

# Guide for witnesses appearing before Assembly Committees

## Introduction

1. A committee may invite departmental officials, ministers, members of the public, organisations or experts to attend a formal meeting in order to provide their views on matters the committee is considering. This helps committee Members to understand the real or potential impact of Executive decisions, policies or legislation, enabling committees to gather expertise and explore stakeholder opinions about the issues being considered.
2. Giving views at a formal committee meeting in this way is called giving evidence, and those who give evidence to a committee are called witnesses.
3. This guide provides information and advice for witnesses appearing before Assembly committees.

## What is a Statutory Committee?

4. Statutory committees have been established under section 29 of the [Northern Ireland Act 1998](#) and [Standing Order](#) 46. There are nine statutory committees, each of which is associated with a government department. Committees have a scrutiny, policy development and consultation role in respect of the department with which each is associated and have a role in the initiation of legislation.
5. Statutory committees have powers to:
  - consider and advise on departmental budgets and annual plans;
  - consider relevant secondary legislation and take the committee stage of relevant primary legislation (Bills);
  - call for persons and papers;

- initiate inquiries and make reports; and
- consider and advise on matters brought to them by the relevant Minister.

## What is a Standing Committee?

6. Standing committees are permanent committees of the Assembly, established under Standing Order 50. There are six standing committees:
- **Committee on Procedures** - to consider and review on an ongoing basis the Standing Orders and procedures of the Assembly;
  - **Public Accounts Committee** - to consider accounts and reports on accounts, laid before the Assembly;
  - **Committee on Standards and Privileges** - to consider specific matters relating to the conduct of Members, including reports from the Northern Ireland Assembly Commissioner for Standards on investigations into complaints that a breach of the Code of Conduct has occurred;
  - **Audit Committee** - to agree the estimates of the Northern Ireland Audit Office and the estimates of the Northern Ireland Public Services Ombudsman and lay both estimates before the Assembly; and to scrutinise and report on the Northern Ireland Assembly Commission's budget.
  - **Business Committee** - to make arrangements for the business of the Assembly;
  - **Assembly and Executive Review Committee** – to review and report on the operation of Parts III and IV of the Northern Ireland Act 1998; and consider such other matters relating to the functioning of the Assembly or the Executive as may be referred to it by the Assembly.
  - **The Windsor Framework Democratic Scrutiny Committee** - The Windsor Framework Democratic Scrutiny Committee is a standing committee established under the Windsor Framework (Democratic

Scrutiny) Regulations 2024. The Committee's role is to "assist with the observation and implementation of Article 13(3a) and (4) of the Framework" i.e. the Stormont Brake. The Committee will examine new EU acts and replacement EU acts, which may apply in Northern Ireland. It will engage with the UK Government and NI Executive, and with stakeholders potentially affected by the changes to EU law. It can choose to conduct inquiries and publish reports on the effects of the proposed changes.

## **What is an Ad Hoc Committee?**

7. Ad hoc committees are established under Standing Order 53 to deal with any specific time-bound terms of reference that the Assembly may set.

## **Committee Membership**

8. Most committees have nine Members including a chairperson and a deputy chairperson, except for the Audit Committee, which has five Members.

## **How does a committee go about its work?**

9. A committee scrutinises matters within its terms of reference, including policies and legislation, and may carry out formal inquiries. Committees will often seek written evidence from organisations and individuals and then have meetings at which they hear evidence from witnesses. A committee will often select witnesses to appear before it from among those who have submitted written evidence. The selection of witnesses is a matter for the committee itself; there is no right of appearance before a committee.

## **How should written evidence be submitted?**

10. If you are invited to appear before the committee you should, where possible, forward any written evidence to the Committee Clerk at least two weeks in advance of the date of your evidence session. Information on the content and format of written submissions is provided in the attached [Guide to submitting written evidence to Assembly Committees](#).
11. You should note that, unless indicated otherwise, it will be assumed that those submitting written evidence have no objections to it being made public by the committee. Copies of your evidence may also be made available to the press and public at the oral evidence session and treated as being in the public domain thereafter.

