedule yesterday afternoon for the private session, meaning most of its usual scrutiny work was put on hold.

The scrutiny body, chaired by Alliance MLA Paula Bradshaw, has faced criticism internally and externally for its attitude to questioning witnesses.

Last year, a witness at the committee accused the Northern Ireland Housing Executive of being “institutionally racist” – a comment which committee member Timothy Gaston sought to challenge. However, Sinn Fein’s Emma Sheerin and chair Ms Bradshaw criticised him for questioning the witness’s “lived experience”.

The chair said she “was



Timothy Gaston has clashed with the chair of the committee

never going to challenge” someone giving evidence – saying it was the role of the committee as “scrutineers to possibly bring the Housing Executive in and put that accusation to them”.

It has also faced dissent from the TUV’s Mr Gaston, who has questioned why MLAs sent questions to the first minister in advance of an evidence session and why a prior meeting with her was not recorded by committee officials.

Mr Gaston has faced criticism himself from the chair over his line of questioning to a previous witness to the committee, Kellie Turtle from Age NI. He had asked questions about the charity’s stance on trans issues, citing Ms Turtle’s social media posts.

This prompted Ms Bradshaw to apologise to Ms Turtle, whilst DUP MLA Brian Kingston called upon Mr Gaston to apologise. The matter is currently subject to an investigation by the Assembly Standards Commissioner.

When the News Letter first reported Stormont training sessions in November of last year, a spokesperson for the assembly said that: “In line with other parliaments, the NI Assembly is committed to ensuring that committee members are provided with regular training and development opportunities to support them in their key role of scrutinising departmental legislation and policy and in holding ministers to account”.



Emailed to: standardscommissioner@niassembly.gov.uk

Ref: TG/RS/Assembly/12566-1

Standards Commissioner

28 March 2025

Dear Commissioner,

I wish to make the following points in response to Ms Bradshaw's complaint dated 11th February 2025.

In relation to paragraph one:

1. I am confused about the claims about my conduct at a meeting of the committee on 23rd September 2024. I say that because upon checking the Assembly website I can find no record of a meeting on that date. When I checked a calendar, I discovered that the 23rd September was a Monday. One presumes that Ms Bradshaw is referring to the meeting held on 23rd October. However, I would note that such a basic error in her letter is indicative of a complaint which is both confused and confusing. Assuming that the reference is to the 23rd October meeting I refute the suggestion that I subjected the First Minister to unreasonable and excessive personal attack. I believe that Ms Bradshaw should be asked to explain what about my questioning of the witness amounted to an unreasonable and excessive personal attack as she seems confused as to what would constitute the same and clarity on such matters is, I believe, important particularly when one has the duty of chairing a committee.
2. I am confused as to how Ms Bradshaw believes I could possibly have subjected the "Deputy Speaker" [sic] to unreasonable and excessive personal attack at the 23rd September (or indeed the 23rd October) meeting as there is no such position in committee. Again, I think it is important that she is asked to clarify this point. Should this be a reference to something I said to Ms Ní Chuilín then I reject the allegation and believe Ms Bradshaw should be required to spell out what she is referring to. I am conscious that this complaint is likely to end up in the public domain at some point and I believe that Ms Bradshaw is throwing out these groundless allegations in order to imply that there is a pattern of misogynistic behaviour on my part – something I robustly refute.

In relation to paragraph two:

1. I reject the suggestion that I have failed to respect the remit of the committee. The chair has already involved herself in a complaint against me on this ground which has been rejected by you. She should not be permitted to throw out a comment about an alleged "consistent" failure on my part without providing evidence from many committee meetings to substantiate this.

