

RESPONSE TO THW NORTHERN IRELAND OFFICE DOCUMENT: CONSULTATION ON MEASURES TO IMPROVE THE OPERATION OF THE NORTHERN IRELAND ASSEMBLY

Introduction

The fact that the Northern Ireland Assembly and the Executive are functioning is reassuring. All political parties with an electoral mandate have eschewed violence and are pursuing their political goals through democratic means.

However, there is increasing public disquiet about the effectiveness of the Assembly to progress good government. There is a view that the constitutional and political framework provided by the Belfast/Good Friday Agreement of 1998 was an excellent structure for easing the transition from violence and political stalemate to peaceful politics, but has substantial shortcomings for efficient decision making and tackling difficult social and political problems. Moreover, just as it required sustained external pressure from the British and Irish governments (together with various US administrations) to cajole and pressurise the local parties to reach the initial Agreement, so too it is very likely that any even relatively minor restructuring of the institutions will require an external initiative.

The increasingly critical perception of the Northern Ireland Assembly by both the public and some commentators can be summed up as follows:

- 1) Many MLAs are perceived as having limited ability to be public representatives, showing poor speaking skills, inadequate understanding of policy issues and worse still, showing a limited capacity to improve. While the programme developed by the Assembly secretariat and Atlantic Philanthropies might improve standards it reads too much as 'political tourism' dressed up as study visits. As a result, a significant part of the work undertaken by the Assembly is mediocre.
- 2) There are clearly too many MLAs for the work involved. Far too many MLAs give the impression of enjoying the status of being an elected member of the Assembly but often show a limited appetite for getting stuck into policy areas as demonstrated by sporadic attendance at committee meetings. The failure of the Committees to exercise their powers to initiate substantive legislation is a key indicator of under-performance. Fewer MLAs and making them work harder would enhance the Assembly's effectiveness.

¹ The views expressed are those of the writer alone.

- 3) Double jobbing demonstrates the shallowness of the pool of political talent and feeds the perception that the parties and individual MLAs are after whatever they can get.
- 4) The absence of an effective opposition has resulted in a largely passive role for many MLAs. With all parties now in the Executive, the role of an Opposition has largely fallen to one independent MLA. Additionally, the local media, perhaps not unreasonably, have assumed the role of 'critics' of the Assembly (where they have been depicted as 'anti-peace' by some politicians). Too often however, these critiques have descended into a generalised attack on all politicians, especially in terms of waste and expenses.
- 5) The dominance of the DUP and Sinn Fein in controlling the Executive and the Assembly has created 'mutual veto' politics so that hugely important issues around seeking to restructure a segregated society are neutralised. The rationalisation of schooling due to demographic pressures was notable for not challenging the segregated structure of the education system, notwithstanding the First Minister advocating a unified education system in a speech in 2011. Excessive duplication not only perpetuates division but is wasteful of public spending.
- 6) The dominance of the DUP and Sinn Fein, both with considerable 'baggage' inhibits those from a professional, business or academic background seeking entry to political activism. The Alliance party, while having some effective politicians, lacks the ideological coherence to attract talented individuals.

For these reasons it is important that a start be made to refreshing the institutions of the Agreement. Not to do so will risk the further alienation of the public from the Assembly and the Executive. There is a clear role for the NIO to take a lead (in consultation with the Dublin government) in stimulating the debate. No doubt there will be an adverse reaction from some if not all of the local parties – but that is to be expected especially from the DUP and Sinn Fein. In my view the NIO has a clear responsibility to help lead the debate over how to reinvigorate the political institutions. All the citizens of the UK will benefit from a leaner and more effective Assembly.

Response to the specific questions

Q1 The size of the Assembly should be reduced as suggested above. If 18 Westminster seats are retained, as least now seems possible, the number of seats per constituency should fall to four. If the seat numbers are reduced to 16 then it should be 5. The additional numbers involved with the 16 Westminster seats could be justified by the reduction in MPs. It is possible that smaller parties and independents could lose out in any reduction as many tend to be elected to the last seat or even without reaching the quota. However, filling the Assembly with representatives who have little effect on proceedings or policy outcomes to be 'fair' is now inappropriate to a process which is several decades old.

Q2 If there is a Westminster election in 2015 there should not be an Assembly election in the same year.

Q3 While extending the current mandate encourages inertia there does seem to be a logic to extending the current Assembly to 2016.

Q4 I do not believe there should be a fixed term of 5 years. The Assembly is characterised by inertia as it is. A term of four years is appropriate.

Q5 There should not be any members of the House of Commons sitting in the Northern Ireland Assembly.

Q6 There should be no members of the House of Lords sitting in the Northern Ireland Assembly.

Q7 Double jobbing should be ended by legislation straight away. The local parties have been too slow to respond to the issue.

Q8 The hardest question of all! My own view is that the NIO should take the initiative and set about producing a discussion paper or papers setting out alternatives as to how the creation of an opposition could develop. The parallel is with series of Discussion Papers published by the NIO in the lead up to the 1973/1974 power-sharing experiment.