## **How should witnesses prepare for the meeting?**

12. If requested, a member of the committee staff may provide you, by telephone, with some general information on what to expect. This may include the order in which it is expected that particular matters might be addressed during the meeting or an indication of questions that could potentially be asked. Witnesses will not normally be briefed in writing.
13. You should be prepared to answer questions that may not have been covered by this briefing and should note that committee Members may choose to illustrate points of interest, relevant to the subject being considered, by reference to their constituencies and/or other areas of interest. Members may also wish to explore any views, including views that a witness has published, or expressed publicly, on any issue which is relevant to the subject being discussed.
14. If your evidence relates to a Bill, you should expect to answer specific questions within the scope of the Bill, usually related to the Bill's clauses and schedules, as well as discussing wider policy issues more generally.

15. Witnesses usually give evidence in person but may also give evidence remotely via videoconferencing if necessary. You should advise committee staff how you plan to attend in advance of the meeting. Committee staff will provide guidance on videoconferencing if you need to avail of this facility.
16. Witnesses may use electronic devices when giving evidence in person. The sound on the device must be turned off or muted. Any 3G/4G/5G connection must be disabled on the device, to ensure it does not interfere with the Assembly broadcasting system. You will be able to access the public Wi-Fi facility in Parliament Buildings; however, as a public network, you should be aware that internet speeds cannot be guaranteed, particularly at times of peak usage. Therefore, if you wish to use an electronic device, you should download any documents you need in advance of the meeting.
17. You should contact the committee office if you need to avail of interpretation or other forms of communication support services, or to advise of any additional adjustments that may be required to facilitate your appearance before the committee. For example, the Assembly can facilitate the provision of evidence in BSL or ISL or other formats, on request. The committee office team, and the [‘Planning your visit’](#) page on the Assembly website provides information on the facilities available at Parliament Buildings, which you may find useful.
18. The Assembly Commission has put arrangements in place for the operation of a simultaneous and passive (i.e. one-way) system for the interpretation of Irish and Ulster Scots spoken in Assembly proceedings. This means the interpretation of Irish or Ulster Scots into English and does not include the interpretation of English into Irish or Ulster Scots. When you are confirming your attendance at the meeting, you should advise committee staff if you wish to speak in Irish or Ulster Scots during committee proceedings and have your comments interpreted. You should note that the service is limited and may only be provided at one committee meeting at any one time; therefore, it may not be possible to provide the service in response to all requests.

19. You may also wish to look at the work the committee has already done, or watch previous evidence sessions on the [XXX committee page](#) <link to specific committee page> of the Assembly website to get an idea of what to expect during the meeting. Anyone experiencing difficulties accessing information on the website should contact the committee office – contact details can be found at the end of this document.

## **Where do committees meet?**

20. Most sittings of committees are held in one of the committee rooms at Parliament Buildings, Stormont. When coming to Parliament Buildings, you should park in the large car park to the right (east) of the building. Access to committee rooms is via the main entrance to Parliament Buildings.
21. Before entering Parliament Buildings you must pass through security, which includes x-ray examination of bags and briefcases, and obtain a visitor's pass. It is therefore advisable to allow at least ten minutes to get to the committee room. An usher or a member of the committee staff will bring you from the reception area to the committee room. Briefcases or large bags are not permitted in the committee room. Secure storage for any briefcases or large bags is available in the Great Hall, subject to availability. Any items left outside the committee room are left entirely at the owners' risk.
22. Parliament Buildings has parking for people with disabilities in the Upper East Car Park. If you wish to avail of this parking, inform the committee office when confirming your attendance and the necessary arrangements will be made for you – contact details can be found at the end of this document. Wheelchair users and those with mobility difficulties can access the building at the East door.

23. Where meetings take place away from Parliament Buildings, you will be notified of alternative meeting arrangements. You should advise the committee office of any specific needs/ requirements which would facilitate attendance at an external committee meeting. Staff will endeavour to arrange a venue which is accessible and suitable for all.

