



Northern Ireland  
Assembly

Assembly and Executive Review Committee

# OFFICIAL REPORT (Hansard)

Northern Ireland Act 1998: Review of Parts  
III and IV

15 May 2012



there would be problems if there were decoupling. The paper looks at the responses and at the further decision to reduce the size of the Scottish Parliament and decouple. The paper then looks at the Arbuthnott commission, which was set up to address, among other things, the potential for confusion. The consultation on the size of the Parliament looked at the relationships between MPs, MSPs, councillors and the electoral administrator role, and possible confusion or difficulties they might have, as well as confusion among the public.

Pages 3 and 4 address the responses to the consultation. Very briefly, the view of the civic organisations that replied was that the electorate are quite sophisticated and would not be confused by any change in boundaries. The electoral administrators saw a number of headaches and bureaucratic difficulties, so they were less warm to the idea. However, I think that was because there were technical issues for them. The Executive favoured decoupling and could not see problems in respect of confusion for voters. Parliamentary groups were of the view that there was very little evidence that the voting public would be confused by having two sets of boundaries. Therefore, overall, the conclusion was that it might be a bit of a headache for the administrators, but nobody was making any argument that there would be significant confusion for the public.

Thereafter, the statement was made that the Scottish Parliament would be reduced in size and that there would be decoupling. As part of that, the independent Arbuthnott commission was established to address the number of different boundaries in Scotland and the number of different voting systems.

The Scottish Affairs Select Committee, which is mentioned on page 6 of the paper, also looked at the issue, and it was of the view that decoupling was not a good idea, and that there was potential for confusion. A difference comes through between the views of MPs and MSPs. It seems that the situation in Scotland was very different from the situation that we have. They had one MP and one constituency MSP, so once they decoupled, that one-to-one relationship went. MPs were concerned that that one-to-one relationship was very manageable and they envisaged that confusing it would cause difficulties for their electors. That may have influenced the MPs on the Scottish Affairs Select Committee coming to the conclusion that it did.

The large piece of work that was done on this issue by the Commission on Boundary Differences and Voting Systems is addressed in the paper from page 7 onwards. The commission undertook a large amount of primary research and consultation with MSPs, MPs and civil society. It concluded that it could see no reason why voters would be confused by the differences in boundaries. That said, they agreed that coterminosity was desirable, and, if it was easy to do, why not? The scenarios that it looked at are set out in page 8:

*"2 MSPs for each new Westminster constituency (2 x 59), with 11 additional MSPs ... 60 constituency members and 60 (or 69) members from a regional or national list ... A hybrid system, with single member rural constituencies and multi-member seats in the cities and urban areas".*

As shown on the table on page 8, the commission was not convinced that any of those solutions would work, so paragraph 3.18 of its report states:

*"there is no convincing case that having different sets of boundaries, as such, lead to any significant confusion for voters during elections, or to constituents being unclear when seeking advice and support from their elected representatives."*

So the commission was clear from its research, focus groups and consultations that there was no confusion among voters, and this was after the 2005 Westminster election, for which the boundaries had changed. However, the commission, as I said, saw the desirability of not having too many different boundaries, and its solution was to focus on alignment with local council boundaries. The commission recommended:

*"The boundaries for the Scottish Parliamentary constituencies should be within and respect local authority areas rather than Westminster constituencies."*

That reflects the Scottish electoral map containing 32 local authorities, which may not be at all applicable here. There was a clear focus on the fact that, although not desirable, having too many different boundaries would not create confusion. It recommended that the Boundary Commission for Scotland, which looks at Scottish Parliament boundaries, should keep a close eye on the local government boundaries and try to align the two.

