



Northern Ireland  
Assembly

# Chairpersons' Liaison Group Legacy Report 2017 - 2022

Report: NIA 209/17-22

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# List of abbreviations and acronyms used in the report

CAMS Office: Clerking and Member Support Office

CLG: Chairpersons' Liaison Group

CPD: Continuing Professional Development

ESR: Examiner of Statutory Rules

EU: European Union

HR: Human Resources

MLAs: Members of the Legislative Assembly

RaISe: Research and Information Service

RHI: Renewable Heat Incentive

ToR: Terms of Reference

# Remit, Powers and Membership of the Group

## Remit and Powers

The Chairpersons' Liaison Group is made up of the Chairperson of all committees of the Assembly, including Statutory, Standing and Ad Hoc committees (with the exception of the Business Committee). The CLG fulfils a strategic and practical liaison role in relation to the work of Assembly Committees, helping to develop common approaches to common problems and promoting good practice.

In particular, the group seeks to:

- define a set of core tasks for statutory committees;
- identify, evaluate and assess options for improving the collective effectiveness of Assembly Committees;
- represent the common interest of committees;
- facilitate liaison between committees and the Executive;
- facilitate liaison between committees and the Assembly Commission;
- guide the Clerk Assistants in making decisions about financial and other resource allocations; and
- identify, on behalf of committee members and the staff in the Committee Office, common areas for development and training.

## Membership

The CLG ordinarily has 14 members, comprising the chairpersons of each of the 9 statutory committees and 5 of the standing committees (excluding the Business Committee). From its establishment in September 2020 until 14 February 2022, the Group also included the Chairperson of the Ad Hoc Committee on a Bill of Rights. The current CLG membership, that includes a Chairperson and Deputy Chairperson and has a quorum of 5 members, is as follows:

- Ms Carál Ní Chuilín MLA (Chairperson) <sup>1 2</sup>
- Ms Sinead McLaughlin MLA (Deputy Chairperson) <sup>3 4</sup>
- Dr Steve Aiken OBE MLA
- Dr Caoimhe Archibald MLA
- Ms Paula Bradley MLA
- Mr Jonathan Buckley MLA <sup>5</sup>
- Ms Linda Dillon MLA <sup>6</sup>
- Mr Colm Gildernew MLA
- Mr William Humphrey MLA
- Mr Chris Lyttle MLA
- Mr Declan McAleer MLA
- Mr Daniel McCrossan MLA
- Mr Mervyn Storey MLA <sup>7</sup>
- Mr Peter Weir MLA <sup>8 9</sup>

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<sup>1</sup> With effect from 1 April 2021 Sinéad Ennis replaced William Humphrey as Chairperson

<sup>2</sup> With effect from 20 September 2021 Carál Ní Chuilín replaced Sinéad Ennis as Chairperson

<sup>3</sup> With effect from 1 April 2021 Colin McGrath replaced Sinéad Ennis as Deputy Chairperson

<sup>4</sup> With effect from 22 October 2021 Sinead McLaughlin replace Colin McGrath as a Member and Deputy Chairperson of the Chairpersons' Liaison Group

<sup>5</sup> With effect from 21 June 2021 Jonathan Buckley replaced Michelle McIlveen as a Member of the Chairpersons' Liaison Group

<sup>6</sup> With effect from 20 September 2021 Linda Dillon replaced Sinéad Ennis as a Member of the Chairpersons' Liaison Group

<sup>7</sup> With effect from 21 June 2021 Mervyn Storey replaced Paul Givan as a Member of the Chairpersons' Liaison Group

<sup>8</sup> With effect from 21 June 2021 Pam Cameron replaced Mervyn Storey as a Member of the Chairpersons' Liaison Group

<sup>9</sup> With effect from 6 July 2021 Peter Weir replaced Pam Cameron as a Member of the Chairpersons' Liaison Group

# Review of 2017 – 2022 Mandate

## Approach

The Chairpersons' Liaison Group, whilst recognising it was an informal group that did not have the same power in Standing Orders as statutory, standing and ad hoc committees, had an important coordination function. Chairpersons felt the group's strategic and practical liaison role in relation to the work of Assembly Committees, allowed it to develop common approaches to common problems and promote good practice. Early in 2020, the group agreed to take a more strategic direction in relation to its forward work programme by agreeing key priorities until the end of the mandate. In selecting its key priorities and work streams, the group was mindful to make the best use of resources, powers and time available to members.

In addition to regular meetings – for which key statistics are appended – the group also undertook a number of other actions which are set out below.

