



COMMITTEE ON STANDARDS AND PRIVILEGES

MINUTES OF PROCEEDINGS

**WEDNESDAY, 05 OCTOBER 2016
ROOM 21, PARLIAMENT BUILDINGS**

Present: Mr Cathal Boylan MLA (Chairperson)
Mr Adrian McQuillan MLA (Deputy Chairperson)
Mr Doug Beattie MC MLA
Ms Paula Bradshaw MLA
Mr Gerry Carroll MLA
Ms Linda Dillon 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)

Apologies: Ms Joanne Bunting MLA
Mr Sammy Douglas MLA

The meeting commenced at 10.31am in public session.

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.

Emma Little Pengelley informed members that she did not take receipt of the written legal advice relating to agenda item 5 and would absent herself from any deliberations

in relation to agenda item 5, given her position as Chairperson of the Committee for Finance.

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 14th September 2016.

The draft minutes of the meeting held on 14th September 2016 were agreed.

4. Matters Arising

None.

The Committee moved into closed session at 10.33am in line with established protocol to receive legal advice and consider items of correspondence.

Emma Little Pengelley absented herself until agenda item 6 at 10.33am.

5. Assembly Legal Services briefing on Finance Committee's proposed referral to the Commissioner for Standards

Members gave further consideration to correspondence from the Finance Committee asking the Standards and Privileges Committee to make a referral to the Commissioner for Standards to investigate the conduct of former MLA Daithi McKay and current MLA Máirtín O'Muilleoir arising from reported allegations regarding the previous Finance and Personnel Committee's Review of the sale of the NAMA property loan portfolio in Northern Ireland.

Members received a briefing from Assembly Legal Services on legal issues in relation to the referral request as presented by the Finance Committee and on the scope of any terms of reference for such a referral, including the possibility of this being broadened to include the conduct of all the members on the previous Finance and Personnel Committee during the NAMA Review.

Agreed: to make a referral to the Commissioner for Standards to investigate the conduct of all members of the Finance and Personnel Committee during the Committee's Review of the sale of the NAMA property loan portfolio in Northern Ireland.

Agreed: that the terms of reference for this referral will be drafted for consideration and agreement and that this will be informed by further legal advice as necessary.

Agreed: to write to the Finance Committee informing it of the Standards and Privileges Committee's decision on making a referral to the Commissioner for

Standards, which has been taken after obtaining legal advice and that the Committee considers this to be the best way forward at this time.

Emma Little Pengelley re-joined the meeting at 11.11am.

6. Proposed Agenda for priority planning event

Members noted the proposed agenda for the Committee's priority planning event to take place at 10.30am on Wednesday 12 October 2016 in the Private Dining Room in Parliament Buildings.

Agreed: that the Committee was content with the proposed format and structure of the event.

7. Correspondence

The Committee noted the following items of correspondence.

7.1 Correspondence from the Commissioner for Standards on proposed amendments to the General Procedures Direction and to the Guide to the Rules.

Agreed: that the Committee will consider this proposal further at the strategic planning event on 12 October 2016.

7.2 Summary of correspondence from Commissioner for Standards on admissible complaints

Agreed: that the Committee was content with the draft format for the provision of summary information to the Committee on correspondence which the Commissioner has provided to the Clerk in relation to admissible complaints.

7.3 Correspondence from Lord Bew, the Chairperson of the Committee on Standards on Public Life (CSPL)

Agreed: that a reply is issued to Lord Bew welcoming the opportunity for direct engagement on the applicable work of CSPL which could inform various aspects of the Standards and Privileges Committee's forward work programme.

8. Any other business

The Committee noted that the 5-year term of appointment of the current Commissioner for Standards would come to an end in September 2017, and that legislation provided that a person may only be appointed to serve as Commissioner once, thus necessitating a recruitment process for a new Commissioner.

Agreed: to write to the Assembly Commission asking for a recruitment timetable which aims to ensure that a successor Commissioner for Standards is appointed in

good time and to enquire as to whether this can include provision for an appropriate handover period.

9. Time, date and place of next meeting

Members noted that the next meeting of the Committee would be the informal strategic planning event on Wednesday 12th October 2016 at 10.30am in the Private Dining Room.

The Chairman adjourned the meeting at 11.29am.

Mr Cathal Boylan MLA
Chairperson, Committee on Standards and Privileges

8th November 2016