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

Tel: 028 25 640250

2. I do not accept that the accusations of shielding of witnesses was anything other than an accurate description of what took place in the meeting of 7th October. In that meeting I addressed a question directly to Junior Minister Reilly. The First Minister stepped in and took that question even though she could not possibly answer it and it had not been asked before in the committee. In the recording of the meeting Ms Bradshaw can be heard agreeing with the First Minister's false asserting that she had already dealt with whether Junior Minister Reilly had seen Michael McMonagle at an event in Stormont in February 2023. It is noteworthy that this question – which is demonstrably in the public interest – has never been answered by Junior Minister Reilly who seldom does interviews. To my mind, this makes the shielding of her on one of the few occasions when she could be challenged all the more serious and undermines confidence in the democratic process.
3. I do not accept that there was anything nonsensical about my request – and it was a request proposed in an orderly and reasonable fashion, not a demand – that the committee use its powers to compel the Executive Office to release the handwritten notes of the private meeting between the chair of the TEO Committee and the First Minister. I would highlight the fact that there is a considerable gap between the meeting taking place and the minutes being typed up. In fact, the minutes were only typed up after the absence of committee minutes had become a matter of controversy. Secondly, it is noteworthy that the Covid Inquiry compelled the release of handwritten notes of Executive meetings which provided a much fuller record of what took place than the formal minutes. Thirdly, I would point out that on 14th November 2024 I submitted two Freedom of Information requests to the Executive Office asking for details of this meeting, including the handwritten notes from the meeting. Neither has been answered. This suggests to me that there may be more to this meeting than has yet come to public attention. Regardless, it is not unreasonable to request total transparency - something we still do not have – about a private meeting between the chair of a committee and a witness.
4. I am unclear as to what the claims of a "lack of challenge" here refers to.
5. I have made no claim about the legitimacy or otherwise of a vote.
6. I refute the suggestion that I have made accusations and allegations which are false in public commentary. I would also observe that Ms Bradshaw is, like myself, an MLA. She has the same access to the make statements in the Assembly and issue statements to the press which I have. I am quite happy to be challenged in either or both of those forums on anything I have said. What is not in order is for Ms Bradshaw to seek to abuse a private complaint process in an attempt to silence me.
7. I do not accept that my comment was misogynistic. However, I do accept that it was ill judged and that is why I apologised for it at the time in committee. Ms Bradshaw accepted this at the time and I believed that was the end of the matter.

In relation to paragraph three:

1. I would note that in the opening sentence Ms Bradshaw refers to herself in the third person. This also happens in the opening sentence of the fourth paragraph of her complaint. As Ms Bradshaw appears to be exercised about details of her complaint not being shared I find this particularly curious as it suggests that someone else has drafted the complaint on her behalf. Have you asked her about this?
2. Ms Bradshaw again refers to the meeting of 23rd October as having taken place on 23rd September – something which is indicative of the ill-considered nature of her complaint.
3. She highlights my drawing attention to the fact that I drew the committee's attention to a complaint about her conduct. What she does not say is that the previous week she had taken a complaint about my conduct out of correspondence and put it to the front of the pack. She also referred to it at the start of business. The committee agreed, in open session, to advise the complainant to write to yourself. If Ms Bradshaw believes my actions to have been a potential breach of rule 11 how does she explain her own or does

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

Tel: 028 25 640250

she rely on the exemption clause that the rules do not apply to committee chairs as you have advised me in previous correspondence?

4. As highlighted in point 2 in response to paragraph two, I stand over my description of the actions of the chair as shielding.

In relation to paragraph four:

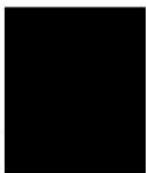
1. Ms Bradshaw again references a meeting on 23rd September when, I assume, she is referring to the one on 23rd October. I do not accept that my actions in seeking transparency (see paragraph two point 3) amounted to an attempt to waste committee time.
2. In relation to the events of 18th September – I stand over my comments. It is the case that an unfounded allegation of institutional racism was levelled against the Housing Executive in the meeting of 18th September 2024 which should have been challenged by the chair in my view. However, this is a matter best left to the committee room rather than involving your office in my view. Ms Bradshaw had the opportunity – which she took – to respond to my comments in the committee meeting of 18th September.
3. I take exception to the suggestion that I am not concerned about racism. In fact, I was the only member of the committee to put the concerns of the witness to the Minister responsible (see AQW 15406/22-27 on the Assembly website).
4. As for the rest of the contents of this paragraph, frankly these matters would be better addressed to the News Letter than your office. I am not accountable for what David Thompson or any other journalist writes.

