The evidence is in two parts. First, it summarises some historic findings and conclusions on the issues of constituency boundaries and electoral reform in Scotland. These were presented in a commissioned report for the Arbuthnott Commission on Boundary Differences and Voting Systems in Scotland in May 2005. The reference is J.Bradbury and M.Russell, ‘The local work of Scottish MPs and MSPs: Effects of Non-coterminous boundaries’, 75pp which can be accessed at <https://www.ucl.ac.uk/constitution-unit/research/research-archive/archive-projects/parliament-and-devolution>. The report presented MPs and MSPs views on sustaining coterminosity of Westminster and Scottish parliament constituency boundaries. It also presented MSP views on electoral reform for the Scottish Parliament. The report concluded that given significant differences between political parties, if the system was to be reformed to maintain coterminosity of constituency boundaries the adaptation of the existing additional member electoral system was the most realistic focus for gaining agreed electoral reform.

Secondly, the evidence considers the issues of constituency boundaries and electoral reform in relation to the current debate about the future of the National Assembly for Wales. So far this has been most extensively considered by the Wales Governance Centre and Electoral Reform Society Cymru in their report, *Reshaping the Senedd*. This advocated the importance of maintaining coterminosity and of approaching the construction of a new electoral system for Wales based on the principles of STV or the open list. I have no new data on Wales to present; but with the Scottish experience in mind there are reasoned bases for suggesting how we might reconsider the potential significance of coterminosity to constituency boundaries in Wales, as well as how and why we might be best served by either simply maintaining the existing additional member system or focusing debate on its adaptation rather than the advocacy of an entirely new system.

**1. A Summary of Findings and Conclusions of ‘The local work of Scottish MPs and MSPs: Effects of Non-coterminous boundaries’ (May 2005)**

*MP and MSP attitudes to coterminosity in the early 2000s*

In surveys in 2002 and 2004 over 80% of Scottish MPs agreed that boundaries should remain coterminous between the UK and Scottish Parliament, and a majority strongly disagreed with the change to non coterminosity. Attitudes among MSPs were more ambiguous. In 2004 43.4% of MSPs supported retaining coterminosity while 39% thought it should end. Conservative MSPs were most in favour of retaining coterminous boundaries.

Interviews with MPs in 2002 and 2004 revealed the following reasons for retaining coterminosity: (1) to sustain coherent organisation of local party structures, avoid confusion among activists that might arise from overlapping boundaries, and avoid unwelcome duplication of meeting structures/officer posts etc. (2) to sustain coherent party campaign organisations, avoiding separation of state-wide and devolved party campaign teams that might damage the local team ethos and even result in a decline in activism; (3) to sustain clarity for constituents, who might struggle to work out which constituency representative applies in terms of boundaries and who to send inquiries to; (4) to sustain some potential for logistical co-ordination of constituency service for constituents in the context of multi-level representation, which among representatives of the same party can include joint surgeries, joint offices and efficient forwarding of inquiries related to the other representative’s jurisdiction; (5) to sustain the potential for effective co-ordination with local groups, who may encounter logistical difficulties in attempting to liaise over issues with representatives with overlapping boundaries; and (6) to avoid added risks of competition among elected representatives over local representation.

Interviews with MSPs in 2002 and 2004 suggested greater scepticism among both constituency and list members that ending coterminosity would make so much difference to constituents. They thought constituents were confused by the current system but were broadly not bothered about it, and there would be a similar reaction to the end of coterminosity. Nevertheless, constituency and list MSPs who were concerned about non coterminosity raised the issue of its likely implications for local party structures.

