



COMMITTEE ON STANDARDS AND PRIVILEGES

MINUTES OF PROCEEDINGS

**WEDNESDAY, 23 NOVEMBER 2016
ROOM 21, PARLIAMENT BUILDINGS**

Present: Mr Cathal Boylan MLA (Chairperson)
Mr Adrian McQuillan MLA (Deputy Chairperson)
Mr Doug Beattie MC MLA
Ms Joanne Bunting MLA
Ms Paula Bradshaw MLA
Mr Gerry Carroll MLA
Ms Linda Dillon MLA
Mr Sammy Douglas MLA
Mrs Emma Little Pengelly MLA
Mr Sean Lynch MLA
Mr Richie McPhillips MLA

In Attendance: Mr Shane McAteer (Assembly Clerk)
Mr Keith McBride (Senior Assistant Assembly Clerk)
Mrs Clairita Frazer (Assistant Clerk)
Ms Alison Ferguson (Clerical Officer)

*The meeting commenced at 10.33am in public session.
Gerry Carroll joined the meeting at 10.33am.*

1. Apologies

As detailed above.

2. Declaration of Members' Interests

Members noted that they are obliged to declare any relevant financial or other interests before and during each Committee meeting.

Adrian McQuillan declared an interest as a member of the Committee for Finance and Personnel during that Committee's Review of the sale of the National Asset Management Agency (NAMA) property loan portfolio in Northern Ireland.

3. Draft minutes of the meeting held on 5th October and 8th November 2016.

The draft minutes of the meetings held on 5th October and 8th November 2016 were agreed.

4. Matters Arising

None

Sammy Douglas and Joanne Bunting joined the meeting at 10.34am.

The Committee moved into closed session at 10.34am in line with established procedure.

*Adrian McQuillan left the meeting at 10.35am and re-joined at 10.37am.
Emma Little Pengelly joined the meeting at 10.37am.*

Emma Little Pengelly and Adrian McQuillan indicated that they would not participate in the Committee proceedings in relation to the next agenda item.

5. Referral to the Commissioner for Standards: Terms of Reference

Arising from the Committee's decision to make a referral to the Commissioner for Standards to investigate the conduct of all members of the Finance and Personnel Committee during that Committee's Review of the sale of the NAMA property loan portfolio in Northern Ireland, a draft terms of reference for the referral had been prepared for consideration.

The Head of Assembly Legal Services provided members with an overview of the previous legal advice which the Committee had received on this matter.

Gerry Carroll proposed the following:

“To proceed with a decision on whether to agree the draft terms of reference for a referral to the Commissioner for Standards to investigate the conduct of all members of the Finance and Personnel Committee during that Committee's Review of the sale of the NAMA property loan portfolio in Northern Ireland”

The Committee divided:

Ayes	Noes	Abstentions	Did Not Vote
Doug Beattie	Cathal Boylan		Adrian McQuillan
Paula Bradshaw	Joanne Bunting		Emma Little Pengelly
Gerry Carroll	Linda Dillon		
Richie McPhillips	Sammy Douglas		
	Sean Lynch		

The proposal fell.

Sammy Douglas proposed the following:

“To defer consideration of the draft terms of reference for a referral to the Commissioner for Standards and to place notification on the agenda for the next meeting of a motion that the Committee rescinds the previous decision taken on 5th October 2016 to make a referral to the Commissioner for Standards to investigate the conduct of all members of the Finance and Personnel Committee during that Committee’s Review of the sale of the NAMA property loan portfolio in Northern Ireland”

The Committee divided:

Ayes	Noes	Abstentions	Did Not Vote
Cathal Boylan	Gerry Carroll	Doug Beattie	Adrian McQuillan
Joanne Bunting	Richie McPhillips	Paula Bradshaw	Emma Little Pengelly
Linda Dillon			
Sammy Douglas			
Sean Lynch			

The proposal was carried.

Paula Bradshaw left the meeting at 11.04am.

6. Commissioner for Standards: complaints arising from investigations – Assembly Legal Services briefing

The Head of Assembly Legal Services briefed members on legal advice on the considerations in respect of any decision by the Committee to put in place arrangements for considering both retrospective and prospective complaints against the Commissioner for Standards arising from investigations.

Agreed: to give further consideration to these issues at a later date.

Adrian McQuillan left the meeting at 12.03pm.

Gerry Carroll left the meeting at 12.10pm.

Doug Beattie left the meeting at 12.15pm.

7. Commissioner for Standards: Recruitment Timetable

Members noted the correspondence dated 25 October 2016 from the Speaker of the Assembly providing the intended recruitment timetable for a new Commissioner for Standards.

Agreed: that the Clerk liaises with the Assembly’s Human Resources Office to emphasise the need to ensure the timely recruitment of a new Commissioner for Standards, including various factors which could have a bearing on the recruitment timetable.

8. Strategic Planning Issues

Members considered the draft Strategic Plan which captured the output from the Committee's priority planning event held on Wednesday 12 October 2016.

Agreed: that members were content with the Committee's Strategic Plan as drafted.

The Committee considered a business case for a fact-finding visit to meet informally with counterparts in Wales and Westminster given the read across between the strategic priorities of the Committee and the work of equivalent committees in other legislatures. The proposed visit would provide members with an insight into a range of standards issues facing other jurisdictions, looking at best practice and lessons learnt elsewhere and establishing links with other committees and commissioners.

Agreed: that members were content with the proposed visit, including the itinerary and estimated costs, which would take place on 25-26 January 2017.

9. Correspondence

The Committee noted the following items of correspondence:

9.1 Correspondence dated 13 October 2016 from Committee on Procedures re e-Petitions

9.2 Correspondence dated 10 October 2016 from the Commissioner for Standards, House of Commons.

Agreed: Members agreed to await the outcome of this consultation, which may inform any future review by this Committee of the Assembly's Code and Guide.

9.3 Correspondence dated 28 October 2016 from Committee on Procedures re forward work Programme

9.4 Correspondence dated 21 November 2016 from Colum Eastwood MLA re the conduct of a Member

Agreed: to write to Colum Eastwood explaining that he should direct his correspondence to the Commissioner for Standards.

10. Any other business

None.

11. Time, date and place of next meeting

Members noted that the next meeting of the Committee would be on Wednesday 7th December 2016 at 10.30am in Room 21.

The Chairman adjourned the meeting at 12.24pm.

Mr Cathal Boylan MLA
Chairperson, Committee on Standards and Privileges

7th December 2016