

John Riddick - entry route for 4?!  
nats. think the  
sell as political imperative - Lorna Fitzsimons.

Strand 1 Questions Presented to Participants on February 2, 1998.  
Response by Women's Coalition

**Q1. What provisions are necessary to ensure that, in the words of the Propositions document, all sections of the community can participate and work together successfully in the operation of [democratically -elected] institutions and that all sections of the community re protected?**

A1. Equity and human rights were two of the founding principles of the Women's Coalition. Inclusion was the other. We view these principles as intrinsic to the operation of new democratic institutions in Northern Ireland. We accept without reservation the need fir decision-making and administrative systems to contain a number of checks and balances to provide reassurance that new institutions would command the confidence of the whole community. The Coalition recognises the need for all proposed structures to have due regard to this principle.

In respect of the key Strand 1 initiative, the regional government, we see merit in exploring whether the Forum rule designed to ensure that decisions taken command widespread cross-community acceptance, 13.1, could be applied and operated by an assembly also. We have stated before that the sufficiency of consensus model used to aid decision making in this process should carry through to its outcome.

It is important therefore that provision is made for proper implementation of this. The Assembly shall thus be presided over by a Speaker. For the first five year term the parties shall nominate and vote a Speaker, who shall be an independent of international standing.

We note that there has to be an essential minimum of workability, and are heartened by the comments of the UUP last week who recognised that efficiency may have to be a secondary consideration to an inclusive working process. We too recognise that it will take greater time and effort to make an assembly work inclusively, but we believe that to operate in any other way would not command widespread support.

X Mechanisms to prevent abuse of power???

Mechanism to test ECHR  
code of practice - auditing mechanisms

Sign duty of service - independent  
individual  
SPAKER 10

**Q2. What is needed to permit relations with other institutions?**

In order to provide a meaningful link with central government, there shall be a Special Standing Committee for NI composed of a number of Northern Ireland Westminster MP's proportional to their electoral strengths and a number of Northern Ireland Assembly Members proportional to their electoral strengths. Where this system does not realise representation from each of the Assembly parties, provision shall be made for at least one member of each of the parties. Further, we recommend that there be an assembly committee charged with co-ordinating North/South matters (how does this fit with any Council of the Isles, or North South body with powers of

over  
be prepared to work in Assembly, N-S, &  
structures

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implementation?); a committee to develop mutually agreeable relations with Scotland and Wales; and a committee to liaise with the European Union. Opportunities for participation in Inter-governmental arrangements and Anglo-Irish fora should be taken up. Such arrangements should be broadened to take account of current, and developing regions within the UK and Ireland.

Further, we are committed to the principle of subsidiarity in terms of decision-making consistent with due regard to the population of Northern Ireland and policy effectiveness. Thus the Coalition advocates the rationalisation of current local government arrangements allowing for an appropriate allocation of powers vis-à-vis the Assembly, and the development of subsidiary community fora.

X [Links with local government---raises question of local government reform??]

### Q3. What sort of electoral system should be adopted??

The electoral system chosen should deliver 50/50 gender balance of arrangements in both chambers (I have just spoken to Carmel and she will fax me something this evening.)

### Q4. Should an Assembly have one chamber, or two? How large should the chamber(s) be? Elected for what period?

A4. We restate our belief that an inclusionary ethos should underpin the entire process and its outcome. It is therefore in the interests of the Assembly that as broad a range of actors as possible have a stake in its operational and political success, if only to protect it, especially in its early years.

We thus recommend a bicameral system, in which directly elected representatives shall number approximately 110 members; 5 from each of the current 18 Westminster constituencies. We envisage an additional 20 members, elected from a regional list system, The 10 parties with the highest cumulative vote shall nominate 2 candidates by this route.

A second chamber can offer the opportunity to deepen democratic participation and inclusion. This will be elected by a collegiate basis drawn from sectors such as the Trade Unions, employers, Agriculture, the voluntary sector, youth sector, culture and education.

Members of a series of agreed electoral colleges should select this body, with 10 seats being elected from each on the basis of proportional representation.

The second chamber should consist of 50/50 male and female composition with at least 5 representatives from each electoral college being female.

The second chamber will adopt a role that is complementary to the work of the Assembly and will undertake consultative, monitoring and referral and

*Electoral X*  
*How elected*

representational functions. Where possible decisions will be taken by consensus. Procedure will be devised for situations where consensus cannot be reached. The second chamber will have a general duty to liaise formally and informally with the Assembly and the Secretary of State to give advice.

Specifically, the second chamber's role, powers, rights, duties and responsibilities will include:

- (i) consideration of proposed legislation specifically referred to it under Assembly procedure (with power to *accept, reject*, offer an opinion or proposed amendments)
- (ii) the ability to refer any proposed legislation for appropriate judicial consideration, e.g. of whether it might be discriminatory or ultra-vires.
- (iii) the approval of designated public appointments in respect of transferred matters and advising the Secretary of State on appointments within her responsibility
- (iv) the consideration of actions or proposals referred to it under Assembly procedures (with the power to give an opinion on or to make amendments on such actions and to refer them for any appropriate judicial consideration)
- (v) preparation of regular annual reports for the Assembly and the Secretary of State on the work of the second chamber and its view of the operation of the new political institutions.

The second chamber will have a special commitment to the social and economic development of Northern Ireland.

The second chamber would secure its share of resources from the Secretary of State independently from the rest of the transferred block, in order to ensure that it had financial independence and its resources were sufficient to carry out the full range of its statutory functions.

#### **Q5. How should the Assembly operate?**

*Chambers*  
A5. There shall be a Business Committee of the Assembly, which shall have an appropriate number of departmental sub-committees. In addition, we suggest there should be a committee dealing with non-transferred matters; Committees and their chairs should be balanced according to political diversity and gender. The committee structure should reflect both chambers, and a system of co-chairs should be developed.

#### **Q6. What range of legislative powers and executive functions should be taken by the Assembly and those answerable to it- that at present covered by the Northern Ireland departments, or wider?**

A6. The regional assembly should have executive powers on delegated matters and advisory powers on non-delegated matters. Delegated matters include:

- (a) Education policy and administration.

- (b) Health policy and administration.
- (c) Environment/regional planning.
- (d) Transport policy and administration.
- (e) Housing policy and administration.

The assembly would thus have an advisory role in the following areas:

- (a) Policing.
- (b) Foreign policy
- (c) Tax levy
- (d) Domestic and national security.

We envisage the executive elected from the Assembly being underpinned by the principle of power-sharing and giving regard to the sufficiency of consensus model (as used in this process) to assist with decision-making.

There should be a transition period of some 4 - 5 years during which the arrangements should be monitored. A report should be published on their operation and their ability to manage further development and change.

During the transition period the Assembly should address the further devolution of power to locally based structures which include political representatives and civic interests.

X **Q7. How should appointments to executive responsibilities be made, ensuring participation from the main sections of the community? (Do we use these, Q7 & 8 to present further rationale for second chamber?)**

**Q8. What if any further entities are required to complement the assembly and the individuals (or bodies) charged with executive functions, to give direction and ensure co-ordination and by way of giving reassurance about participation and protection of interests across the community?**

**Q9. possible missing question on financial provisions** - ?

*financial arrangements?*