MPs and MSPs were both aware that as a result of having 59 Westminster constituencies overlying 73 Scottish Parliament constituencies there would be an increased incidence of representatives at state-wide and devolved levels having a representative from an opposing party in at least part of their constituency. This would increase local competition over representation. There were two ways of looking at this: first, that this was the reality of the politics of party representation and more competition kept representatives on their toes and delivered choice and competition for constituents in getting inquiries dealt with; or second, it unnecessarily added to local party competition over representation, encouraging further an emphasis on the role of constituency champion to the detriment of other legislative roles, and potentially leading to suboptimal constituency service as representatives more routinely sought to deal with constituent inquiries relating to the other jurisdiction as an aspect of party competition.

*MSP views on reform of the Scottish Parliament election system in the early 2000s*

There was little support among MSPs in surveys in 2002 and 2004 for revising AMS by introducing a national list. Interviews suggested that it was generally presumed that this would lead to more central belt candidates and list members favoured territorial ties. Labour MSPs who were concerned about what they considered unfair list member targeting of constituencies ahead of future elections, did not feel a national list would reduce targeted list representation for party competition purposes. The principal system reform advocated by non-Labour MSPs focused on the use of STV. This would involve pairing the new (2005) Westminster constituencies to make 29 or 30 STV constituencies and using them as a basis for multi-member STV elections. This would retain some relationship with Westminster boundaries, thus reducing electorate confusion, while achieving equal status for all MSPs. Labour MSPs opposed a move to STV because it would create an even bigger local battle ground over local constituent work not only between candidates/representatives of different parties but also potentially between those of members of the same party. This was undoubtedly potentially detrimental to sitting constituency MSPs retaining their seats, but there were views that this was also potentially detrimental to the general development of the conduct of the full range of representative roles in the Parliament.

The data pointed to the conclusion that there was significant support for coterminosity of boundaries among Scottish MPs, an equivocal attitude among MSPs and no consensus on electoral reform among MSPs. In respect of considering the issue of coterminosity though it was instructive that even among MSPs who favoured STV there was a desire to design STV boundaries on the basis of paired Westminster boundaries. This suggested that the principle of coterminosity was at least a useful consideration for MSPs in Scottish Parliament constituency design. The cautious conclusion that we drew from the data on elected representative views was that there were reasonably strong reasons for restoring coterminosity and, given the lack of consensus on electoral reform, that a way forward to retaining the same number of MSPs was to be found in making Scottish Parliament boundaries coterminous with Westminster boundaries while rebalancing list and constituency seats.

*After the Arbuthnott Commission*

The Arbuthnott Commission report overall found that after pooling all the evidence of public attitudes, representatives and private and public bodies they did not find it compelling enough to recommend the restoration of coterminous Scottish Parliament/Westminster Parliament boundaries in Scotland; nor was there any subsequent fundamental reform of AMS for the Scottish Parliament. Indeed, electoral reform went away as an issue. Today, Scotland still elects 59 MPs to Westminster, and 73 constituency MSPs and 56 regional list MSPs to the Scottish Parliament. I am not aware of systematically collected data on how representatives, constituents or groups have adapted to non coterminosity of constituency boundaries or view its implications in Scotland. But this does not appear to have been obviously problematic. It is to be remembered that MSPs were much less bothered about non coterminosity than MPs in Scotland, and in practice the Scottish Parliament has lived with non coterminosity of boundaries. Pressures for the maintenance of the original additional member electoral system and against any rebalancing of the numbers of constituency and list members were also easier to resist when there was no pressure for larger numbers overall, and the option of rebalancing divided the parties.

While there have continued to be some advocates of a move to STV since 2005 because AMS gives too much representation to the bigger parties, there has been little political push for reform. Of course the political map of Scotland has changed enormously since then. In the current situation where the Scottish National Party has 56 of Scotland’s 59 MPs, and 59 of Scotland’s 73 constituency MSPs the scope for some of the potential problems of high cross-level competition over local representation envisaged in 2005 by MPs also has been reduced.

