



Northern Ireland
Assembly

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Assembly & Executive reform – a literature review

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1 Introduction

This briefing paper has been prepared following a request from the Assembly & Executive Review Committee (AERC). The committee asked for a literature review to identify relevant, recent research that considers reform of the political institutions in Northern Ireland. The committee also asked the research to identify additional expert witnesses and other stakeholders from which the committee might receive supplementary evidence.

2 Approach

The research used the following sources for the review:

- Desk-top review of think-tanks that have previously published reports on Northern Ireland along with relevant reports from the Northern Ireland Affairs Committee in the House of Commons
- Online journals, including the Journal of Legislative Studies and Parliamentary Affairs, available via the Northern Ireland Assembly Library
- ResearchGate, an online resource that publishes academic articles on a wide-range of topics, including parliamentary research
- Information provided by the Assembly Library.

3 Literature review

This section sets out relevant research, beginning with the most recent. It highlights the key points and proposals in each report.

Organisation	Overview of the research
<p>The Constitution Unit - Conor Kelly, Alan Renwick and Alan Whysall</p>	<p><u>Reform of Stormont: Options for Discussion</u> (March 2025)</p> <p>The report assesses proposals to reform the Assembly and Executive, examining each against the following criteria:</p> <ul style="list-style-type: none"> • the likelihood that the institutions could collapse • the protection of equity in the system, especially across Northern Ireland's political communities • the promotion of good governance and better delivery of public services <p>The proposals for reform included:</p> <p>Executive</p> <ul style="list-style-type: none"> • Returning to a joint ticket for electing the First and deputy First Ministers • Moving to a voluntary coalition approach to Executive formation, endorsed by a weighted majority • An alternative, weighted majority threshold for electing the First and deputy First Ministers • Transferring nomination rights if a party refuses to nominate a First or deputy First Minister • Counting the First and deputy First Ministers in the d'Hondt process • Renaming the First Minister and deputy First Minister

	<ul style="list-style-type: none"> • Changing the number of First Ministers • Appointing the Justice Minister by the d'Hondt system • Ensuring formulation and delivery of an effective Programme for Government • Decision-making processes in the Executive <p>Assembly</p> <ul style="list-style-type: none"> • Electing the Speaker via a weighted majority threshold • Abolishing designations and moving to a weighted majority threshold for Assembly votes • According 'others' the same veto rights as nationalists and unionists • Reforming the petition of concern to prevent abuse • Strengthening the official opposition • Filling Assembly vacancies between elections <p>Other Strand One areas</p> <ul style="list-style-type: none"> • Reintroducing a Civic Forum • Allowing civic input through other means (citizens' assemblies) • Bill of Rights
<p>The Constitution Unit – Alan Whysall</p>	<p><u>Northern Ireland – Challenges for the next Westminster Government</u> (June 2024)</p> <ul style="list-style-type: none"> • If the institutions again collapse, there is a strong argument for temporary changes to the institutions to enable them to function. Whether that would be possible would depend on the

	<p>political context of the time, though, and some would inevitably fear temporary changes becoming permanent</p> <ul style="list-style-type: none"> • It would be an altogether different matter for London alone to make permanent changes to the institutions (as proposed in the Commons Northern Ireland Affairs Committee report), for which its legitimacy would be seriously questionable. The government should continue to seek a significant element of consensus for any lasting reform: though there is no precise formula that it is obliged to observe. • The Northern Ireland political context is changing, and changes to the institutions may well be necessary before long. For the present, a Secretary of State should perhaps again begin by encouraging new thinking. That might involve pointing up the need for giving confidence that the institutions will deliver good government; and emphasising the risks to public well-being and stability of further collapses. It might also encourage the parties to set the AERC to work; and encourage also reflection on the possibilities by people outside the political sphere.
Pivotal – Independent public policy think tank for Northern Ireland	<p><u>The return of Stormont: time for real change</u> (5 February 2024)</p> <ul style="list-style-type: none"> • Northern Ireland needs a period of stable government. There is a need to re-commit to the spirit of leadership and compromise that underpinned the Belfast / Good Friday Agreement • The Executive should agree a short-term stabilisation plan for public services and budgets, making the best use of the new financial package