Members will remember from the previous meeting that the Boundary Commission cannot change the number of Scottish Parliament constituencies but can change their boundaries. The Boundary Commission has produced its first report looking at the boundaries for the Scottish Parliament elections. Our paper shows that, in that report, it redrew the boundaries for the Scottish Parliament constituencies so that they aligned better with the council areas. That means that, of the 73 constituencies, 61 were contained in single council areas, and the remaining areas were split across two council areas. In comparison, 57 of the constituencies were previously in one council area. The thrust was to try to realign the local government boundaries with the Scottish Parliament boundaries. However, as I said, that reflects the Scottish situation and may or may not be applicable here.

There is a further section of the paper that I almost forgot. Members asked whether there was any indication that turnout had been affected by the change in boundaries. I probably almost forgot it because the answer is that there is no evidence of that whatsoever. The picture is also confused because significant changes took place in 2007, when the single transferable vote (STV) system was introduced for local authority elections in Scotland. The new ballot paper contained the regional and constituency members in Scotland. I think that everyone agreed that there was a lot of confusion around that 2007 election. It would be speculation to say whether that will feed into subsequent elections. Scotland has decoupled its Scottish Parliament and local government elections; they used to happen on the same day, but that has changed because it created a lot of confusion. With that, I will take questions.

**Mr Hamilton:** The paper is good and useful, in that it shows the various arguments and concerns that were discussed before Scotland decoupled. I am not sure whether some of the issues in Scotland directly apply here. I imagine that Scotland wanted to keep 129 Members. They wanted to keep that higher-end number. I have not detected, even since, that they want to reduce the number of MSPs. So they were quite precious about keeping 129 Members. That is not where the debate is in Northern Ireland.

**Mr Moore:** That drove some of the conclusions.

**The Chairperson:** In the absence of any other questions, are there any on last week's presentation on the electoral constituencies? If there are none, I ask you, Tim, to present your paper on the Committee Stages of Bills.

**Mr Moore:** I will be brief in dealing with this paper, which accompanied the Clerk and Director General's further information provided to the Committee. It looks particularly at the Committee Stages of Bills in devolved legislatures and the national Parliaments. I will quickly run through the executive summary and some of the differences.

The first main difference to point out is that our Second Stage debate, which is a debate on a Bill's principles, occurs in plenary. In the Scottish Parliament and the National Assembly for Wales, that debate occurs in Committee. The second difference that, again, occurs in both Wales and Scotland is that the Bill can be amended in its detailed Committee Stage. So a different Bill can emerge from the Committee, whereas, in our system, the Committees recommend amendments that are then debated and decided in plenary. Those are the two big differences.

The third difference is in the role of Members who are not Committee members. In Scotland, such Members can table amendments and move them. There is a somewhat similar position in Wales, whereby a Member can table amendments but only Committee members may move, seek agreement to withdraw, or vote on such amendments. Scotland has greater Member involvement in the moving of amendments.

The differences with the Dáil or the House of Commons are less clear. Our system broadly reflects the Committee systems there, whereby Second Stage debates on the principles of Bills happen in plenary and the detailed consideration is carried out in Committee. Those are the paper's key points.

**Mr Beggs:** Do you agree that an advantage in allowing a Committee to deal with legislation as happens elsewhere would be that it would take some pressure off the main Chamber? That said, at present there is no such pressure on the Chamber.

**Mr Moore:** I know that the Clerk has commented on the advantages of allowing changes in the Committee Stage, but I would not comment any further.

**Mr Beggs:** Did you examine whether Committees have had a significant influence on Bills? The Environment Committee of which I was previously a member proposed a number of changes to the Minister who, having checked them out, then brought those changes to the Chamber. Alternatively, if they were not accepted, the Committee brought the amendments to the Chamber.

**Mr Moore:** The paper simply looked at the technical Standing Orders, and what Committees could do. You may well be right that, with Committees' influence, all the recommendations may well be accepted, but we did not look at that.

**Mr Beggs:** I am just highlighting the fact that the Committee can have a significant influence.

**Mr Hamilton:** That is right; it is just not always seen.

**The Chairperson:** Members have no more questions, so thank you, Tim, for your briefing and attendance at the Committee.