In relation to paragraph five:

1. Again, I am not responsible for the contents of the News Letter.
2. I addressed the point about alleged misogyny in point 7 in response to paragraph two.
3. I do not accept that I have subjected anyone to “unreasonable and excessive personal attack” for the reasons detailed above.
4. I am at loss as to why Ms Bradshaw would be at pains to stress that she does not expect anyone else to be involved in my response to her complaint. I believe she should be asked to clarify why she made this point.

In conclusion I would observe that the timing of this complaint suggests to me that it was submitted once Ms Bradshaw learned that you were not going to accept my complaint about her private meeting with a witness (ie the First Minister). I believe it is a serious defect in your role that you can investigate committee members but not committee chairs. I strongly believe that there was a great deal more merit in the complaint which I made about Ms Bradshaw than the rambling, confused and irrelevant complaint from Ms Bradshaw which you have chosen to progress.

Yours sincerely,



Timothy Gaston MLA



COMMITTEE FOR THE EXECUTIVE OFFICE

Room 419

Parliament Buildings

Tel: 028 9052 1830

Email: Committee.Executive@niassembly.gov.uk

FROM: Michael Potter - Clerk to the Committee for the Executive Office

DATE: 12 February 2024

TO:
Chairperson
Deputy Chairperson
Members

SUBJECT: **Committee Protocols & Practices**

Purpose

1. The purpose of this session is for the Committee to consider protocols for the 2022 - 27 Assembly mandate. There are a number of documents for the Committee for to consider including:

- Arrangements for Committee meetings
- Committee approach to use of social media
- Outcomes of an effective Committee
- Committee approach to dealing with correspondence and requests
- Committee approach to preparation and questioning
- Protocol on conduct and courtesy in committee meetings
- Committee for the Executive Office Induction Plan
- Role of Chairperson
- Powers of Statutory Committee
- Role and functions of committee office

Michael Potter

Clerk to the Committee

Sample protocol on conduct and courtesy in committee meetings

1. Provide an apology in advance when 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 microphones as possible to avoid interference with the audio system.
5. Use tablet devices discreetly and in a way which does not interfere with proceedings, and be aware of the cameras when using the tablet device.
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 session.

Guide to the Role of Committee Chairpersons

Introduction

1. The role of a committee chairperson is crucial to the effective operation of committees whether statutory, standing or ad hoc. It is vital therefore that chairpersons prioritise this role. When appointed as chairperson to a committee, the Speaker will write to the Member detailing their roles, responsibilities and obligations as a committee chairperson. Some of the main responsibilities of chairpersons are as follows:
 - To uphold the Standing Orders and procedures governing the operation of the committee and encourage conduct and behaviours conducive to the effective operation of the committee.
 - To prioritise their duties as committee chairperson and ensure that they are adequately prepared for committee proceedings.
 - To represent the committee publicly, in the media and during Assembly Business.
 - To act fairly and objectively at all times.
 - To seek to ensure the engagement and commitment of all Members of the committee and to encourage Members of the committee to develop the knowledge and skills necessary to discharge their duties effectively.
 - To promote openness and transparency in committee proceedings.
 - To develop the strategic direction of the committee and ensure that delivery of agreed priorities is subject to regular review.
 - To ensure that the committee is provided with the expert advice, information, evidence and support necessary to fulfil its agreed priorities.
2. This paper includes further details of (a) the procedural role of the chairperson as set out in the Standing Orders of the Northern Ireland Assembly (the

Assembly) or in legislation governing the operation of the Assembly and (b) roles and responsibilities falling to a chairperson to ensure that the committee discharges its duties effectively.

Roles in Standing Orders

3. Chairpersons and deputy chairpersons of statutory and standing committees are appointed using the d'Hondt method as required by the Standing Orders of the Assembly. In the absence of the chairperson, the deputy chairperson will assume responsibility for undertaking the roles detailed below.

Quorum

4. If, at any time, during the sitting of a committee, the quorum of Members is not present, the clerk of the committee shall call this to the attention of the chairperson. The quorum for all but one of the statutory and standing committees is five (the Audit Committee's quorum is two), except when no decision is taken or question put, when the quorum is four. The chairperson must suspend the proceedings of the committee until a quorum is present, or adjourn the committee to some future day. (Standing Order 46(6)). The quorum is deemed to be present where Members are linked by video-conferencing (Standing Order 49(5)).

