

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

First Delegated Legislation Committee

DRAFT NORTHERN IRELAND ASSEMBLY
(ELECTIONS) (AMENDMENT) ORDER 2015

Monday 20 July 2015

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The Committee consisted of the following Members:

Chair: MR DAVID NUTTALL

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| † Aldous, Peter (<i>Waveney</i>) (Con) | † Elphicke, Charlie (<i>Lord Commissioner of Her Majesty's Treasury</i>) |
| † Ali, Rushanara (<i>Bethnal Green and Bow</i>) (Lab) | † Harris, Rebecca (<i>Castle Point</i>) (Con) |
| Allen, Mr Graham (<i>Nottingham North</i>) (Lab) | † Hayman, Sue (<i>Workington</i>) (Lab) |
| † Argar, Edward (<i>Charnwood</i>) (Con) | † Kinahan, Danny (<i>South Antrim</i>) (UUP) |
| † Baker, Mr Steve (<i>Wycombe</i>) (Con) | † Pound, Stephen (<i>Ealing North</i>) (Lab) |
| † Burns, Sir Simon (<i>Chelmsford</i>) (Con) | † Wallace, Mr Ben (<i>Parliamentary Under-Secretary of State for Northern Ireland</i>) |
| Campbell, Mr Gregory (<i>East Londonderry</i>) (DUP) | † Wilson, Phil (<i>Sedgefield</i>) (Lab) |
| † Caulfield, Maria (<i>Lewes</i>) (Con) | Glenn McKee, <i>Committee Clerk</i> |
| † Churchill, Jo (<i>Bury St Edmunds</i>) (Con) | † attended the Committee |
| † Coyle, Neil (<i>Bermondsey and Old Southwark</i>) (Lab) | |
| † Davies, Mims (<i>Eastleigh</i>) (Con) | |

First Delegated Legislation Committee

Monday 20 July 2015

[MR DAVID NUTTALL *in the Chair*]

Draft Northern Ireland Assembly (Elections) (Amendment) Order 2015

3.30 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr Ben Wallace): I beg to move,

That the Committee has considered the draft Northern Ireland Assembly (Elections) (Amendment) Order 2015.

I welcome you to the Chair, Mr Nuttall, and I welcome members to the very first statutory instrument Committee of the new Parliament. My new colleagues in the room will no doubt understand the excitement for some of their older colleagues that statutory instrument Committees can bring to the parliamentary process.

The draft order makes provision to adopt for the purpose of Northern Ireland Assembly elections the same polling districts and stations that are already in place for parliamentary elections. Members of the Northern Ireland Assembly are elected using parliamentary constituencies, but at previous Parliament or Assembly elections the polling districts or wards used were those drawn up for local government elections. Following the reorganisation of district councils in Northern Ireland in 2012, the local electoral boundaries were changed. That resulted in local polling district boundaries that no longer sit discretely within the parliamentary constituencies.

The chief electoral officer for Northern Ireland has made it clear that it is not possible for him to hold an election in which the wards straddle two constituencies. In advance of the general election, therefore, the previous Government introduced legislation that removed the formal link that provided for local government polling districts to be used at parliamentary elections.

Under the new provisions introduced for the general election, the Secretary of State for Northern Ireland now has a duty to designate the polling districts to be used for parliamentary elections, and the chief electoral officer a duty to designate polling stations within those districts. The polling districts that the Secretary of State has designated for the purposes of the parliamentary elections are the ones that were in place before the reorganisation of local government boundaries in Northern Ireland. The effect is to retain for Westminster elections the same polling districts as previously used for the 2010 general election and the most recent Assembly election.

The same change is now needed for Assembly elections. The purpose of the draft order is to close the legislative gap that has existed for Assembly elections since 2013 by applying the parliamentary polling districts and polling places used for parliamentary elections to the Assembly elections. The measure will have the effect of maintaining the status quo and retaining the polling districts that voters are familiar with.

The draft order provides that the polling places used for the Assembly election will be those listed in the polling station scheme drawn up by the chief electoral officer for Northern Ireland. He will have a duty to amend the scheme in relation to Assembly elections if he considers that the parliamentary scheme does not adequately provide for voters at an Assembly election. Electors and interested parties will, as a result of the order, have recourse to the Electoral Commission to appeal the scheme if they are not content.