	<ul style="list-style-type: none"> • A longer-term Programme for Government and multi-year budget are needed to set out agreed priorities for the next three years • The Executive needs to front up to difficult decisions and strive for unity around these choices, particularly about public service transformation • There should be a sustained focus on improving public services so that people see the benefits in their day to day lives.
Northern Ireland Affairs Committee	<p><u>The effectiveness of the institutions of the Belfast/Good Friday Agreement</u> (29 November 2023)</p> <p>Report calls upon the Government, in partnership with the Government of Ireland and in close consultation with the Northern Ireland parties, to commission a formal, independently led into the operation of the institutions of the Belfast/Good Friday Agreement. The Review should:</p> <ul style="list-style-type: none"> • examine the institutions' ability to provide effective and stable government in Northern Ireland, with broad cross-community inclusion; • explore the extent to which the North/South and East/West bodies have supported effective governance in Northern Ireland and facilitated effective cooperation across these islands; • include mechanisms for substantive consultative engagement with Northern Ireland society; and • make recommendations on how the institutions could be reformed with a defined roadmap for the achievement of those reforms.

	<p>The report's recommendations also included:</p> <ul style="list-style-type: none"> • Northern Ireland Assembly Speaker to be elected by two-thirds majority of MLAs • First and Deputy First Minister should be rebranded 'Joint First Ministers' • Joint First Minister elections should be open to any party and also be elected by two-thirds majority of MLAs
<p>Institute for Government/ Bennett Institute for Public Policy – Lisa Claire Whitten</p>	<p><u>Constitutional change in Northern Ireland</u> (August 2023)</p> <p>Review of the 'cross-community' threshold</p> <ul style="list-style-type: none"> • In keeping with the principle of power-sharing government, the established third designation – 'neither' – could be granted equal democratic weight by amending the definition of 'cross-community' consent such that, to pass, qualifying votes would be required to meet a threshold of either a majority of members present and voting that included a multiplicity of the three designations (reformed parallel consent) or a 60% majority of members present and voting that included 20% designated unionist, 20% designated nationalist and 20% designated 'neither' representatives (reformed weighted consent) <p>Nomination of first and deputy first ministers</p> <ul style="list-style-type: none"> • Building on the previous recommendation of reforming the 'cross-community' threshold to better reflect the multiplicity of political identities in contemporary Northern Ireland, the system for electing first and deputy first ministers could be revised back to the original 1998

agreement-derived system but under the new threshold for achieving consent – either parallel or weighted – across all three political communities. Such a revision would make it harder for any one party to wield a power of veto without removing the requirement for broad support for the appointment of first and deputy first ministers

Addressing the inherent complexity of post-Brexit Northern Ireland

- At present, no comprehensive UK record of what law applies to Northern Ireland and under what circumstances currently exists; for seekers of legal certainty and/or government transparency, this situation is less than ideal. To date, the UK government has declined to commit to keeping an up-to-date public record of the law that applies to Northern Ireland under the terms of the protocol/Windsor Framework. This is not conducive to effective democratic scrutiny or policy delivery in Northern Ireland.
- An authoritative and agreed record of the law that applies to Northern Ireland under the terms of the Withdrawal Agreement could be published on a dedicated section of legislation.gov.uk, updated to reflect the evolution of relevant laws in both EU and UK contexts. In this respect, the UK site would correspond to, and be maintained in collaboration with, the section of the EUR-Lex website dedicated to the protocol and those laws it makes applicable.