## How is a committee room arranged?



24. The image above shows the layout of a committee room in Parliament Buildings. Committee Members and the Committee Clerk sit around the main table, with witnesses seated at a table facing them. Access for wheelchair users is available.
25. Other committee staff and advisers sit behind or to the side of the committee table. Assembly Hansard staff may attend some meetings to record details of evidence sessions.

26. Members of the public will sit behind witnesses in an area called the public gallery, where they are under the guidance of ushers, who will ensure that good order is kept throughout. Notes may be taken but those in the gallery may not use mobile phones, recording devices or other electronic equipment to film, photograph or audio record the formal proceedings of the committee. The passing of notes or papers to Members or witnesses during meetings is not allowed. No refreshments may be consumed in the public gallery.

## **What happens at a committee meeting?**

27. You will be informed of the date and time of your evidence session in advance by committee staff. On the day, the committee will try to ensure that witnesses are taken as close as possible to their allocated time.
28. You should provide the names of witnesses and their titles within their organisation at least one week before the meeting. Witness names will be published. It is normal practice for the number of witnesses giving oral evidence at any one time to be restricted to a maximum of five people, including aides. However, witnesses in need of assistance due to a disability will be permitted an additional aide who shall not be considered in the group number.
29. Committees of the Assembly have an important scrutiny, policy development and legislative role and proceedings are, therefore, relatively formal. Committee Members, however, will often encourage a more informal and participative approach. Although the language of committee proceedings – “evidence,” “witnesses” – may seem formal or even judicial in character, committee meetings are not conducted like a court hearing.
30. The committee chairperson will usually open the evidence session by introducing the witnesses, and may provide an opportunity for a witness to make a brief opening statement before inviting fellow committee Members to ask questions. The opening statement should not be used as an opportunity to read out a pre-prepared statement which has already been submitted to the

committee, nor should it be used to introduce substantially new information not previously included in a written submission. Rather, it should be considered an opportunity to summarise, expand on and/or further explain the issues identified in the written submission to the committee.

31. Where more than one individual appears before a committee, a question may be answered by any witness present, unless it is directed to a particular witness. Witnesses should refer to the chairperson as “chairperson” and to other committee Members by their title and surname. Nameplates identify committee Members and witnesses and chairpersons call committee Members to speak using their full name.
32. Committees are grateful to witnesses who attend to assist them in their scrutiny role, which should ultimately make things better for citizens – that is after all the main purpose of Assembly Committees.
33. Witnesses will be asked detailed questions on the subject under consideration but may also, for the purpose of placing facts or opinions on the record, be invited to respond to some very straightforward questions.
34. It is important to be aware that Members, as elected representatives, are afforded enhanced freedom of expression protections and therefore may choose to press witnesses on any issue which is relevant to the subject being discussed. Members may also wish to explore any views, including views that witnesses may have published, or expressed publicly, on any issue which is relevant to the subject being discussed. While Members’ questions may seem at times challenging, be assured that they are expected to treat witnesses with respect and courtesy.
35. Witnesses may indicate to the committee chairperson if they consider that a particular question is unfair, either in terms of the relevance of what is being asked, or in terms of how it is being asked. Witnesses may also believe that they are not the appropriate person to answer a question, or would like time to

consider the answer, or to seek advice. However, if the chairperson reasonably considers that a question is appropriate, witnesses should attempt to answer it.

36. In answering MLAs' of questions, succinct, clear and unequivocal responses should be given. Where you do not know the answer to a question it is preferable you indicate that is the case. If necessary, you can offer to provide a note after the meeting, especially if the information requested is very detailed. If, due to time constraints, not all questions can be asked by the Members during the evidence session, you may be given a list of the outstanding questions so that you may subsequently provide replies in writing.
37. Witnesses should be aware that a different approach applies if they are providing evidence under oath or affirmation (see paragraphs 38 – 39).

## Evidence under oath/affirmation

38. Occasionally there may be a need for committees to take evidence under oath or by affirmation. This happens very rarely. Evidence taken under oath or by affirmation will be in accordance with [Section 46 of the Northern Ireland Act 1998](#), and [Standing Orders 71 and 72](#).
39. If a committee decides to take evidence under oath/affirmation, the witness will be given prior notification and questions asked will 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 can ask the chairperson for a ruling.

