



Northern Ireland
Assembly

Research and Information Service Briefing Paper

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Further information relating to the structure of the Northern Ireland Assembly

1 Introduction

This briefing paper provides supplementary information on issues relating to the size of the Northern Ireland Assembly. The Assembly and Executive Review Committee requested this information following a presentation on paper 768-11.

This paper addresses the following issues:

- The committee systems in the Scottish Parliament and National Assembly for Wales
- Percentage attendance figures at committee meetings in the Northern Ireland Assembly
- The review of Westminster boundaries and information on membership of the Policing Board

2 The committee systems in the Scottish Parliament and National Assembly for Wales

Issues

- **Rationale for the structure of the Committee system in the Scottish Parliament**
- **Potential difficulties of a small quorum (3) in Scottish Parliament committees**
- **Do Committees in the Scottish Parliament and National Assembly for Wales meet during plenary sessions?**

Scottish Parliament

Structure

Officials from the Scottish Parliament confirmed that they do not have a rationale for the members/committees ratio. They have operated with both larger and fewer committee place numbers over the years and it is a case of supply having to meet the business demands of the Parliament¹.

Quorum

Rule 12.2 of Standing Orders states:

A committee shall not commence consideration of any business or vote if the number of committee members present (including the convener or deputy convener if that person is in the chair) is fewer than 3².

The reason for a quorum of three appears to come from the *Report of the Consultative Steering Group on the Scottish Parliament*, which stated:

Standing Orders should prescribe a quorum which must be reached by Committees both for consideration of business and for voting. Given that we are recommending that the number of Members on each Committee may vary between 5 and 15, it is proposed that a quorum of 3 Members is required. Committees which were not quorate would not be able to meet³.

The Scottish Parliament has advised that the relatively small quorum has to date not caused problems⁴.

Plenary and Committee meetings

¹ Information provided by Scottish Parliament officials, 1 December 2011

² Standing Orders of the Scottish Parliament (revised November 2011) accessed 28 November 2011

³ *Report of the Consultative Steering Group on the Scottish Parliament*, The Scottish Office 1998, accessed November 2011

⁴ Information provided by Scottish Parliament officials, 1 December 2011

Rule 12.3 of Standing Orders of the Scottish Parliament states:

A meeting of a committee (other than a Private Bill Committee) shall not begin when a meeting of the Parliament is in progress, and a committee meeting that has begun shall be closed before, or suspended during, any period when a meeting of the Parliament is in progress⁵.

Again, the report of the Steering Group appears to have influenced this decision:

Committees should not sit when the Plenary is in session, to facilitate maximum participation in debates⁶.

In its legacy report published at the end of the previous mandate, the Convenors Group of the Parliament commented on committee workload and priorities:

Given the range of work to be undertaken by committees, the Standards, Procedures and Public Appointments Committee should look at the balance of the parliamentary week between committees and the Chamber.

The Group recognises the need for sufficient Chamber time, particularly for the passage of legislation but believes that the current arrangements do not properly reflect the range and importance of committee business. It might be appropriate to consider a more flexible division of the parliamentary week which would recognise that the Chamber might need more time at particular points in the year or session such as the weeks immediately preceding the summer recess or dissolution. The work of committees could be given a larger proportion of the parliamentary week at other times of the year. Other options should also be considered including devoting weeks exclusively to committee or Chamber business. The Group recognises that changes of this kind would require a new approach to business programming.

The Group also recommends that the Standards, Procedures and Public Appointments Committee review the Rule that prevents committees from meeting at the same time as the Chamber. The Group considers that a change in that Rule could provide valuable additional time for committees without any adverse impact on the work of the Parliament⁷.

Therefore, Committees may meet on the same day as plenary sessions, but the timings cannot overlap.

National Assembly for Wales

Quorum

Standing Orders 17.31 and 17.32 of the National Assembly for Wales state:

⁵ Standing Orders of the Scottish Parliament (revised November 2011) accessed 28 November 2011

⁶ Report of the Consultative Steering Group on the Scottish Parliament, The Scottish Office 1998, accessed November 2011

⁷ CONVENERS GROUP LEGACY PAPER - SESSION 3, accessed 28 November 2011

17.31 A committee meeting must be declared inquorate if there are fewer than three Members, or less than one-third of the committee's members, whichever is the greater, present.

17.32 A committee meeting must be declared inquorate if, at the beginning of the meeting, the Members present represent only one political group⁸.

Plenary and Committee meetings

Although there is nothing in Standing Orders to specifically prohibit committee meetings taking place during plenary, evidence to the Richard Commission by the Panel of Chairs of the Subject Committees stated that: "It is...considered inappropriate to arrange committee business at the same time as plenary sessions"⁹.

This position was confirmed by later research¹⁰ carried out for the Scottish Parliament.

4 Percentage attendance figures at committee meetings in the Northern Ireland Assembly 2007-11

Issue

• Percentage attendance figures for committees in the Scottish Parliament and National Assembly for Wales compared to the Northern Ireland Assembly

The following tables provide the percentage attendance figures at statutory and standing committees in the 2007-11 mandate of the Northern Ireland Assembly.

