

Constitutional and Political Group  
Northern Ireland Office  
1<sup>st</sup> Floor  
11 Millbank  
LONDON  
SW1P 4PN

23<sup>RD</sup> October 2012

Dear Constitutional and Political Group,

### **Consultation on Measures to improve the operation of the Northern Ireland Assembly**

Thank you for the opportunity to respond, which I do on behalf of the Ulster Unionist Party. Your paper poses eight questions, which we answer; we also make reference to another key change to the 1998 Belfast Agreement, enacted in the St Andrews legislation in 2006, which we believe should be addressed; and beyond the operation of the Assembly, we propose an initiative we believe can be progressed through the proposed legislation, within the spirit of implementing important change, as referenced in the Foreword to the Consultation Paper from your predecessor, Rt Hon Owen Paterson MP.

#### Size of the Assembly.

1. The Ulster Unionist Party has stated a preference to lower the number of MLAs elected at the next Assembly Election to 96. This is predicated on a reduction of the number of Westminster constituencies from 18 to 16, with the Assembly constituency boundaries remaining co-terminus with Westminster. This would have been a step towards a further reduction in the future, not the end number we envisage.  
We now acknowledge that Westminster numbers may not be reduced as previously envisaged. We are, therefore, actively looking at an alternative first step in reducing the number of MLAs, in a manner that improves the efficiency and effectiveness of the workings of the Assembly and Executive, but without compromising the integrity of the principle of inclusion that underpinned the Belfast Agreement of 1998.  
One such proposal might be for the NI Assembly to pre-empt Westminster and adopt a 16 constituency model for the next Assembly Election, anticipating these boundaries will be adopted by Westminster in 2020.

#### Length of Assembly Terms.

2. This question cannot be answered in isolation of the questions that follow.
3. We do not believe the current term should be extended, as this could only be done without reference to the electorate, and would stand in contrast to how fixed terms were introduced to the Scottish Parliament and Welsh Assembly.
4. Post the next Assembly Election (currently scheduled for 2015), the Ulster Unionist Party supports a move to fixed 5-year terms.

#### Multiple Mandates

5. The Ulster Unionist Party has been the leading voice calling for an end to “Double Jobbing” so we support the prohibition.
6. Within the context of agreement on the totality of issues, we see merit in prohibiting MLAs from being active members of the House of Lords.
7. Experience shows that primary legislation is necessary to ban the practices defined above. Further, such a legislative ban on “Double Jobbing” should apply before the next round of elections in Northern Ireland, including European, Westminster, Assembly, and local government / shadow local government.

#### Government and Opposition

8. Again, the Ulster Unionist Party has led the drive for the introduction of normalised politics in Northern Ireland. The arrangements agreed in the Belfast Agreement in 1998 were always intended to be transitional, and we see it as an affirmation of the success of the political process, and the stability of the devolved institutions that we are ready to move to the next step.

This next step would not see a return to “majority rule” at Stormont. Rather, it should continue to enshrine the principle of a cross-community government, but also see the introduction of an Official and Loyal Opposition, loyal to the institutions of Assembly and Executive, with similar rights and entitlements as afforded oppositions in London, Dublin, Cardiff, Edinburgh and indeed globally.

This matter, along with several others referenced above, are subject to discussion at the on-going series of meetings of Party Leaders of the five parties of the current NI Executive.

#### Election of First Minister and Deputy First Minister

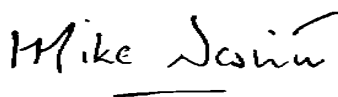
We propose the legislation facilitates a return to the arrangements agreed in the Belfast Agreement of 1998, and subsequently endorsed by Referendum, whereby the First Minister and Deputy First Minister are elected jointly by the Assembly. The St Andrews legislation of 2006 changed this position, offering the post of First Minister to the MLA of choice of the largest single party.

#### Armed Forces Advocate

The other matter to note at this stage is the Ulster Unionist proposal that the 2013 Bill should take the opportunity to introduce an Armed Forces Advocate in Northern Ireland. I enclose a copy of my correspondence to the Secretary of State for Northern Ireland of the 15<sup>th</sup> October 2012 for reference.

I thank you for your interest in the Ulster Unionist Party’s position in relation to these important matters, and look forward to working with the Secretary of State and her staff as she takes the Bill forward.

Yours faithfully



Mike Nesbitt  
Leader, Ulster Unionist Party