The CLG issued a **survey** to assist with its inquiry into strengthening committee scrutiny. The methodology for CLG's review included taking the views of Assembly staff, MLAs, party support staff and others as appropriate on how they feel scrutiny could be improved. Given the public health guidance in place due to the COVID-19 pandemic, face-to-face feedback sessions were not possible. However, the group developed a structured survey that allowed participants to express their views and inform the CLG's development of their final report.

During the mandate, the CLG availed of services provided by the Assembly Research and Information Service (RaISe). This included numerous research papers and oral briefings to support the group's inquiry into strengthening committee scrutiny.

The CLG sought to strengthen engagement with other areas of the Assembly. This included liaising with the Speaker on the impact of legislative pressures on committees towards the end of the mandate. The group also welcomed the establishment of a Youth Assembly for Northern Ireland and sought an update

on its work. The CLG requested that the Assembly Commission ensures that membership of the Youth Assembly is representative and reflective of wider Northern Ireland society. Collaborative working with the Engagement Office and Assembly Broadcasting has allowed for the successful progression of projects, such as the use of Citizen Space and the increased broadcasting capacity available to committees. Furthermore, the CLG engaged with the Human Resources Office regarding additional HR support that is available to Members to support them in their role as employers.

## **Scrutiny**

The key points of the CLG's scrutiny during the 2017 - 2022 mandate are summarised below.

## **Inquiries**

The CLG undertook the following formal inquiry.

## **Strengthening Committee Scrutiny**

The Report of the Independent Public Inquiry into the Non-domestic Renewable Heat Incentive (RHI) Scheme identified “limitations inherent in [the Enterprise, Trade and Investment (ETI) Committee’s] role” and found that “reasons for this included its own limited resources and its dependence on the Department for information and analysis to allow it to perform its challenge function robustly”.

As a result, the Inquiry’s report made recommendations around strengthening Assembly Committees to increase scrutiny and help ensure that systematic changes are made and sustained; and that the Assembly considers what steps are needed to strengthen its scrutiny role, particularly as conducted by Assembly Committees, in the light of lessons from the RHI.

The Inquiry recommended that such a consideration might include “significantly increasing the resources available to statutory committees and, generally, identifying what steps are needed to improve the effective scrutiny of Departments and their initiatives, whether in Assembly committees or in the Assembly Chamber itself”.

As a result of the above, the CLG agreed to review committee scrutiny with a view to identifying how the recommendations of the RHI report might be implemented to strengthen the scrutiny role carried out by committees, particularly in relation to the scrutiny of legislation by statutory committees.

In May 2020, the CLG agreed the terms of reference, methodology and scope of its review.



Given the CLG's remit of developing common approaches to common problems and promoting good practice, it aimed to identify, evaluate and assess options for improving the collective effectiveness of Assembly committees.

The report considered seven key areas, namely: scrutiny of subordinate legislation; pre-legislative scrutiny of primary legislation; scrutiny during the passage of primary legislation; post legislative scrutiny of primary legislation; availability of member resources; engagement and innovation; and the role and powers of Examiner of Statutory Rules (ESR).

The report made a total of 33 recommendations that relate to support to committees from Assembly staff and external experts; the timeframes and mechanisms for scrutiny of subordinate legislation; strengthening engagement to improve the reach of committees when calling for evidence and throughout the consideration of primary and subordinate legislation; training needs; and the role and power of the Office of the ESR.

The CLG agreed, given the potentially wide-ranging impact of the report, that it should be circulated to all Assembly committees, to independent members and to parties via their whips to seek their views. The CLG did not consider the report formally as quorum for a meeting was not achieved. However, the CLG did agree, by correspondence, on 15 March 2022 that the report's recommendations should be taken forward using a three-part approach as follows:

- i. Assembly Officials will take forward those recommendations that are of an operational nature;
- ii. Assembly Officials, in conjunction with Executive Office Officials as appropriate, will take forward those recommendations that are of an operational nature and that impact on the work of departments; and
- iii. the remaining recommendations will be referred to the most appropriate committee to take forward in the new mandate as they feel appropriate. Those committees will include the Committee on Procedures and the Assembly and Executive Review Committee. A small number of the

recommendations may also need to be referred to the Assembly Commission.

Read more on the CLG's review into [Strengthening Committee Scrutiny](#).

## **Reviews**

The CLG undertook detailed reviews of a number of key policy areas.

### **Guidance for Committees**

In responding to the COVID-19 pandemic, Assembly committees were required to react to changing circumstances at very short notice. The CLG took the lead in drafting new guidance for Assembly committees and working with colleagues in the Communications Office to implement a new video conferencing system that could be used to broadcast committee meetings and allow meetings to be fully virtual or hybrid in format. The guidance for Assembly committees was revised throughout the period in response to changing guidance/legislation from the Executive.