Table 1: Percentage attendance at meetings of statutory committees in the 2007-11 mandate

Committee	Average % attendance
Agriculture and Rural Development	81.2
Office of the First Minister and Deputy First Minister	75.5
Culture, Arts and Leisure	81.6
Education	80.1
Employment and Learning	76.7
Enterprise, Trade and Investment	74.8
Environment	77.8
Finance and Personnel	80.9
Health, Social Services and Public Safety	78.5
Justice ¹¹	86.7
Regional Development	82.2

⁸ Standing Orders of the National Assembly for Wales, accessed 29 November 2011

⁹ Panel of Subject Committee Chairs - Submission to Richard Commission, November 2002

¹⁰ Parliamentary time in other Parliaments and Assemblies

http://www.scottish.parliament.uk/S4_PublicPetitionsCommittee/Inquiries/20111025_international_comparisons.pdf

¹¹ Committee for Justice met for the first time in 2009

Social Development	81.3
Overall average	79.7

Table 2: Percentage attendance at meetings of standing committees in the 2007-11 mandate

Committee¹²	Average % attendance
Assembly and Executive Review	79.0
Procedures	71.7
Public Accounts	75.4
Standards and Privileges	73.1
Audit	86.0
Overall average	77.0

The information for the Scottish Parliament and National Assembly for Wales is less comprehensive. Officials from the Parliament have stated that “It is usual to find that all members attend each committee meeting¹³”, but no figures are available. For the National Assembly for Wales, figures are only available for the attendance of each Member from the beginning of the current mandate. The attendance figures are therefore very high due to the small number of meetings held.

5 Average duration of committee meetings

Issue

- **Duration of committee meetings**

A direct comparison between legislatures is difficult due to the different amounts of information available and the method of collation. It should also be noted that the figures for Scotland and Wales include all committees.

Scottish Parliament

The average duration of a committee meeting in the Scottish Parliament in the 2009-10 session was 2 hours and 16 minutes¹⁴. In 2008-09 the figure was 1hr 59mins, for 2007-08 it was 1hr 50mins¹⁵ and for 2006-07 it was 2 hours and 2 minutes¹⁶.

This equates to an average of approximately 2 hours from 2006 to 2010.

¹² Figures not available for Business Committee

¹³ Information provided by the Scottish Parliament

¹⁴ http://www.scottish.parliament.uk/Annualreportsandaccounts/SP_Stats_200910v2.pdf

¹⁵ http://www.scottish.parliament.uk/Annualreportsandaccounts/SP_Stats_2007-08.pdf

¹⁶ http://www.scottish.parliament.uk/Annualreportsandaccounts/SP_Stats_2006-07.pdf

National Assembly for Wales

115 committee meetings took place between May and the start of December 2011, lasting a total of 177 hours and 48 minutes. The average duration of a committee meeting was therefore approximately 1 hour and 30 minutes¹⁷.

Northern Ireland Assembly

Figures were available for a sample of committee meetings in the 2007-11 mandate¹⁸:

- Average length of standing committee meeting: 1 hour 21 minutes
- Average length of statutory committee meeting: 2 hours 28 minutes

The combined average is therefore 1 hour 55 minutes

5 The review of Westminster boundaries and any potential impact on membership of the Policing Board

Review of Westminster boundaries

The Parliamentary Voting System and Constituencies Act 2011 places a requirement on the UK Boundary Commissions to “submit boundary reports...before 1 October 2013 and every five years subsequently. This replaces a requirement to report every 8 to 12 years”¹⁹.

Policing Board

The Northern Ireland Policing Board was established under section 2 of the Police (Northern Ireland) Act 2000²⁰. Schedule 1 of this Act outlines the membership and allocation of MLAs to the Board. Part 3 of Schedule 1 states that:

- The Board shall have 19 Members
- 10 will be nominated from among Members of the Assembly
- 9 shall be appointed by the Minister for Justice

The political members are appointed using the D’Hondt method. Furthermore, the previous Assembly and Executive Review Committee, in its *First Report on the Arrangements for the Devolution of Policing and Justice Matters* recommended that:

There should be a convention, which would be respected by the political parties, and which would ensure that, at the point of devolution, and beyond, Members of the

¹⁷ Information provided by the National Assembly for Wales Research Service

¹⁸ Figures provided by the Business Office

¹⁹ Explanatory Note to the PVSC Act 2011

²⁰ Police (Northern Ireland) Act 2000: <http://www.legislation.gov.uk/ukpga/2000/32/contents>

Northern Ireland Policing Board, or any District Policing Partnership could not sit, simultaneously, on the Statutory Committee of Justice²¹.

This recommendation was subsequently given effect in Standing Order 49B.

Frequency of meetings

The Police (Northern Ireland) Act 2003 amended the minimum number of public meetings of the Board from 10 to 8²². The following table shows the number of meetings per year since 2008.

Table 3: Number of meetings of the Northern Ireland Policing Board since 2008

Year	Number of meetings
2011	10 (as at 3 November)
2010	10
2009	13
2008	12

Using the minutes published on the website of the Policing Board, the average running time for a Board meeting in 2011 has been calculated at 5.5 hours.

Scope for change

The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010²³ transferred certain functions in relation to the Board from the Secretary of State to the Northern Ireland Minister for Justice. However, responsibility for amending the legislation remains within the remit of the UK Government, including, for example, the number of political members and their method of appointment.

²¹ http://archive.niassembly.gov.uk/assem_exec/2007mandate/reports/report22_08_09R.htm#Sum

²² http://www.nio.gov.uk/police_northern_ireland_act_2003.pdf

²³ <http://www.legislation.gov.uk/ukxi/2010/976/contents/made>