Voting in the Assembly Chamber

5. Where it is known to a committee that a vote of any kind is to be taken imminently at a sitting of the Assembly in plenary session, the chairperson must suspend the proceedings of the committee to enable Members to vote. (Standing Order 62).

Public access to committee proceedings

6. In relation to committee proceedings, Members of the public are only allowed into places reserved for them by the chairperson. They may not use mobile phones or any other equipment to film, photograph or audio record committee proceedings or have any item in a public area which the chairperson considers

could interfere with the preservation of order. The chairperson may, in the interests of preserving order, require them to leave (see Standing Order 66).

Media access to committee proceedings

7. In relation to committee proceedings, news media are only allowed into places reserved for them by the chairperson. They are not allowed to have any item in a public area which the chairperson considers could interfere with the preservation of order, and the chairperson may, in the interests of preserving order, require them to leave (see Standing Orders 66 and 67).
8. Typically, committee meetings are live streamed. However, if this arrangement is not in place it is the convention that chairpersons will seek the prior agreement of the committee to any request from a Member of the news media, to film or record any part of a committee meeting. Should Members of the press indicate that they wish to take photographs or film parts of a public committee meeting, the committee clerk will inform the chairperson of the request.

Matters of joint concern

9. Where legislation or other subject matter due for consideration appears to fall within the remit of more than one committee, it may be dealt with in the following ways (Standing Order 64):
 - By one of the relevant committees taking the lead and disposing of the matter;
 - By the entirety of 2 or more committees sitting concurrently;
 - By an ad hoc joint committee established for that purpose.

Disposal by one committee

10. In accordance with Standing Order 64A, the chairpersons of the relevant committees are required to consult and agree upon which committee the matter should fall to for disposal. Where they are unable to agree, the chairpersons affected should make their views known to the Business Committee which shall rule on which committee the matter should fall to for disposal.

Committees sitting concurrently

11. In accordance with Standing Order 64B the relevant committees are required to consult and agree that the matter will be disposed of by the committees sitting concurrently and operating as a single committee. The relevant committees must then formally record the decision to sit concurrently in their separate committees. The relevant committees should also formally record a completion date for this type of joint committee.
12. With regard to the chairing arrangements for committees sitting concurrently, the chairpersons of the relevant committees are required to consult and agree that:
 - One of them shall act as chairperson and another as deputy chairperson; or
 - The posts of chairperson and deputy chairperson shall be rotated between them.
13. In making the decision the chairpersons should prefer that the person acting as chairperson should not be of the same party as the Minister who the committees sitting concurrently may advise or assist. The provision in Standing Orders that prohibits a Member from being a chairperson of more than one committee (statutory or standing) does not apply to committees sitting concurrently. Where they are unable to agree, the chairpersons affected should make their views known to the Business Committee which shall rule on the matter.

Establishment of a joint committee

14. In accordance with Standing Order 64C the relevant committees are required to consult and agree that the matter will be disposed of by the establishment of an ad hoc joint committee. The relevant committees must formally record the decision to ask for an ad hoc joint committee in their separate committees and then make a joint request to the Business Committee who will bring a motion to create the ad hoc joint committee to the Assembly for approval. The ad hoc joint committee will have a designated remit, terms of reference and timeframe.

15. Membership of the ad hoc joint committee shall be drawn from the memberships of the relevant committees. The ad hoc joint committee shall appoint its own chairperson. If it fails to do so, it should make its views known to the Business Committee which shall rule on the matter.

Legislation

16. Guidance on the Assembly stages of a bill is provided in Standing Orders. The chairperson may table a motion seeking the extension of the Committee Stage of a bill - (Standing Order 33(4)).

