

## Introduction

I welcome this consultation on measures to improve the operation of the NI Assembly and the opportunity for the Northern Irish public to have an input into how they are represented and governed.

I would also like to state at the outset that I strongly believe the people of NI should have the opportunity to vote on the larger changes to the operation of the Assembly that may arise as a result of this consultation.

Citizens of NI were not given the opportunity to vote directly on the St Andrews Agreement and to further alter the nature of the governance arrangements of NI since the Belfast Agreement without public endorsement would be anti-democratic. Introduction of a formal opposition or a reduction in number of MLAs returned per constituency are significant changes and people should be afforded the chance to have their say. The arguments about cost to the taxpayer are spurious given the importance of public ownership of their representative bodies.

In the Minister's Foreword he mentions "bringing forward legislation to implement proposals for greater transparency arising from the consultation on political donations."

This consultation was in late 2010 and spoke primarily of extending the prescribed period for another two years. The public support for greater transparency that dominated the consultation response was singularly ignored and parties were allowed to continue raising cash without any public oversight.

To say now that you are going to bring forward legislation on the back of a consultation regarding a different piece of legislation, which I may add, you have already ignored; is contemptuous to the entire idea of consultation.

I believe the 2006 Act was designed to bring donor transparency to NI with the temporary arrangements for anonymity part of the phasing-in process. Yet, almost seven years later we still cannot see who donates enormous sums of cash to our representatives. We cannot have our trust in our elected officials damaged by this perception of fear within a tiny fraction of political actors who may be exaggerating the threat for disreputable ends.

I strongly believe that NI citizens have a right to a new consultation on the vexed issue of party donations and loans. I would like this to include questions around the complete release of historical donors and the normalisation of political donations in line with the rest of the UK.

To quote Hugo Swire;

"It is equally important that there is maximum transparency in party funding arrangements so that voters can have full confidence that the political process is geared towards their needs and not those of special interest groups."

This issue should have been included in this consultation.

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1. What should the future size of the Northern Ireland Assembly be?

I do not support the continued link between Westminster constituencies and the Assembly constituencies. The current move to reduce the number of Assembly constituencies from 18 to 16 has been foisted on the electorate without any real chance for approval or otherwise from NI citizens. I do not believe that NI Assembly's best interests are served by allowing the number of elected representatives to be determined by a body other than themselves. They would not accept a decree from Westminster to reduce the number of MLAs per constituency so I cannot see why they should continue to be coupled to system which will force them to accept a reduction in number of Assembly constituencies. I understand the unionist preference for maintaining links to Westminster voiced in the Assembly Executive Review Committee Report but NI needs its own unique election arrangements to suit local demographics and characteristics.

To this end I believe that new constituencies should be formulated from the new Local Government electoral wards and council boundaries implemented after the Review of Public Administration.

Similarly, I do not support the current calls for a reduction in the number of MLAs. Given the proposed boundary changes and the loss of 12 MLAs this means that each MLA is representing a larger number of citizens. A move to 5 representatives per constituencies would further reduce the opportunities for smaller parties and independents to become elected. I favour measures that increase the opportunity for an inclusive assembly whereby the greatest number of people feel represented.

Given the dramatically falling voter turnout numbers any moves to alter the system which would give a clear advantage to larger parties would be damaging to public enthusiasm for the political process and post-sectarian politics.

Although I am advocating for the number of MLAs to be kept the same I would encourage a reduction in the number of Departments in the Government. Twelve is extremely bloated and creates duplication and inefficiencies far above anything created by having 16 or 18 extra MLAs. The siloed, and at times, almost oppositional approach of differing Ministers and their departments means rationalisation is a necessity. A reduction to 10 or 8 Departments should result in substantial efficiency savings and stop single issues being spread out between numerous departments. Hopefully, MLAs then would not find themselves sitting on two statutory committees and other standing committees. This should allow more of them to focus better on their oversight role of a single department. Similarly, Committee chairmanship should be an individual's sole committee responsibility

2. Do you believe that there should be combination of Parliamentary and Assembly elections in 2015 or should these be decoupled?

