

Appendix A

FOI 54-24 Supporting Documents

From: McCreedy, David <[REDACTED]>
Sent: 22 October 2024 23:06
To: Potter, Michael
Subject: Urgent Email from the First Minister to the Committee Chair

Michael – as discussed, please see below an email from the First Minister to the Committee Chair. Could I ask you to forward this on. Thanks – David.

Paula,

In response to the request from The Executive Office Committee, I have already indicated my willingness to attend. To ensure that the meeting is constructive and contributes to the positive working relationship between Ministers and the Committee, I believe it would be useful for us to meet tomorrow morning, in advance of the Committee meeting tomorrow afternoon to talk through the most efficient and effective use of the time available. As you would expect, in preparing for my attendance and to ensure that my attendance is conducted in a spirit of openness and cooperation, I have sought legal advice, firstly, on the legal basis for the invitation to attend and, secondly, on the parameters for putative questions that the committee might ask to ensure they are consistent with the Committee's legal vires.

I understand that the Committee has also asked for and received legal advice, presumably on the same legal issues. I have requested sight of this legal advice which, I assume, sets out the very clear legal basis on which the Committee can exercise its scrutiny role. As you know this is confined to the statutory functions which I exercise jointly as First Minister. Matters outside the functions and responsibilities of The Executive Office are beyond the legal remit of the Committee. I believe, in the spirit of fairness, openness and cooperation, the Committee should willingly make this legal advice available to me as I prepare to appear before the Committee.

I would therefore suggest that a meeting tomorrow morning, between you, as Committee Chair, and me, as First Minister, to discuss the next steps is the best way to ensure that my attendance at The Executive Office Committee meeting is productive and is conducted consistent with the statutory remit of the Committee.

I look forward to hearing from you,

Michelle O'Neill
First Minister

David McCreedy | Assembly Section | Executive & Central Advisory Division | TEO | Stormont Castle | Stormont Estate | Belfast BT4 3TT

☎: [REDACTED] | Ext: [REDACTED] | Mobile: [REDACTED] | ✉: [REDACTED]

From: Potter, Michael
Sent: 23 October 2024 09:50
To: Egan, Connie; niChuilin, Caral; Kingston, Brian; McLaughlin, Sinead; Gaston, Timothy; Sugden, Claire; Sheerin, Emma; Harvey, Harry
Cc: Bradshaw, Paula
Subject: Meeting with the FM

Members, the Chair has received the following from the First Minister:

Paula,

In response to the request from The Executive Office Committee, I have already indicated my willingness to attend. To ensure that the meeting is constructive and contributes to the positive working relationship between Ministers and the Committee, I believe it would be useful for us to meet tomorrow morning, in advance of the Committee meeting tomorrow afternoon to talk through the most efficient and effective use of the time available. As you would expect, in preparing for my attendance and to ensure that my attendance is conducted in a spirit of openness and cooperation, I have sought legal advice, firstly, on the legal basis for the invitation to attend and, secondly, on the parameters for putative questions that the committee might ask to ensure they are consistent with the Committee's legal vires.

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I look forward to hearing from you,

Michelle O'Neill
First Minister

The Chair is meeting the First Minister at 10am. The purpose of the meeting is as follows:

- To discuss the conduct of the meeting, but not the content of the meeting.
- To speak to the legal advice, but not to share the legal advice.

Michael



Michael Potter : Assembly Clerk, Committee for the Executive Office | [Northern Ireland Assembly](https://www.niassembly.gov.uk) |
Contact: michael.potter@niassembly.gov.uk | Tel: 02890521830 | Mob: [REDACTED] | Room 416, Parliament Buildings, Ballymiscaw, Stormont, Belfast BT4 3XX

[REDACTED]

From: [REDACTED]
Sent: 25 October 2024 13:19
To: McCreedy, David
Cc: [REDACTED] TEO Assembly Section;
Pelan, Dr Kevin; Potter, Michael; [REDACTED]; [REDACTED]
Subject: Minutes of Meeting between Chair and First Minister
Attachments: 20241025 Letter from Clerk Assistant to DALO Minutes of Meeting.pdf

David,

Please see attached correspondence from the Clerk Assistant to the Northern Ireland Assembly.

Regards,

[REDACTED]



[REDACTED]
Assistant Assembly Clerk
Committee for the Executive Office

Tel: 028 90 [REDACTED]
email: [REDACTED]@[niassembly.gov.uk](mailto:[REDACTED]@niassembly.gov.uk)

[REDACTED]
Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX



Committee for the Executive Office

David McCreedy
Assembly & Legislation Section
Executive & Central Advisory Division
Stormont Castle
Ballymiscaw
Belfast
BT4 3TT

25 October 2024

Dear David,

Minutes of Meeting between Chair and First Minister

Following the meeting between the Chair of the Committee for the Executive Office and the First Minister on the morning of 23rd October 2024, would you please share the minutes of the meeting with the Committee as soon as they are available.

Yours sincerely

Dr Kevin Pelan
Clerk Assistant

Committee for the Executive Office
Room 419, Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX
Telephone: (028) 9052 1830
E-mail: Committee.Executive@niassembly.gov.uk

[REDACTED]

From: McCreedy, David [REDACTED]
Sent: 06 November 2024 16:37
To: [REDACTED]
Cc: Potter, Michael
Subject: Minute of Meeting - 23 October 2024
Attachments: FM Mtg with TEO Committee Chair - 23 October 24.docx

[REDACTED] – please find attached a note of the meeting the Chairperson of the Committee had with the First Minister on the morning of 23 October.