Evidence under Oath/Affirmation

17. A committee may require any witness giving evidence to take an oath. Witnesses who prefer not to take the oath may affirm. Standing Order 72 provides that, in addition to the Speaker, a deputy Speaker; committee chairperson; deputy chairperson; Clerk / Chief Executive; Director of Parliamentary Services; clerk assistant; and committee clerk may administer an oath/affirmation, and require any person giving evidence in the proceedings of the Assembly or its committees to take such oath/affirmation. The legal effect of an oath and an affirmation are the same.
18. It is not usual for a committee to take evidence under oath/affirmation. Such practice would normally only be necessary in situations where a committee is investigating specific facts.
19. Requiring a witness to take an oath or affirmation could be subject to legal challenge. Under no circumstances should a committee take evidence under oath/affirmation without providing prior notice to a witness.
20. Before a committee decides to take evidence under oath/affirmation, advice must be taken from the clerk assistant and the Legal Services Office as knowingly making a false statement whilst under oath/affirmation may constitute a criminal offence. The committee should agree and record in the minutes of the proceedings the reason(s) it has decided to take evidence under oath/affirmation.

21. There are a number of steps that should be taken in advance of administering the oath/affirmation to ensure that the process is fair to the witness and the committee clerk can advise on the procedure.
22. Given the potential implications for a witness of knowingly making a false statement under oath/affirmation, the committee may receive requests from witnesses that their legal representation be present, or that they have someone in attendance to support them during the evidence session. It is for the committee to decide whether to agree to such a request. Where a witness is permitted legal representation, the committee may also wish to seek legal advice and consider what, if any, legal representation it may require.
23. If a person is required to give evidence under oath, they must be sworn in at each committee meeting they attend. However, if a committee meeting suspends and resumes on the same day, the witness need not be sworn again but should be reminded that they remain under oath.
24. When taking evidence under oath, the chairperson has an important role in ensuring that questions relate to the matter(s) notified to the witness, in advance of the evidence session. Should witnesses feel that questioning is not relevant or appropriate they should ask the chairperson for a ruling.

Contempt of court under the strict liability rule

25. A person may be guilty of strict liability contempt of court under the Contempt of Court Act 1981 where they publish any matter which creates a substantial risk of serious prejudice to particular active legal proceedings. Under the strict liability rule, there is no requirement to show that the person intended to cause prejudice.
26. Under section 50(2) of the Northern Ireland Act 1998, a person is not guilty of contempt of court under the strict liability rule as the publisher of any matter in the course of proceedings of the Assembly which relate to a Bill or subordinate legislation.
27. Whilst it is unnecessary to prove intention to commit a contempt of court under the strict liability rule, generally, there must be an intention on the part of the person making the statement to interfere with the course of justice in particular

proceedings - mere inadvertence is not enough. Section 5 of the Contempt of Court Act 1981 provides that a publication as part of a discussion in good faith of public affairs is not a strict liability contempt if the risk of prejudice to particular proceedings is merely incidental to such discussion.

28. The committee clerk can advise on the protection offered by Section 50(2) of the Northern Ireland Act 1998 and, if there is any doubt, the clerk will consult the Assembly's Legal Services Office.
29. The risk of prejudice to active legal proceedings arising in the course of committee proceedings (and the associated risk of committee Members committing a contempt of court) is managed by the committee chairperson's application of the sub judice rule in Standing Order 73 which is discussed below.

Application of sub judice rules to committees

30. The sub judice rule is intended to protect the distinct constitutional roles of the legislature and the court. Generally, when a matter is sub judice (under consideration by a court) it should not be referred to in committee proceedings. The sub judice rule is contained in Standing Order 73 which provides that any matters in respect of which legal proceedings are "active" should not be referred to in committee proceedings (except to the extent permitted by the committee chairperson). "Active" has a specific legal meaning, which is set out in Schedule 1 to the Contempt of Court Act 1981. Contemplated or hypothetical legal proceedings are not considered "active" proceedings. Most of the circumstances in which proceedings are "active" may be readily understood. For example, criminal proceedings are sub judice from the arrest of the defendant until judgment or discontinuance and civil proceedings are active from the date they are set down for trial until judgment or discontinuance.
31. The committee clerk can advise on the circumstances when court proceedings become, or cease to be, "active" and legal advice will be sought if required.