Members felt the changes to social distancing in committee rooms highlighted the pressing need for additional meeting space for committees. Whilst the introduction of fully virtual meetings allowed for greater flexibility, Members felt the availability of additional physical meeting space in Parliament Buildings was important. The group noted that room 21 will be refurbished and will allow for an additional meeting room. Furthermore, in response to the needs of committees for additional meetings as they approached the end of the mandate, the CLG agreed that an additional fully virtual channel should be made available.

As well as operational changes to Assembly committee proceedings arising from the pandemic, the group considered the temporary provisions in Standing Orders 110-116 and liaised with the Committee on Procedures, as appropriate.

### **Innovative Practices in Committees/ Framework for Committee Engagement**

The CLG considered how committees of the Assembly engage with stakeholders. A proposed Framework for Committee Engagement was developed in November 2021. Members further noted that the Northern Ireland Assembly Commission Business Plan for 2021 – 22 had the aim of strengthening engagement with the public and the objective of developing new approaches to engagement which enable the public to interact with the work of the Assembly. Chairpersons agreed that the CAMS Office develops detailed proposals to deliver the aims and objectives of the engagement framework.

The CLG also considered a pilot undertaken by Assembly committees in 2021 that used Citizen Space, a digital Platform designed to improve consultation. It noted the evaluation undertaken with committees that indicated that those committees that had used it, deemed it to be a success; that there is now, for the first time, a dedicated [page](#) linked to the Assembly website where all Calls for Evidence can be found and that it had encouraged collaborative working between the committees, Engagement and Communications Business Areas. Chairpersons agreed that

- Citizen Space is used as the primary tool for Call for Evidence for committees, where appropriate;
- Committees are provided with a presentation on how Citizen Space can enhance the scrutiny role of the committee;
- Officials continue to explore how to address ‘the digital divide’ to maximise accessibility to Citizen Space; and, to further explore how Citizen Space may assist in strengthening committee scrutiny, bringing forward recommendations as appropriate;
- Responses to calls for evidence via Citizen Space are published to increase transparency and that; and
- Where possible, feedback is provided to respondents on the impact of their submission on committee scrutiny.

## **Chairperson and Committee Professional Development**

Chairpersons' agreed to progress work in relation to Chairperson and Committee professional development. An Interim Members' Development Plan was considered by CLG and agreed by the Assembly Commission on 9

December 2020. Throughout 2020 – 2022, the CLG worked to enhance the provision of CPD for Members, building on the parliamentary induction and Member development programmes delivered after the 2016 and 2017 Assembly Elections, including taking account of Members' evaluations.

Furthermore, the CLG has taken an active interest in the development of an Induction and Development Framework for newly elected and returning Members in the next mandate. This was approved by the Assembly Commission on 8 July 2021. The Framework includes a range of in-house learning focused on procedural matters, including legislative and scrutiny processes which are relevant to the key roles of Members as legislators and constituency representatives. Additional CPD measures such as access to materials 'on demand' and an e-learning platform; and specialist courses procures as appropriate, are some of the measures offered via the Framework.

## **Other Work**

### **Establishment of a Committee to Monitor Programme for Government Outcomes**

Chairpersons discussed the commitment in the 'New Decade, New Approach' document that an "Assembly committee should be established to monitor progress against each of the Programme for Government outcomes and to consider potential measures for achieving improvement". However, Chairpersons did not take a collective view on the establishment of such a committee.

### **Inter-parliamentary Forum**

Chairpersons considered the creation of a new inter-parliamentary forum to replace the inter-parliamentary forum on Brexit and noted that, where appropriate, the CLG could provide a forum at the Assembly for considering any relevant cross-cutting issues arising at the Inter-Parliamentary Forum.

The CLG agreed that Chairpersons of relevant Assembly committees (or deputy Chairpersons should those Chairpersons be unavailable) should attend meetings of the Inter-Parliamentary Forum as dictated by the agenda. In addition, Chairpersons felt that the Committee for Agriculture, Environment and Rural Affairs should be represented and stressed they wish to see a balance of representation at the meetings, considering differing political viewpoints.

Furthermore, Chairpersons agreed that the agenda for forthcoming meetings and a written summary note of Forum meetings should be provided to CLG following each quarterly meeting.

Chairpersons agreed that they are content that the Assembly will host future meetings of the Forum in turn and that Assembly officials will provide appropriate secretariat support for those meetings.