I believe that these two elections should be decoupled given my earlier remarks about needing to establish NI governance's independence from Westminster. We cannot be running an Assembly election in tandem with Westminster. What happens if the current Westminster coalition collapses, do we have to have an Assembly election if they cannot continue to govern?

These elections are for two very separate houses which will deal with very separate

issues and to conflate the two over weak concerns over voter confusion does the NI public a disservice. They should be separated and parties should campaign on platforms unique to the house to which they wish to be elected.

I think that holding these differing elections a year or so apart allows the public to respond to changes that may have occurred within the parties or their commitment to their manifestos in the other house. Widespread disaffection with a party cannot find a regular outlet if there is only one day every half decade to cast your vote.

The coupled elections also provide an advantage to the bigger parties. They will receive far greater media coverage for Westminster issues and thus the room for smaller parties who are contesting MLA seats will be dramatically reduced. The ability of smaller parties to campaign successfully on local issues will also be threatened by the bigger parties canvassing and spending large amounts in an area on behalf of a Westminster candidate.

I also think these elections should be decoupled to prevent double jobbing. I do not think it is feasible to do two or even three representative jobs at once but I think people should have the opportunity to put themselves forward for each election if they were unsuccessful previously. I think that the practice of putting forward a big name for both Assembly and Westminster and then if successful co-opting another individual in as MLA is scurrilous and anti-democratic. The decoupling of elections allows parties to know who their MPs are and then put forward another individual for MLA role. If a party has an MLA who is then elected MP then they should be deemed to have given up their MLA seat and it should go to the individual who finished seventh in the Assembly count.

3. Do you think the term of the current Northern Ireland Assembly should be extended from 2015 to 2016?

I think that the extension of the term of an elected body is anti-democratic and serves only the interests of those elected. People were elected to this body for a certain term and to change the length of the mandate after election sets a troubling precedent. The extension of the prescribed period regarding political donations despite public wishes to the contrary that I mentioned above speaks to this practice of changing the rules without public consent.

4. Should the NI Assembly move to a fixed 5 year term permanently?

I think that the NI assembly should decide for itself on the length of term it serves. The parties' positions on this should be clearly put forward in manifestos so the public knows what to expect. To slavishly follow Westminster is not in the best interests of NI citizens.

I believe that four years is a long enough term for a Government to be in power. This appears slightly idealistic given the length of time it generally takes the NI Executive to produce a Programme for Government but nevertheless the public should have the opportunity to replace the Government more often than every 5 years.

5. Do you believe that representatives should be prohibited from holding the offices of MP and MLA at the same time?

6. Should MLAs also be prohibited from being members of the House of Lords?

I will take both these questions together as I regard the justification for my answer to be the same throughout.

There is no acceptable reason for one individual to hold two representative jobs.

The quality of their work in one or both jobs will inevitably suffer as a result of their dual mandate. Their electorate are being disadvantaged due to their arrogance in believing they can do two jobs as well as two separate individuals.

I also believe that individuals should not be able to hold local government/ council roles and act as MLAs. If a councillor wants to run for an MLA role they must resign their council position and vice versa. The Executive needs to bring forward legislation as part of the RPA to explicitly forbid this aspect of double-jobbing.

MLAs must not be able to continue their role if they are appointed to the House of Lords.

This claim that the electorate chose them to do two or even three jobs has more than a touch of self-aggrandisement and I would suspect that reflects that people do not feel they have a great variety of options on offer to them. In most cases, a larger proportion of the electorate chose someone else to be their representative.

Big name individuals are using their profile to get elected and then installing an individual the electorate may never have seen before in their place. If they do not have someone replace them they hold two roles and reduce opportunities for new individuals.

How are public encouraged to have faith in the political process if someone who might not have even been on the ballot is now their representative?

The claim that people are discouraged from entering politics due to the troubles and there are only a few people willing to act as representatives is an insult to our intelligence and as an idea should not have been given the credence of being included in the consultation.