Privilege

32. Under Section 50 of the Northern Ireland Act 1998, for the purpose of the law of defamation, absolute privilege applies to:
 - the making of a statement in proceedings of the Assembly; and
 - the publication of a statement under the Assembly's authority.
33. The term 'proceedings of the Assembly' includes committee proceedings. A report ordered to be published by a committee would attract absolute privilege, as the report would be published "under the Assembly's authority." Absolute privilege is likely to extend to a committee press release where the text has been agreed in a committee meeting or circulated to the committee Members and agreed by a majority of the Members before publication. However, Members should exercise caution should they participate in a press conference relating to committee proceedings where potentially defamatory matters may be discussed. Absolute privilege will not extend to such press conferences, and Members should exercise the same caution they would apply in any interview outside proceedings of the Assembly.
34. All evidence given by a witness to a committee attracts absolute privilege. Should the clerk become concerned that a witness is abusing the privilege (for example, to make statements which are demonstrably untrue), the Clerk will bring this matter to the attention of the committee's chairperson.
35. Informal stakeholder meetings or events or conferences are not proceedings of the Assembly and do not attract absolute privilege.

Roles in ensuring the effective operation of the committee

Order and conduct

36. The chairperson must ensure that order is observed in committee meetings.

37. Chairpersons should encourage committees to agree a protocol on the conduct and operation of committees to ensure that conduct and behaviours are conducive to the effective operation of the committee.
38. A key aspect of keeping order is calling Members to speak. Chairpersons should call Members fairly and not favour Members from any particular party. Chairpersons should ensure that Members from all parties have the opportunity to speak if they wish.
39. In practical terms, chairpersons may find it helpful to identify speakers they intend to call. The committee clerk can assist in this by keeping a running list of Members wishing to speak.
40. Chairpersons should ensure that Members' contributions are relevant to the subject under discussion and respectful to other Members and witnesses. It is for the chairperson to advise Members that they are out of order if the point they raise is not relevant.
41. Chairpersons must ensure that Members speak 'through the chair'.
42. It is important that chairpersons summarise and confirm decisions taken by the committee following discussion.

Declaration of interest in committees

43. The rules governing the declaration of interests by committee Members are contained in "The Guide to the Rules Relating to the Conduct of Members". The chairperson should ask Members to declare their interests in items of business considered during meetings of a committee. For a more detailed explanation of the requirements to declare an interest in committee see "A Guide to the Powers and Operation of Statutory Committees for Chairpersons and Members".

Progressing business

44. It is the chairperson's responsibility to control the committee meeting and retain focus so that, where possible, the items of business on the agenda are progressed within the time available.

45. The chairperson should ensure that Members receive prior notification of substantive items of business that are to be discussed/considered by including them on the agenda for the next meeting rather than allowing them to be raised under AOB or matters arising.

Voting in committee

46. It is for the chairperson to determine when a decision is to be taken on any item of business. It has been practice to date that committees do not routinely divide, but rather seek to take decisions by agreement.
47. Where it is necessary to have a vote at a statutory, standing or ad hoc committee meeting all questions are decided by a simple majority. Voting shall be by the show of hands unless otherwise requested by a Member of the committee (Standing Order 49(7) and 52(6)). The Clerk will advise and assist the Chairperson in managing votes in committee.
48. Chairpersons do not have a casting vote.

Planning and managing the workload

49. Planning and managing the committee's workload in line with Members' wishes is a key task for clerks and chairpersons.
50. Committees have well established processes for identifying strategic priorities and for agreeing forward work plans. The chairperson plays a lead role in the development of the committee's priorities and in working alongside the clerk to ensure that a deliverable plan of work is prepared for agreement of the committee.
51. It is important that, in addition to reacting to items of business referred to the committee, the clerk and chairperson undertake effective forward planning and actively manage the committee agenda over a period of weeks. It is, therefore, strongly recommended that a chairperson and his/her clerk meet regularly to discuss the planning and conduct of committee business.

Frequency of committee meetings

52. The frequency of committee meetings and the date of the next meeting is agreed by the committee. However, in practical terms the clerk will liaise with the chairperson in relation to the proposed meeting dates and times.