**2. Constituency Boundaries and Electoral Reform in Wales**

*Attitudes to Coterminosity (or not) and Electoral Reform*

The report by the Wales Governance Centre and Electoral Reform Society Cymru, *Reshaping the Senedd* highlights the potential adverse implications of non coterminosity for constituents and political parties (p6-7). Consequently, it makes the theoretical case for restoring coterminosity for the sake of simplicity. In the light of the historic Scottish evidence, we might expect that this might gain most agreement from Welsh MPs, notably Conservative MPs. However, in the light of the same evidence we might expect more equivocal responses from among AMs. The experience of living with non coterminosity in Scotland does not appear to have yielded any compelling data to make it a given principle of a good electoral system in the context of multi-level government that coterminosity should be maintained. Consequently, there is a reasoned basis for considering instead acceptance of non coterminosity, and focusing attention on helping parties, representatives, constituents and groups to negotiate a political map of overlapping boundaries. In terms of the electoral system as a whole it would be perfectly plausible therefore to maintain AMS as it is with 40 constituency and 20 regional list members.

If it is nevertheless accepted that there is a compelling case for electoral reform to produce more AMs, then the 40 constituency framework would remain unhelpful. For example, it could not underpin the consideration of STV or list options for reform, and most discussion of reform of AMS while retaining 40 constituencies generally focuses on a rebalancing of the proportion of constituency and list members. As in the Scottish case this is unlikely to achieve a consensus. The key point to take from this is that non coterminosity, and therefore the existing 60 member Assembly, can be maintained and defended; but that if the key issue in electoral reform is to achieve larger numbers of AMs then it is not very helpful. Largely, the reduction to 29 constituencies for Westminster and support for coterminosity provides simply a convenient opportunity for having a more helpful base to work from in reconstructing the Assembly’s electoral system to produce more members.

*Electoral System Options and a principled basis for reformed AMS*

*Reshaping the Senedd* provides a consideration of six principles for a good electoral system and then uses them as a basis for the evaluation of a range of electoral systems. The principles are proportionality; simplicity; sustainability; broad-based consensus; strong and equal mandates; representativeness; and substantial level of support. STV and open list are given a generally clean bill of health, while AMS is considered problematic against the criteria of simplicity, whether it can create a broad based consensus, and whether it delivers strong and equal mandates. It is not the purpose here to provide a critique of STV and open list methods but simply to offer some thoughts in defence of AMS and suggest that the evaluation against chosen criteria should be considered critically. First, in a UK context all electoral systems beyond simple plurality are understood as relatively complex. But AMS (or MMP) is theorised as providing the best of both worlds precisely because it combines easily intelligible simple plurality constituency elections with a mechanism for list election to make the overall result more proportional. In practice it sits well as a reformist approach within British political practice to maintain a relative simplicity against other more complex options while achieving more proportional outcomes.

Second, whether AMS produces strong and equal mandates is a matter more for the internal political world of the Assembly than for relations with the public. The representative roles of list members are widely appreciated by constituents seeking proportionate locally based representation, or advice on complaints, and by public and private sector organisations seeking help. In the sense that their mandates are an issue between the parties it is lessened when parties have both constituency and list members, and this is likely to be more clearly the case in the context of an enlarged Assembly. Third, it is a big stretch to suggest that an enlarged Assembly elected by AMS which produced a BNP AM as potentially the 6th AM elected from a regional list, would fail to be supported by a broad based consensus. Primarily, it would appear that it simply might offend a singular normative vision of what kind of people should be elected to the Assembly. A more healthy respect for who the voters wish to elect, and in turn the engagement of voters who oppose results that they find unacceptable, might overall contribute to increasing engagement and voter turn-out in a situation where the Assembly is to a considerable extent failing on both counts.