Could I ask that you to check with the Chairperson if she is content that this is an accurate reflection of the meeting. On the basis that the Chairperson is content, we will work on the basis that you will share it with Committee members. Grateful if you could come back to me to confirm this is the case, or to highlight any concerns.

My numbers are below should you wish to discuss.

Thanks – David.

David McCreedy | Assembly Section | Executive & Central Advisory Division | TEO | Stormont Castle | Stormont Estate | Belfast BT4 3TT

☎: [REDACTED] | Ext: [REDACTED] | Mobile: [REDACTED] | ✉: [REDACTED]



MEETING ACTIONS

TITLE/ORGANISATION	FM meeting with EO Committee Chair
PRIVATE OFFICE REFERENCE (INV/COR/SUB)	
VENUE/DATE	FM Office, PB 23/10/2024
LIST OF ATTENDEES	Michelle O'Neill FM Ronan McGinley, FM SpAd Carol Morrow FM PPS David Malcolm, TEO Permanent Secretary Paula Bradshaw, Committee Chair Michael Potter, Clerk
TEO POLICY OFFICIAL(s) PRESENT:	
GIFTS/HOSPITALITY TO REGISTER	

AREAS DISCUSSED

The First Minister referenced the correspondence to the Committee Chair (Email from DALO to Clerk, 22/10/24) which outlined the intended purpose of the meeting, that is to:

- ensure that the Committee meeting is constructive and contributes to the positive working relationship between Ministers and the Committee,
- that the First Minister's attendance at the meeting is productive and conducted consistent with the statutory remit of the Committee, which should be confined to the statutory functions which the First Minister exercises jointly,
- and that matters outside the functions and responsibilities of The Executive Office are beyond the legal remit of the Committee.

The First Minister acknowledged that previously, in answering questions on these matters, the lines had been blurred to some extent and expressed concern at the potential negative impact the situation could have on the integrity of the Joint Office and the wider Institutions which she wished to protect.

The Chair confirmed that the Committee had received legal advice and that she would ask Committee members if they were willing to share it with TEO Ministers.

The Chair explained that the First Minister was scheduled to appear for 45 minutes, the Committee would meet ten minutes early, and there would be a time limit on each member's questions of five minutes.

The Chair confirmed that in respect of questions that may fall outside of the vires, the Chair cannot stop the questions being asked, it is for FM to decide if she wishes to answer or not. The Chair may ask a member to revise a question to fit within the remit and if questioning becomes repetitious or aggressive the Chair will intervene.

<p>Discussion was held on the questions which had been submitted. It was noted that some were tenuously linked to the work of TEO e.g. safeguarding where the policy responsibility belongs to DoH.</p> <p>There was some discussion on the media reports from the morning, which suggested some members intended to ask questions outside of the Committee's remit.</p> <p>Discussion was held on the concerns the Assembly staff had expressed regarding the First Minister appearing specifically relating to the jointery of the office, which had been mitigated with confirmation that the deputy First Minister had agreed to First Minister's attendance.</p> <p>The Permanent Secretary raised the potential of delaying or postponing the session, seeking Committee agreement to hold the meeting in closed session or with the Committee's legal support present. Both the First Minister and Chair agreed the meeting should proceed in open session as planned. The Chair reiterated that she would remind members of the Committee's legal advice before the session commenced.</p>	
<p><u>ISSUES AGREED</u></p> <p>NA</p>	
<p><u>ACTION POINTS/OFFICIAL RESPONSIBLE</u></p>	
<p>NOTE WRITTEN BY: Carol Morrow</p> <p>Agreed by: Permanent Secretary</p>	<p>DATE: 28/10/24</p> <p>DATE: 30/10/24</p>

From: McManus, Jim
Sent: 07 November 2024 08:34
To: Egan, Connie; McLaughlin, Sinead; Sheerin, Emma; niChuilin, Caral; Sugden, Claire; Harvey, Harry; Kingston, Brian; Gaston, Timothy
Cc: Bradshaw, Paula; Potter, Michael; Pelan, Dr Kevin
Subject: Minutes of the Meeting Between the Chairperson and the Minister on 23 October 2024
Attachments: FM Mtg with TEO Committee Chair - 23 October 24.docx

Members,

Please find attached the minutes of the meeting that the First Minister held with the Chairperson on Wednesday 23 October. The minutes were received by the Committee Office yesterday evening.

I have spoken to the Chairperson and advised that, as she attended the meeting as Chairperson accompanied by the Committee Clerk, she should review the minutes with the Clerk to check that the minutes represent a true and accurate representation of what was discussed at the meeting.

I will include the minutes in papers for next week's meeting.

Regards,

Jim

JIM MCMANUS

Clerk

Clerking Projects

work: 028 9052 1230

mobile: [REDACTED]

email: jim.mcmanus@niassembly.gov.uk

Room 383
Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX

[REDACTED]

From: Potter, Michael
Sent: 23 October 2024 08:06
To: McCreedy, David
Subject: Re: Urgent Email from the First Minister to the Committee Chair

Good morning David

Paula can be flexible this morning - let us know a time that suits. Any time after 9am.

Cheers

Michael
Sent from my iPhone

On 22 Oct 2024, at 23:13, Potter, Michael <Michael.Potter@niassembly.gov.uk> wrote:

Thanks David

Will do.

M
Sent from my iPhone

On 22 Oct 2024, at 23:06, McCreedy, David <[REDACTED]> wrote:

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Michelle O'Neill
First Minister

David McCreedy | Assembly Section | Executive & Central Advisory Division | TEO |
Stormont Castle | Stormont Estate | Belfast BT4 3TT

: [REDACTED] Ext: [REDACTED] Mobile: [REDACTED] | : [REDACTED]
[REDACTED]

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