Advice, information and evidence

53. The chairperson will work alongside the clerk to support evidence-based decision making within the committee by ensuring that the committee has access to the expert advice, research, information and evidence necessary to enable the committee to fulfil its role.
54. The chairperson shall ensure that Members are reminded of their responsibilities when considering evidence of a confidential nature.

Representational duties

55. The chairperson represents the committee at meetings with the Minister and other groups. The chairperson should apprise the committee following meetings with the Minister or groups.
56. The chairperson also represents the committee at meetings with the media. In dealing with the media, it is important that, when speaking on behalf of the committee, chairpersons ensure that the views expressed are those of the committee.
57. The chairperson will normally sign on behalf of the committee, any motions that the committee wishes to have debated in plenary session.

Chairpersons' Liaison Group

58. Chairpersons of statutory and standing committees are Members of the Chairpersons' Liaison Group and are encouraged to attend its meetings. The remit of the Liaison Group is to consider matters relating to the work of Assembly committees.

must suspend proceedings until a quorum is present, or adjourn the meeting to some future day (Standing Order 46(6)).

13. If the chairperson is absent from any meeting, or has to leave before a meeting is concluded, the deputy chairperson should assume the chair. Where the chairperson and deputy chairperson are both absent, and a quorum of Members is present, the committee clerk should advise the committee that another Member should be appointed to assume the chair until the chairperson or deputy chairperson arrives. The minutes of the meeting should record this procedure. This must be done on every occasion that the chairperson and deputy chairperson are absent.
14. However, where it is known that both the chairperson and deputy chairperson are going to be absent for a series of meetings, the committee clerk should advise the relevant clerk assistant accordingly. In these circumstances it may be appropriate for discussions to take place with one or more party nominating officers to take advice from them on the position in relation to the nomination of a new chairperson.

Committee powers

15. Statutory committees have the powers and responsibilities described in paragraph 9 of Strand One of the Belfast Agreement (Standing Order 48(2)). These powers are:
 - to consider and advise on departmental budgets and annual plans in the context of the overall budget allocation;
 - to consider relevant secondary legislation and take the Committee Stage of relevant primary legislation;
 - to call for persons and papers;
 - to initiate inquiries and make reports; and
 - to consider and advise on matters brought to the committee by its Minister.

Committee proceedings

16. The names of the Members present at each committee meeting are entered in the minutes of proceedings of the committee (and the minutes of evidence where appropriate) and may be reported to the Assembly in any committee report (Standing Order 46(4)).
17. A general record of the proceedings of a committee should also be contained in any committee report laid before the Assembly.
18. Each committee has the power to report to the Assembly its opinions and observations on any matters referred to it for consideration, together with the minutes of any evidence taken. A committee can also make a report on any matters it may think fit to bring to the notice of the Assembly (Standing Order 46(7)).
19. No document received by a committee clerk can be withdrawn or altered without the knowledge and approval of the committee (Standing Order 46(8)).

Committee voting procedure

20. All questions in a statutory committee meeting are decided by a simple majority. Voting is by the show of hands unless otherwise requested by a Member of the committee (Standing Order 49(7)).

Committee Members voting in the Assembly

21. When it is known that a vote is to be taken at a plenary meeting of the Assembly whilst a committee meeting is in progress in Parliament Buildings, the chairperson of the committee shall suspend committee proceedings to enable Members to vote (Standing Order 62).



Emailed to: standardscommissioner@niassembly.gov.uk

Ref: TG/RS/Assembly/12770-1

21 May 2025

Standards Commissioner

Dear Commissioner

Further to your letter of 19th May (Case reference number 202400045), while I do not dispute any of the findings of fact, I would respectfully observe that if MLAs are to be strictly limited to asking questions solely within the departmental remit of Ministers, this would preclude any scrutiny of Ministers on matters that may call their fitness for office into question. In doing so, Stormont would become a unique chamber within the United Kingdom.