One might also raise two criteria against which electoral systems can be evaluated which *Reshaping the Senedd* does not list. First, there is the issue of local representation. This is in fact deeply relevant to the case of Wales as the politics of the Assembly as a representative body is that it is quintessentially based on being a democratic institution that claims to be closer to the people, adding to small country governance by representing the communities of the community of Wales. Here AMS performs very well with a focus for specifically local representation based on 40 single constituency Assembly Members, prepared to serve all constituents irrespective of their political viewpoints. In the context of any of the options for an enlarged Assembly based on AMS this is likely to go up to 58 local constituency members which could be argued enhances this connection between Assembly and electorate. The second issue is historical tradition and precedent. AMS has now been used in Scotland and Wales for nearly 20 years. There are tried and trusted features in the conduct of elections on the basis of AMS that can form a strong basis for a reformed system. Parties, representatives and voters have all learned how to negotiate AMS, and electoral reform on the basis of adaptation of a legitimate existing system has a much stronger prospect of gaining widespread agreement than seeking to argue for the principles of an entirely new system, however laudable.

*Options for a Reformed Additional Member System*

In looking at electoral reform to create an enlarged Assembly we arrive then at two assumptions: first, that we adopt the framework of coterminous boundaries not as a principle but as a matter of convenience in giving us a more helpful constituency base to construct an enlarged Assembly; and secondly, that we focus on reformed AMS because both theoretically and in the practical case of Wales it has at least as good a bill of health across a range of criteria as STV and open list if not better. In this context there appear to be two principal reform options to consider.

1. We might consider increasing the number of AMs within an additional member electoral system on the basis of rather than exactly following coterminous boundaries. This suggests the immediate option of halving Westminster boundaries at the Assembly level to create 58 Assembly constituencies, based on two per Westminster constituency. If the five electoral regions are then again allocated two more each we would have 30 list members, or 29 if the *Reshaping the Senedd* option is followed of only giving South West Wales region one extra list seat. This option has the virtue of increasing the number of AMs overall from 60 to 87 or 88, while sustaining roughly or exactly the proportion of constituency to list seats established originally in the 1998 Government of Wales Act.
2. A more radical approach would be to take seriously the recommendation of the report by the UK’s Changing Union project and Electoral Reform Society Cymru that the Assembly should have around 100 members. To do this an option would be to allocate a further four list members for each electoral region to make 40 regional list seats. 58 constituency seats and 40 regional list members would actually then have the combined achievement of sustaining the link to coterminous boundaries with Westminster representation, growing the number of Assembly seats to 98 and in a proportion of constituency to list members more comparable to the Scottish Parliament. This is obviously a more challenging option for the political parties and may not gain consensus but it deserves serious consideration not least in the context of more considered debate of what size of membership the Assembly actually needs to carry out all of its functions.

There is a technical issue in how one elects 58 constituency members.  *Reshaping the Senedd* (p16) casts doubt on the efficacy of dividing Westminster boundaries into two to make 58 single member constituencies because of boundary disputes and regular redrawing of boundaries. It tends to assume that reformed AMS would involve 29 two-member constituencies, but that this would then also become complex for the voter. Evaluation of the reformed AMS approach against the criteria of a good electoral system would suggest that to have a strong clear local focus to representation the use of 58 single member constituencies is a much better idea; the negotiation of boundary review is a relatively small matter in the context of everything else. That is why in the elaboration of these reform options I assume 58 single member seats.

**Conclusion**

A broader question in electoral reform is the extent to which developments of electoral systems encourage innovation in approaches to democratic representation. One might focus a great deal in trying to achieve such innovation on re-examining the fundamentals of electoral system design. In this context, the suggestion here that debate should focus on consideration of how to adapt AMS for Wales may be thought somewhat conservative. It is not meant to be so. The prospects of enlarging the Assembly within a system design that is familiar to the public has a chance of gaining public and party support and so actually achieve that enlargement. At the same time adapted AMS provides many starting points for achieving reasonably proportional results, parties thinking through revised approaches to improving social representativeness, the encouragement of new and different kinds of politicians, stronger and more successful local engagement with the public and improvements in the conduct of all of AMs representative roles both outside and inside the Assembly.