

Submission to the Independent Review Panel on Members' Salaries and Allowances from Nick Bourne AM, Leader of the Opposition and of the Welsh Conservative Group in the National Assembly

New Powers in the Third Assembly

First I think it is of assistance if I set out how life in the Third Assembly is very different from the first two Assemblies. As a Member who has been here from 1999 onwards I know how the constituency workload has grown (I refer to this below). What is now undoubtedly more dramatic is the way that the work in the Assembly has grown, both in terms of quantity and also in terms of quality.

In this Third Assembly, consequent on the passing of the Government of Wales Act 2006, we now have a legislative procedure where bids are put in to Westminster for the transfer of the power to enact legislation in specific areas. Wherever a proposal is made then a Committee has to be set up to oversee the Legislative Competence Order that is being sought. This obviously places an onus on Assembly Members in terms of committee time, in terms of preparation time. It also places an additional onus on Plenary in terms of debating the various proposals.

Currently the following Legislative Competence Orders are making their way through the Assembly:

- Domestic Fire Safety
- Mental Health Reform
- Carers
- Additional Learning Needs
- Environmental Protection and Waste Management
- Vulnerable Children
- Domiciliary Care
- Affordable Housing
- NHS Redress

This will clearly be an ongoing process and a similar number of LCOs will be going through this process in the Assembly every year.

It is clear that in those areas where we gain legislative competence we are in, all but name, a Parliament.

Additionally in this Assembly, and I think again reflecting an increasing legislative role that we are assuming, a Finance Committee has been set up which, in terms of its significance in the Assembly, is, in my belief, on a par with the Audit Committee and it will look at specific budgets to determine how they are being spent and the disposition of finance, i.e. unlike the Audit Committee which is essentially ex-post facto.

Already there is a considerably increased amount of committee work. Additionally, there is more Plenary work and Plenary is now sitting for longer hour on a Wednesday (at least an additional 90 minutes). There is also the likelihood in the near future of Thursday sittings being introduced, and this is currently being debated. This is to cope with the increased workload and the nature of the work that we are now doing as an Assembly with legislative powers.

The Government of Wales Act 2006, and the Legislative Competence Order procedure, also means that there is the need for a much closer working relationship with Members of Parliament in both houses at Westminster in relation to the passage of LCOs. There are more frequent meetings and conference calls between Cardiff and Westminster, and a need for speedier and much more frequent communication.

All of this also has an impact on research staff in preparing briefs as well as on Members in terms of preparation for debate and discussion. Research staff and, indeed, all support staff are, in the experience, I believe, of all four parties, working far harder.

In view of the new legislative role, there is also a greater propensity of organisations within Wales to lobby for particular LCOs to transfer a legislative power to us and then for Assembly measures, consequent on the transfer of the legislative power to be passed. This too has an effect on the workload.

Another distinguishing feature in this Third Assembly is the division of opposition and government time. Statutory Instruments are no longer voted on as a matter of routine, and consequently there is far more time available for debate. There is at least one Welsh Conservative opposition debate every week, and sometimes two, whereas previously there would be perhaps three or four per term, now there is at least four and possibly five times as many.

The work of an Assembly Member

Every Assembly Member, whether a Regional or a Constituency member, does work within his or her constituency or region. Typically this work would involve constituency surgeries in towns and, indeed, villages in the area, visiting public institutions such as schools, hospitals, voluntary organisations, housing projects, fire stations, ambulance stations etc, meetings with such organisations and public meetings on specific campaigning issues, e.g. closure of Post Offices, future of a hospital, proposed road or wind farm, etc.

Constituency Case Work

Constituency case work has grown during the eight or nine years of the Assembly's existence, and from speaking to MPs of all parties, it seems clear that we have at least as much constituency work as MPs, and quite probably more, possibly because of the nature of the areas that are within the devolved settlement, possibly because of the immediacy of MPs in geographic terms to represent their constituency or region. We also act as a filter for matters that are non-devolved such as immigration issues.

In addition, there is need for liaison at constituency and regional level with other elected representatives, whether Councillors, MPs or, indeed, MEPs.

Assembly Work

Assembly Members have duties in terms of sitting on committees and preparation for committees, as well as in Plenary in putting questions to Ministers (written questions are also posed to Ministers), speaking in debate, proposing short debates on individual issues raised, preparation for debates, meeting local organisations, meeting national delegations, attending Group meetings, attending Group press conferences, helping develop legislation, liaison with Members of Parliament, MEPs and Members of the House of Lords, checking budgets, involvement in activities with outside institutions and including liaison with Parliaments from overseas, attending All-Party Group meetings.

In my experience certainly Assembly Members are now expected to undertake much more of a policy development role than previously. Within our own Group we have had many policy meetings and policy discussions, both at bilateral level and in regular Group meetings and, in addition, at regular ad hoc arranged policy discussions. It is important that Assembly Members skills are developed in terms of preparing legislation and also that we attract members of calibre given the increased responsibility of the legislation role.

Comparison with MPs

Clearly, in terms of comparability, the role of the Assembly Member has increased in significance, as has the workload since 1999.

Comparisons on the weight of workload would demonstrate, I believe, that Assembly Members are doing more than MPs and this is confirmed by people who have served in both places, but now added to this mix is the fact that there is an additional responsibility given the changing importance of the role that we are now undertaking in terms of legislation, a role which will only grow in importance.

Responsibilities of Post Holders

Clearly it is right the Committee Chairs of senior committees receive an additional allowance for the additional work that they are expected to fulfil. This is more so now given the increasing complexity and importance placed on committee work in this new world.

In addition to that, the Leader of the Opposition receives an allowance as Opposition Leader. It is my belief, and I think I can put this without fear or favour as I am Leader of the Opposition, that the Leaders of all the four parties here should have an additional allowance. Clearly two are in the Cabinet at present so it doesn't have a direct bearing on them, but the third and fourth Party Leaders here have curiously

found themselves in the past receiving less in terms of emoluments than Committee Chairs and others in their Groups.

This is not desirable nor defensible, and while it may be that the third and fourth Party Leaders in Party size terms should not receive as much as the Leader of the Opposition, I think there should be some recognition of the additional duties that fall on a Leader of a party group and of the role that the Leader undertakes. In particular, the Leader will have their responsibility in Leaders' meetings within the National Assembly, representing the Party on national occasions, both at UK and at Wales level, liaising with his or her Party at Westminster and in Europe, and generally giving a lead to the Assembly Group.

Whips

I believe that this is a matter that does need attention and similarly, I believe, that Whips do perform a very useful function and may often deputise for the Party Leader in the relevant Groups. They may also be members of the Commission which also entails additional responsibilities. They also, of course, have regular liaison with colleagues at Westminster and, to some extent, in Europe too.

In conclusion, it may be seen that virtually everybody within the National Assembly, given the small size, carries some additional responsibilities, and whilst this was perhaps recognised early on, those additional responsibilities have grown both more widely and more deeply, and I think consideration should be given to this in the consideration that you bring to bear in your task.

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Leader of the Opposition