For example, former Prime Minister Boris Johnson was repeatedly questioned about matters that extended beyond the narrow bounds of governmental policy. He was questioned over his attendance at lockdown gatherings in Downing Street—not in his capacity as Prime Minister executing government policy, but in relation to his personal conduct and the honesty of his statements to Parliament. The Privileges Committee investigated whether he had misled Parliament—an issue of ethical integrity, not a policy decision. Similarly, the Liaison Committee questioned him about his judgement, leadership style, and trustworthiness.

In 2024, Michael Matheson was forced to resign as Health Secretary in the Scottish Government after incurring an £11,000 roaming charge on a parliamentary iPad during a family holiday in Morocco, when his son used the device to stream football. This was a matter about which Mr Matheson was directly questioned by MSPs in the Scottish Parliament.

Likewise, in 2024, Vaughan Gething resigned as First Minister of Wales following controversy over a £200,000 donation he accepted from a company whose owner had previous environmental convictions. Mr Gething was questioned on this issue both in the Senedd chamber and in committee.

Accordingly, I believe that my questions were reasonable, asked in an orderly manner and clearly in the public interest. In fact, a review of the press reporting from the time will show that there was widespread agreement among commentators that my questions were legitimate and deserved to be answered.

Yours sincerely,



Timothy Gaston MLA

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

Tel: 028 25 640250

MM

From: McCullough, Melissa Dr Melissa.McCullough@niassembly.gov.uk
Subject: FW: 6 February 2025 News Letter
Date: 23 May 2025 at 10:33
To: Melissa McCullough [REDACTED]

From: Bradshaw, Paula <paula.bradshaw@mla.niassembly.gov.uk>
Sent: 14 May 2025 13:47
To: McCullough, Melissa Dr <Melissa.McCullough@niassembly.gov.uk>
Subject: Re: 6 February 2025 News Letter

Melissa,

Firstly, I didn't accept his apology; what I said was, "Ack, sure you've been doing it from the start." Secondly, he gave his apology when he stood up to leave the room, after the meeting was adjourned and the video recording had ended.

Best wishes,

Paula

Paula Bradshaw MLA

Assembly Member for Belfast South
Alliance Party Chief Whip
Phone (mobile): 07975763979
Phone (Constituency): 02890328162
Phone (Stormont): 02890521053
Twitter: @paulajaneb
Facebook: Paula Bradshaw MLA
Instagram: paula_bradshaw_alliance

From: McCullough, Melissa Dr <Melissa.McCullough@niassembly.gov.uk>
Sent: 13 May 2025 18:25
To: Bradshaw, Paula <paula.bradshaw@mla.niassembly.gov.uk>
Subject: RE: 6 February 2025 News Letter

Dear Paula

Many thanks.

I have a further question:

Mr Gaston states that he apologised for his 'breathe' comment and that you accepted his apology. Is this correct? If so, when and where did this apology take place?

Thanks
Melissa



DR MELISSA MCCULLOUGH

Commissioner for Standards

work: 02890521220

email: melissa.mccullough@niassembly.gov.uk

Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX

From: Bradshaw, Paula <paula.bradshaw@mla.niassembly.gov.uk>

Sent: 13 May 2025 15:27

To: McCullough, Melissa Dr <Melissa.McCullough@niassembly.gov.uk>

Subject: Re: 6 February 2025 News Letter

Melissa,

Here is the article, as attached.

Best wishes,

Paula

Paula Bradshaw MLA

Assembly Member for Belfast South

Alliance Party Chief Whip

Phone (mobile): 07975763979

Phone (Constituency): 02890328162

Phone (Stormont): 02890521053

Twitter: @paulajaneb

Facebook: Paula Bradshaw MLA

Instagram: paula_bradshaw_alliance

From: McCullough, Melissa Dr <Melissa.McCullough@niassembly.gov.uk>

Sent: 10 May 2025 11:49

To: Bradshaw, Paula <paula.bradshaw@mla.niassembly.gov.uk>

Subject: 6 February 2025 News Letter

Dear Paula

I am having difficulty accessing the article you refer to in your complaint on the News Letter website. There was no link or attachment provided with your complaint. Can you please provide a copy of or link to this article.

Kind regards
Melissa



DR MELISSA MCCULLOUGH

Commissioner for Standards

work: 02890521220

email: melissa.mccullough@niassembly.gov.uk

Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX