

NUMBER AND ROLE OF SCOTS AND WELSH MPs

(A Paper by Mr. Francis Pym)

Note: (In the Devolution Bill primary and secondary legislation (i.e. orders and statutory instruments) and administrative acts are devolved to Scotland but in the case of Wales only secondary legislation and administrative acts are devolved)

A. Role

Arguments for change

1. The Scots would be able to vote on Anglo-Welsh primary legislation, and the Scots and Welsh on secondary legislation but not vice versa. This could lead to agreement to legislative measures for England and Wales for which there was no Anglo-Welsh majority and for secondary legislation and administrative acts for England for which there was no English majority.
2. The Scots and Welsh will be different anyway as they will be unable to make representations or, in Scotland's case, legislate for matters within the devolved spheres.

Arguments against change

1. Scotland and Wales should not be treated as second class citizens in the sovereign Parliament, thereby strengthening the claim of Edinburgh and Cardiff to be the only real representatives of the Scots and Welsh.
2. Matters prima facie English (e.g. expenditure requiring taxation or borrowing) may affect Scotland and Wales.
3. Any change would be complicated. It would not be practicable to operate on a simple basis of non voting.

Possible changes:- a) a rule or convention of non voting

1. Such a rule would need different application for Scots and Welsh members. Scots members should not be able to vote on any Anglo-Welsh measures, either legislation or administration; Welsh members should not be able to vote on English secondary measures or administration but should be able to vote on Anglo-Welsh primary legislation.
2. Such a rule would make Cabinet responsibility impossible through the destruction of the Government's majority in the areas on which Scots and/or Welsh could not vote.

b) An English Assembly based on existing MPs

1. It could be that the only answer would be for the English to appoint ministers for the devolved areas of government reflecting the party position in England. They too would need a block budget allocated by the UK Parliament. The House would resolve itself into an English Assembly so that all members were equal in the UK Parliament and any extra budget allocation was the concern of the English.

B. Numbers

Arguments for change

1. These are strengthened or weakened depending on the decision as to the role of members.
2. Scotland and, less particularly, Wales would be over-represented and have a voice in Edinburgh and Cardiff. In the case of Scotland there would be a legislative voice in Edinburgh.
3. The English regions would not feel themselves to be at such a disadvantage if the number of Scots and Welsh MPs were reduced.
4. It could be achieved within an overall redistribution including Ulster.

Arguments against change

1. It would not overcome the problems of English administration or Anglo-Welsh legislation being decided by a party balance determined outwith those countries.
2. Westminster will continue to be sovereign and to have direct control over the economic well being of Scotland and Wales.
3. A reduction could strengthen the claim of Edinburgh and Cardiff for more power.
4. Welsh primary legislation will need to be carefully examined by Welsh MPs.
5. The UK Parliament should represent the constituent nations.
6. Many Scottish constituencies are already geographically large.
7. It could help the SNP who would claim English domination.
8. The changes could not take place until after the next election.

Possible changes

The easiest option to argue, on the ground that Scotland and Wales now had their own voices for many matters which hitherto required extra representation, would be parity with England as suggested by the Royal Commission. However, this could involve the taking of political risks for minor advantage.

Reduction to parity with Northern Ireland for Scotland would exclude Scottish MPs from the mainstream of British politics and downgrade Westminster in Scottish eyes.

An increase in English representation would be less open to Scottish complaints.

Note: the Royal Commission proposed

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| Scotland | 57 | (71) |
| Wales | 31 | (36) |
| Ulster | 17 | (12) |
| England | 525 | (516) |

Conclusion

A change to parity with England would be justifiable, though a decision would still need to be taken on the role of Scots and Welsh MPs. The only logical answer to this is to give the same powers to English MPs as a body as are being given to Scotland and then to try to accommodate the Welsh situation.