Similarly the fear of losing elected office due to unstable institutions is another ludicrous claim. We are not here to provide employment opportunities for would-be politicians. If the institutions that they are part of collapsed then they should bear the responsibility for that and its attendant consequences.

7. Is it better to use primary legislation to ban such practices outright at the earliest opportunity or to take a power to do so at a later date to allow space for agreement to be reached?

Parties have clearly shown themselves to be unable to deal with this issue and thus it must be dealt with in primary legislation. The most prominent double jobbers in the DUP and SDLP are in positions of power in their parties and they will be reluctant to have their parties commit to any changes.

The removal of double jobbing is a necessity if we are to receive the quality of representation and the keen focus of our politicians that we deserve.

In the event of two elections falling on the same date, a candidate can only stand for one election. We cannot again find ourselves in the situation when someone is elected

to two positions simultaneously. An individual must resign one elected role before standing for another to further prevent instances of double jobbing.

8. Do you think the Assembly would operate more effectively with a system which provides for a government and an effective opposition? If so, how can this system best be achieved?

I think it is fundamental for the successful performance of the Assembly in the future that it begins to function with an effective, recognised Opposition. The proportion of MLAs who are in government is simply far too high and there is very little room for parties to differentiate themselves and present an alternative policy direction or vision for NI. The electorate need to have the ability to change their government.

Currently, parties can opt not to be in government but with the lack of any formal structure or recognition of their role as Opposition they fear they will be sidelined by the other parties. I think this is probably quite a justified concern. Therefore legislation will be required to provide these assurances of these structures including, but not limited to, speaking rights, a degree of committee oversight and recognition of opposition party leaders.

The move from mandatory coalition to voluntary coalition will hopefully be enabled and encouraged by these changes.

However, I regard the inappropriate use of the Petition of Concern as the major stumbling block for any progress in the Assembly.

Parties wield it about any policy with which they disagree, irrespective of there being any sectarian nature to the policy. The petition is designed to protect the interests of the minority and is instead played whenever the dominant parties disagree with a particular policy. E.g. DUP using it against the Equal Marriage Motion in September 2012.

This indiscriminate use of the petition of concern also disenfranchises those MLAs who are not designated Nationalist or Unionist. This means that the individuals who voted for these MLAs are similarly disenfranchised. This is unacceptable and requires immediate reform.

The time is right for ensuring that the petition of concern is only used to protect a minority community instead of blocking reforms the majority of the house may otherwise agree with.

*It is a key issue and allows any party with 30 MLAs to veto the entire legislative programme of the rest of the Assembly. Safeguards need to be put in place to act as an independent arbiter of when a piece of legislation is actually aimed at disadvantaging one of the sectarian communities and the petition can legitimately be used.*

An addendum to the issue of the petition of concern is the fears that DUP MLAs have all signed a resignation letter prior to their election as MLAs. This perception alone is very worrying and profoundly anti-democratic. An MLA should have the right to reject the party whip on issues if they so wish without their electorate having to suffer their resignation. The fact that a resignation in a multi-seat constituency allows the party to simply replace the resigning individual rather than endure a by-election may mean that people are simply voting for a DUP representative of the party's choosing

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rather than an individual.

This practice surely needs further investigation by the Northern Ireland Office and is deeply troublesome if found to be true. An individual should not be forced to sign a petition of concern or vote against their will for fear of party reprisal. If this is indeed the case it needs to be brought to public attention and dealt with immediately.

The Northern Ireland Executive should be formed by discussions between parties after elections between groups who have also agreed a Programme for Government. These Executive Ministers and their Programme for Government should be subject to endorsement by the Assembly by a 66% majority of elected MLAs present and voting.

As previously stated, this reform should be put to NI citizens for referendum endorsement.

It must be the goal of this Assembly to move towards a situation whereby community designations are no longer used.

This body needs to start moving to remove the moral corruption of sectarianism from its operation, its implementation and its structures. If it wishes to provide over a desectarianised society, a move to a voluntary coalition is a necessity and the petition of concern becomes merely a quaint reminder of the past.