

COMMITTEE ON STANDARDS OF CONDUCT STD 02-02 (DRAFT MIN)

Date: 8th May 2002, at 09.30 am

Venue: Committee Room 2, Cardiff Bay

Attendance:

Members

David Melding, South Wales Central (Chair)
Cynog Dafis, Mid and West Wales
Brian Hancock, Islwyn
Gareth Jones, Conwy
Gwenda Thomas, Neath
Kirsty Williams, Brecon & Radnorshire

Officials

Andrew George, Committee Clerk
Steve George, Deputy Committee Clerk
David Lambert, Legal Adviser to the Presiding Office

Other

Richard Penn, the Assembly's Independent Adviser on Standards

Item 1: Minutes of the last meeting and Chair's introductory remarks

1. The Chair welcomed everyone to the meeting.
2. Apologies had been received from Christine Gwyther, Lynne Neagle and Karen Sinclair.
3. Subject to one minor correction, the Committee confirmed that the minutes of the last meeting were an accurate record.

Item 2: Quarterly update and review of action arising from STD 01-02

Paper STD-02-02(01)

4. The Chair introduced the item and explained that all of the action points arising from the meeting on 20 March had been discharged. Freemasonry (Item 3) and Privilege (Item 4) would be discussed later in the meeting.

5. The Committee Clerk reported that the Presiding Office had now purchased the software that could identify hits on individual pages of the Assembly website. There had been 2,500 hits on the Register of Members Interests page between January and April 2002.
6. The Committee noted the Secretariat's paper.

Item 4: Freemasonry

Papers STD-02-02(02)

7. The Chair invited the Committee to consider paper STD-02-02(02) from the Secretariat.
8. The paper contained a draft Committee report to Plenary, which was based on the Committee's previous consideration of the matter and contained recommendations for changes and additions to Standing Orders. If the Committee was content with these recommendations, appropriate guidance, as to the operation of the changed Standing Orders, would be added to the paper prior to Plenary consideration.
9. In discussion the following points were made:
 - i. As with matters relating to Members' standards of conduct, the proposed new Standing Orders requirements would be outside the scope of Section 72 of the Government of Wales Act. Consequently, breaches would not attract criminal sanctions. However, the Standards Committee would have jurisdiction to deal with alleged breaches of the requirements.
 - ii. The paper gave the impression that the only reason for change was the threat of legal action. However, some Members of the Committee had also been concerned that the current provisions were unfair and wrong in principle.
 - iii. The report mentioned public concern about Freemasonry. Although public concern should not be discounted, it was important, as with other issues, that the Committee's decisions should not reflect prejudices. The paper already made it clear that the Assembly's current requirements might themselves be contributing to unfair public perceptions of Freemasonry.
 - iv. The paper should reflect the fact that it was the National Assembly Advisory Group (NAAG) that had found evidence of public concern rather than the Committee itself.

- v. It would be preferable if the Annex to the proposed new Standing Order did not include the names of organisations (including the Freemasons) as examples of membership declarations.
10. The Chair in summing up said that the Committee appeared content with the draft report subject to the following points:
- i. The Committee's final report should place more emphasis on the principles underlying the proposals to change the requirements as well as the legal reasons.
 - ii. The references to public concerns about Freemasonry should be amended to make clear that this was NAAG's finding rather than the Committee's.
 - iii. The proposed Annex to the new Standing Order requirement should not name any organisations as examples.
 - iv. The revised report and the associated guidance should be considered at the Committee's next meeting.
11. The Committee noted the Chair's summing up with approval and asked the Secretariat to proceed accordingly.

Action: Secretariat to make the changes to the draft report and bring forward draft guidance for the Committee to consider.

Item 4: Privilege

Papers STD-02-02(03)

12. The Chair reminded the Committee that the Presiding Officer had asked for advice on whether the Assembly's current Standing Orders and guidance on the use of Privilege were sufficiently robust and whether any changes were needed.
13. Following discussion, the Committee agreed that the current Standing Orders, and the protocol on Conduct in the Chamber, provided sufficient scope for dealing with possible abuses of privilege. However, it might be helpful to remind Members of the implications of privilege and the provisions for dealing with abuses. The Committee also agreed that it would be helpful if the Panel of Chairs could also be reminded of the implications of Privilege for the proceedings of Committees.
14. The Chair was asked to write to the Presiding Officer setting out the Committee's conclusions.

Action: Chair to write to Presiding Officer.

Item 8: Any Other Business and date of next meeting

Date of Next Meeting

15. The Committee agreed that the next meeting should take place on Wednesday 10 July.
16. The Chair reminded Members that there would be an opportunity for members to meet Professor Diana Woodhouse on Thursday 9 May to discuss the progress of her review.
17. The meeting closed at 10:45am.

Standards Committee Secretariat