

## COMMENTS ON OPERATION OF ASSEMBLY

**1. 108 MLA's cannot be justified.** I would suggest a maximum of 80 consisting of 4 per constituency plus a top-up from a regional list similar to that used to elect additional members to the Scottish Parliament.

Top-up is essential to retain the spirit of the Belfast Agreement which is based on reflecting all political views and giving smaller parties fair representation i.e. 2% of vote = 2% of seats.

This reduction in MLA's would require the number of Departments to also be reduced to 7 or 8 maximum as 80 members could not effectively service 11 / 12 Committees. During my final year on the Assembly Environment Committee there was a heavy legislative load and we often struggled to maintain a quorum. At times I could not leave the meeting to speak to a constituent as the committee would have become inquorate. I was also concerned that some legislation particularly the massive Planning Bill did not receive adequate scrutiny as there was no official opposition and members were willing to accept the legislation without question.

**2. / 3. / 4. There is no justification for any extension to the term of the Assembly.** Four years is adequate and any extension would be seen as anti-democratic. The experience of 2011 would indicate that the Electoral Office can handle two elections on same day and an extension is unnecessary. This assumes the election for the new local authorities will take place in 2014.

**5. / 6. /7. There is no justification for representatives holding dual mandates as MLAs and either MPs or members of the House of Lords.** It is not possible to carry out both jobs satisfactory and in particular be in two places at the same time. This should be banned as soon as possible as it is unlikely that an agreement will be reached in the near future.

I do not believe it is necessary to ban councillors from being MLAs as long as they receive no additional remuneration. This "problem" will probably be resolved naturally without legislation as in the rest of the UK. Many councillors have full time jobs and are able to carry out their role as councillor. I see no reason why a backbench MLA could not perform both roles effectively as there is considerable overlap. However office holders/Ministers should be required to give up their council seats immediately as there could be a conflict of interests. In the longer term it is unlikely that without additional remuneration a significant number of MLA's will wish to continue as in their councillor role.

**8. The fundamental principle of power sharing must remain** but it does not have to be achieved by use of the d'Hondt system. This effectively excludes small parties. Some form of weighted majority could achieve the same objective without excluding small parties.

I found it extremely frustrating trying to oppose Executive decisions and if an opposition is to be created it must receive adequate funding for research to be effective.

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I believe other changes should be made.

**Formation of Executive** This should be elected by proportional representation (STV). This will ensure all main parties are represented in the Executive but smaller parties and independents would have a say (vote). This would clearly increase the Assembly's democratic credentials.

**Petitions of Concern** - These should remain but their use should be restricted to issues which genuinely require cross community support. They should not be used to reject proposals which have no requirement for cross community support such as the right of appeal for third parties in planning applications or a censure motion on a Minister for his comments on climate change. In these and other cases the petition of concern was clearly abused.