North–south and east–west impact assessments

- An obligation could be introduced in the UK such that any new legislation and/or any significant revision of existing domestic legislation is required to account for the impact it does or may have on existing or future areas of co-operation across either a north–south or east–west axis,

	<p>or both. To this end, the UK government commitment in its Windsor Framework command paper to ensure that “any impacts for Northern Ireland arising from relevant future regulatory changes” are specifically monitored by the Office for the Internal Market is to be welcomed</p>
<p>The Constitution Unit – Alan Renwick and Conor J. Kelly</p>	<p><u>Perspectives on the Belfast/Good Friday Agreement: Examining Diverse Views, 1998-2023</u> (July 2023)</p> <ul style="list-style-type: none"> • An examination of party manifestoes over the years • Examines elite perspectives on the Agreement further by outlining findings from interviews conducted over the past two years with politicians, policy-makers, and other experts • Perspectives of the wider public. Summarises existing research findings, particularly from the annual Northern Ireland Life and Times (NILT) survey of public opinion in Northern Ireland, and from a deliberative exercise carried out by researchers in spring 2022. Then it presents findings from an original set of focus groups conducted in summer 2022.
<p>The Constitution Unit – Alan Whysall</p>	<p><u>The Agreement at 25: A Time for Constitutional Change in Northern Ireland?</u> (April 2023)</p> <ul style="list-style-type: none"> • Report sets out a personal view, not a collective view of the Constitution Unit. • Paper argues that we need a debate about the future that is realistic and that lays greater emphasis on advancing by consensus, consistent with the principles embodied in much of the Agreement. And meanwhile we need to renew the Agreement so that the institutions established through it can deliver good government to Northern Ireland.

The Assembly @ 25
– seminar: Dr Sean
Haughey, University
of Liverpool and Dr
Jamie Pow,
Queen’s University
Belfast

[A Deliberative Forum on Possible Reforms to Power-Sharing](#) (April 2023)

Briefing paper reports on the findings of a small-scale citizens' assembly – a deliberative forum – which brought together a broadly representative sample of people from across Northern Ireland, to ascertain citizens' views on: maintaining the current power-sharing system; replacing the present system with a government formation system based purely on negotiation between political parties; or, replacing the current system with a government formation system based on both negotiation and cross-community inclusion. The findings assist in better understanding public attitudes towards the status quo and potential alternative government formation models. Importantly, they shed light on the reasons behind these attitudes and the process by which any potential reform(s) could come about.

A PowerPoint presentation was also made available highlighting the findings from the report:

https://www.niassembly.gov.uk/globalassets/documents/raise/gfaseminars/gfa--25-years-power-point-presentation_haugheypow.pdf

The full research report is available at:

https://www.liverpool.ac.uk/media/livacuk/humanitiesandsocialsciences/documents/Public,Attitudes,to,Institutional,Reform,in,Northern,Ireland_Final_Report.pdf

The Constitution
Unit - Alan Whysall

[Northern Ireland's political future - challenges after the assembly elections: a discussion paper](#) (May 2022)

- The Belfast/Good Friday Agreement remains the only basis for politics. There is no plausible alternative framework capable of widespread support
- But the foundations of the Agreement are now shaky. It is essential that things are done differently following the election:
 - That is certainly needed to resolve immediate political problems so that the institutions can continue, because the alternatives are dire. The institutional framework may need adjustment to new voting patterns
 - But it is also needed to address the underpinnings of the settlement that are at risk of ebbing away – for example, progress towards reconciliation, eliminating paramilitary influence on politics, and policing by consent
 - And it is needed because devolved government must deliver to be stable. The grave economic and social challenges Northern Ireland faces must be tackled
- The Protocol is one issue that requires a different approach. The current stand-off is likely to benefit no one, with particular doubts about how it helps the unionist cause
- The governments, and particularly London, must assume their responsibilities. In the past, the role of developing ideas, fostering debate, and promoting and brokering compromise has been taken by a close partnership of the British and Irish governments.
- But London's approach has changed markedly. There is a strong UK self-interest in a stable and prosperous Northern Ireland, as previous governments of all parties are recognised. London's present policies are not likely to achieve this.

- There is a role, perhaps a necessity, in current conditions, for those outside politics – civil society, business people, academics and others – to contribute more fully to debate and the pursuit of compromise. Northern Ireland should be able to make a greater contribution to resolving its destiny.