I hope that the Committee agrees that making provision to re-establish the link between parliamentary and Assembly polling districts and polling places is a necessary and logical step to take in advance of the Assembly elections and that it is reassured that the changes are fully supported by the Electoral Commission and the chief electoral officer.

3.33 pm

Stephen Pound (Ealing North) (Lab): I reiterate the welcome to you, Mr Nuttall, and see that you are finally joining the ranks of the establishment. It is a great pleasure to see you sitting there in dignity.

I welcome the honourable and gallant Minister to his place. I am sure that he will grow to love the brief and to love Northern Ireland as much as so many of us here do. He is welcome to the role and I assure him that on all non-controversial matters, such as the draft order, Her Majesty's Opposition will work entirely in a bipartisan way for the good of all the people of Northern Ireland. We may have differences and disagreements, but I hope that we can work together for the greater good.

I welcome the hon. Member for Castle Point to her new position of great Whip-like authority. It is a pleasure to see her here. With your permission, Mr Nuttall, I would like to welcome some of the newer Members: the hon. Members for Charnwood and for Lewes, as well as my hon. Friend the Member for Bermondsey and Old Southwark—what a pleasure it is to say “my hon. Friend” there. I also welcome the hon. Members for Eastleigh, for South Antrim and for Bury St Edmunds, as well as my hon. Friend the Member for Workington.

The order is not controversial, and Her Majesty's Opposition support it. We understand entirely that it is consequential on the changes in the electoral structures—that it was inevitable. I have just one or two minor questions, and I will understand entirely if the Minister prefers to give a written response later, but knowing his acuity, I think that he probably has the answers at his fingertips.

One question is about the review. As hon. Members know, this whole process was reviewed late last year and the assessment of that review was published in January 2015. I would be interested to know the Government's assessment of the review—whether they feel any consequential amendments may be appropriate and whether the January 2015 review of polling places has thrown up anything that may concern us later. Hon. Members who were here the last time that we debated this issue will remember that we had a considerable discussion about nomenclature. I think that we have moved on from that, but I would be interested to know whether we should consider any issue following publication of the review in January 2015.

The second question is about a review process—an appeal process. Inevitably—it is a fact of life—even something as mundane and anodyne as a polling place or the redesignation of a polling place may prove to be difficult, depending on the exact location and on the environment and atmosphere around it. Is there an appeal process whereby political parties or aggrieved individuals can appeal to the chief electoral officer about the location? If so, has that process been used; does the Minister anticipate that it may be used; or does he feel that such a process would be otiose and is unnecessary?

Those are two minor questions, and as I said, I am perfectly prepared to take a written response later, as I do not wish to detain the Committee. For the record, I welcome the Minister and say that Her Majesty's Opposition have no objection to this essential, sensible and serious legislation, which we support.

Mr Wallace: I thank the hon. Gentleman for his kind comments and I, too, welcome those members of the Committee who are new, especially the hon. Member for Bermondsey and Old Southwark. I fear that if his predecessor had been here, the Committee might not have been so short.

This is, of course, a housekeeping measure. It is important that we lay the ground right for the planned Assembly elections next year and therefore doing this now, with other measures due in September or October, is the right thing to do to ensure that everything is in place for the planned elections in March.

Let me move on to the two specific issues raised by the hon. Member for Ealing North. On the latter point, about a review process, I understand that anyone unhappy with designations is of course allowed to appeal to the Electoral Commission against those designations and then it can deal with those issues.

Stephen Pound: Have any such appeals been made?

Mr Wallace: Not as far as I am aware. There was one disputed polling station at the last election in the area of Dungannon, and I understand that the case is currently under review. It was about the movement of a polling station from a primary school to another centre in Dungannon. There were allegations of intimidation, which is of course a real issue in certain parts of Northern Ireland.

On the hon. Gentleman's other point, I will write to him if there is any further information about the review that was carried out. I do not yet have the full details, but I think that it is important that there are places to go. There is the Electoral Commission to appeal to if people are unhappy, but it has indicated that everyone is happy with the change proposed today. We are simply tidying up and administering the housekeeping that is important to ensuring that the elections take place.

Question put and agreed to.

3.38 pm

Committee rose.