## Powers to call for persons or papers

40. [Section 44 of the Northern Ireland Act 1998](#) allows a committee to call people to attend its meetings or to produce documents that are in their possession or under their control. It is, however, rarely necessary for committees to exercise

this power. If a witness has been compelled to appear before a committee but is not providing evidence under oath or affirmation, then paragraphs 29 - 36 apply in relation to questions from committee members. If the witness is providing evidence under oath or affirmation, then paragraphs 38 - 39 apply.

## **Court proceedings/ sub judice matters**

41. Witnesses should not comment on or discuss matters that are sub judice (under consideration by a court) in a committee meeting. If you are in any doubt about whether a matter is sub judice, you should contact the committee clerk. The committee clerk will attempt to ensure that the chairperson is made aware of any sub judice matter raised during committee meetings held in public session. It is then for the chairperson to decide whether to allow the discussion of such a matter to continue.

## **Are the press and public allowed into meetings?**

42. Yes. There is a presumption that evidence sessions will be held in public. Committees may, however, decide, in certain circumstances, to take evidence in closed session.
43. Witnesses should also be aware that, when a committee is in public session, the proceedings are transmitted throughout Parliament Buildings on an internal television network and are also streamed live on the Assembly website and other platforms such as YouTube which are available to the media and the public.

## **Are meetings of Assembly committees protected by the rules of privilege?**

44. Yes. Under [Section 50 of the Northern Ireland Act 1998](#), for the purposes of the law of defamation, absolute privilege attaches to the making of a statement in proceedings of the Assembly; and the publication of a statement under the Assembly's authority. Oral evidence provided by a witness at the request of a committee attracts absolute privilege.
45. Written evidence requested by a committee is likely to attract qualified privilege. If that evidence is ordered to be published by the Committee (in a report or on the Assembly website) it will attract absolute privilege. You should be aware, however, that if you decide to publish the evidence that you provide to the committee, the publication would not be covered by privilege. If you nevertheless decide to publish your evidence, you should provide the committee with advance notice of your intentions.
46. Witnesses should not use the privilege afforded to them to make defamatory remarks.

## **What record is made of a meeting?**

47. The public part of all committee meetings is recorded and video footage is added to the Assembly's website and to the committee's YouTube channel; recordings may also be used for later broadcast on radio or television.
48. Many evidence sessions are also transcribed by Hansard staff and a substantially verbatim transcript of the evidence is prepared. The transcript will be published on the Hansard page of the Assembly website and linked to the committee page. When the transcript is published, an email, including a PDF attachment of the transcript, will be sent to those who gave evidence for a check of the accuracy in the printing or reporting of the evidence. Transcripts of evidence may be included in the published report of a committee. Persons requiring transcripts in alternative formats should contact the Office of the Official Report (Hansard) at [hansard@niassembly.gov.uk](mailto:hansard@niassembly.gov.uk) or on 028 9052 1463.

## Can witnesses claim expenses for appearing before a committee?

49. Witnesses may be able to recover expenses necessarily incurred in attending a committee meeting. You should discuss this in advance of attendance with the committee office. A witness who is required to travel to a committee meeting from outside Northern Ireland should always contact the committee clerk before making the travel arrangements to discuss/ agree the level of expenses that will be met. Following attendance at the committee meeting, a summary of the expenses necessarily incurred with receipts should be forwarded to the committee clerk. Payment will be made directly to the witness by the Assembly's Finance Office.

## How can I get more information on the operation of Assembly committees?

50. If you would like further information on the operation of Assembly committees, you should contact the relevant committee office at:

Xxxxxxxxxx Committee Office  
Northern Ireland Assembly  
Parliament Buildings  
Ballymiscaw  
Stormont  
Belfast BT4 3XX  
Telephone: xxxxxxxx  
Email: xxxxxxxx@niassembly.gov.uk

51. More information on the work of committees is also available on the [committee page](#) of the [Northern Ireland Assembly website](#).