

Work of the Committee Part 1 - The Assembly Committees

KEY:

N: Narrator
CM: Conor Murphy
AM: Alban Maginness
MM: Michelle McIlveen
TE: Tom Elliott

N: The Northern Ireland Assembly appoints ministers to sit on the Executive Committee and is responsible for scrutinising the work of the Executive and holding it to account. The Assembly has a Statutory Committee to shadow each government department and minister. The Committees don't just have a scrutiny role, they also advise and assist ministers. So what exactly do Statutory Committees do? And how important are they in our devolved system of government? Are they powerful and effective? Do they significantly influence decisions made by ministers and the laws passed by the Assembly? Do they help the Assembly fulfil its role of representing the people of Northern Ireland so that we can play our part in shaping government decisions?

CM: There's a Statutory Committee for each department and their role is to scrutinise the work of that department, of the minister and whatever policies they're pursuing, whatever legislation they're bringing through, how they're spending the budgets that have been allocated to them. What their objectives are, how well they're meeting those objectives. So it's really...it's really to understand the work of the department, to understand the work of the minister, to examine that, to scrutinise it on behalf of the people who elect us. Because the function of the Committee is to serve, as the function of the Assembly is to serve, the people who elect us here. But overall, the role of all the Committees is to hold the Executive team to account and to hold the departments to account.

AM: In this Assembly you do not have an Opposition. All the parties are involved in the Executive. There is a gap therefore in this legislature between the Executive and the Assembly itself, in terms of challenging government policy. So, whilst individual MLAs may feel constrained in challenging the government's policy, or Parties may feel restrained in challenging government policy, Committees can, because they're made up of all the Parties, and they can challenge a minister on a detail of policy or the policy itself. And that's why they're very important.

AM: Well, we don't have specific powers in the sense that we can't go to a minister and say, "You shall change this because we have decided unanimously that this is wrong." What the Committee can do is to say to the minister, "Look, you've got this wrong. We think you should change it," and in the event of a Committee challenging a minister on a point of policy or a point of detail, I believe, that normally you will get a positive response from a minister.

- CM: They have what are called the powers to call for persons and papers. And that essentially just means that they can demand and instruct anyone to come to them and give them evidence from the department, any of the officials they can ask for sight of papers that are in the department. So they have a fairly wide range of margins, these are statutory powers, people are obliged to obey them. Now, it's not to be used in either a frivolous way or some way which is not appropriate.
- CM: But if they...if the Committee wants to do its job, which is to scrutinise the work of the department, then they have to have access to all of the people in the department. They have to have access to all of the materials that they are using, within reason. But the experience here to date is they've used that in a good way, not in a way which is trying to just undermine or just score political points, but actually to effectively perform their duties.
- N: Statutory Committees have a central role to play in the Assembly's law making process. They take the Committee's stage of primary Bills and also consider secondary legislation. Primary legislation sets out the aims and main points of law. Secondary legislation, called Statutory Rules in Northern Ireland, updates existing laws or adds detail.
- MM: Certainly it can be quite a lengthy process and a very detailed process. It's the Committee's role to look at legislation line by line and to agree or to amend where appropriate. And at that stage it's the opportunity for the Committee then to make recommendations to the department under the minister. And very often if we have evidence to support our suggestion, the minister will then take that on board.
- AM: In the Justice Committee we dealt with a very... big Justice Bill, dealing with a wide range of different issues. And we went through the Bill clause by clause. And we scrutinised various aspects of the Bill. And I have to say that we were very successful in persuading the minister to... as it were, tailor the Bill in accordance with the views of the Committee.
- TE: In the Committee of Agriculture and Rural Development, we brought forward significant changes to legislation within the Forestry Bill, changes that were accepted by the department and were taken forward then. And obviously that proved positive to the outcome of that legislation and made it much more workable and practical.
- N: Most Bills are introduced to the Assembly by ministers. MLAs can also propose legislation and so can Committees. This Committee power is a tool to hold ministers to account by making the point that legislation is needed in a particular area and the minister has not recognised this.