## **Scrutiny of Matters Related to Exiting the European Union (EU)**

Chairpersons considered the issue of committee scrutiny of matters related to exiting the EU, including options for the potential establishment of an EU Exit Committee. Whilst the CLG did not feel it was necessary to establish such a committee, they agreed to write to the Committee for the Executive Office outlining that consideration should be given to the provision of additional staffing resources which would enable the Committee for the Executive Office to lead on cross-cutting EU Exit issues. It was also agreed that the CLG would continue to provide a liaison role as necessary.

Furthermore, as a result of correspondence from the Committee for Finance, Chairpersons considered the need for scrutiny processes for EU Regulations. Chairpersons corresponded with the First Minister and deputy First Minister to request that where the views of NI Executive Departments are sought by the UK Government on amendments to EU law listed in the Annexes to the Protocol on Ireland/Northern Ireland; or on new EU legislation within the scope of the Protocol but which does not amend or replace EU acts listed in the Annexes,

that each Department engages with the relevant Assembly committee prior to finalising its input to the final Government Explanatory Memorandum and provides a final copy of the Explanatory Memoranda to the committee.

## **Suggested Issues for the Successor Chairpersons' Liaison Group**

The CLG considered a number of issues which have yet to be formally concluded. These are discussed briefly below.

### **Recommendations arising from the report on strengthening committee scrutiny**

The successor CLG may wish to consider monitoring the implementation of the findings of this report in terms of impact on the work of committees. A mechanism for review to ensure that this report delivers as required is included in the agreed scope of the review.

### **Terms of Reference of the CLG**

The successor CLG may wish to consider the terms of reference of the Chairpersons' Liaison Group. At present, the group is not constituted in Standing Orders. However, Chairpersons have made reference to the role and remit of the group requiring further consideration. In 2020, the group considered how similar groups in other legislatures are constituted and examined their operating procedures. These varied from informal, similar to current arrangements at the Northern Ireland Assembly; to formal, whereby the group is constituted in Standing Orders (or equivalent) and the head of government is required to provide evidence to the group at set intervals.

### **Parliamentary Induction and Development for Members**

The successor CLG may wish to review the progress of the Induction and Development Framework for Members. Given that the CLG's membership is drawn from senior positions within the Assembly and made up of different parties, the group may wish to provide feedback on the configuration, content and delivery of the programme.

## **Framework for Engagement, Citizen Space and Witness Diversity**

In November 2021, the CLG agreed that it was content that detailed proposals are developed to deliver the aims and objectives of the Framework for Engagement. The incoming CLG may wish to monitor progress on the Framework, including the implementation of the use of Citizen Space by Committees. Furthermore, in February 2022, the CLG noted the recent work undertaken by the Ad Hoc Committee on a Bill of Rights in order to improve witness diversity. Chairpersons agreed that the paper should be circulated to other committees who can draw on this approach to promote diversity amongst witnesses giving evidence.

## **EU Scrutiny**

The CLG wrote to FM/dFM on 1 October 2021 regarding information on proposals for new or amended EU Laws and the role of committees to advise and assist Ministers in the formulation of policy and legislation. The Successor CLG may wish to keep this matter under review to ensure that the role of committees is considered in any process for the scrutiny of new proposals in respect of EU law.



# Appendix 1 – Mandate facts and figures

## Meetings & visits

<b>Session</b>	<b>Number of meetings held</b>	<b>Percentage minutes public / closed</b>	<b>Number of meetings held outside Parliament Buildings</b>	<b>Number of visits</b>
2017/18	0	N/A	0	0
2018/19	0	N/A	0	0
2019/20	5	Closed – 100%	0	0
2020/21	8	Closed – 100%	0	0
2021/22	4	Closed – 100%	0	0

## Appendix 2 - Expenditure for the period 13 March 2017 – 27 March 2022

<b>Budget area</b>	<b>Details</b>	<b>Expenditure</b>
Travel - members and staff travel and subsistence in relation to visits and meetings outside Parliament Buildings		£0
Advertising	Includes the cost of advertising relating to:	£0
External Consultancy	Includes costs associated with use of external consultants to assist in consideration of legislation, inquiries, etc.	£0
General expenses	Cost of refreshments for meetings, events, working lunches, seminars, room hire, witness expenses, and conference fees for members etc.	£0
<b>All budget areas</b>	<b>All details</b>	<b>£0</b>

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Chairpersons' Liaison Group  
Clerking and Member Support Office  
Northern Ireland Assembly  
Parliament Buildings  
Ballymiscaw  
Stormont  
Belfast BT4 3XX

Telephone: 028 905 21475

Email: [committee.office@niassembly.gov.uk](mailto:committee.office@niassembly.gov.uk)

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