

Constitutional and Legislative Affairs Committee  
Inquiry into Disqualification of Membership from the National Assembly for  
Wales  
DQ7 – Nortridge Perrott, Member of the Public

**Submission –CLAC –DUAL CANDIDACY,DOUBLE JOBBING,DUAL ELECTED ROLES**

**Case for Reform:**

**The issues:**

**Dual candidacy-** As a previous Welsh Minister stated[Wmail 1/5/14]—citing

“the fundamental democratic abuse of DUAL candidacy which is that losers become winners ,that voters are second guessed and contradicted by the system ,their choices denied..”

***??If candidates cannot persuade voters to vote for them ,why should they nevertheless be forced upon voters through the Back door?***

The UK government intend the above result for the People of Wales through inserting a clause in the upcoming Wales Bill allowing a candidate to stand for Assembly election on a Regional list and also fight for a first past the post constituency seat.

**Plainly** –the situation post 2006 where this practice of dual candidacy was BARRED should be maintained. The GOWA 2006 put the voters in charge and this principle is a fundamental **DEMOCRATIC principle** . .and applied in this submission on all Questions of candidature eligibility.

**The Context** –as the WG asserts.

“Generally speaking, restrictions on membership are a basic feature of elected legislatures. While certain restrictions are necessary, they are a limit on people’s democratic rights. In the Welsh Government’s view.

Section 16 of GoWA 2006 identifies a number of persons who may not be members of the Assembly. Additionally, it provides for an Order in Council (—Disqualification Order||) to designate further offices and employments, the holders of which would also be disqualified from becoming members of the Assembly. There are also posts appointed by the Assembly (for example, members of the Independent Remuneration Board and the Standards Commissioner) where the legislation establishing them debar AMs from being appointed to the posts and debar post-holders from standing for election.

There are certain UK–wide qualifications that a prospective candidate must comply with in order to be able to stand for elections to any one of the legislatures in the UK. For example, the person must be at least 18 years old and must be a British citizen, an eligible Commonwealth citizen, or a citizen of any member state of the European Union.

The rationale behind disqualifying people from Assembly membership must be well justified, and we should restrict exclusions to the minimum.

## **MPs from Northern Ireland will be banned from sitting in the Stormont Assembly as well as Westminster, the Government said.**

Northern Ireland Secretary Owen Paterson vowed to crackdown on "double-jobbing" politicians who are paid to sit in Parliament as well as the devolved Belfast institution.

**Speaking at the Conservative Party conference in Manchester, Mr Paterson said:**

**"I don't believe anybody can be a full time MP and a full time Assembly Member, and so I will give you this commitment today - by agreement if possible but by law if necessary, we will end double jobbing"**

Clearly the notion of Dual Candidacy in the Wales Bill as advocated by the UK coalition and the notion of having TWO elected jobs in Northern Ireland demonstrate that different jurisdictions view FUNDAMENTAL democratic principles very differently :ie

### **ONE member occupying ONE elected position after ONE particular vote .**

The petitioner asserts that the Mandate for an elected position in Wales should be clearly co terminous with the electorate ,so that actions and the chain of Accountability to voters is :

**CLEAR ..UNAMBIGUOUS and TRACEABLE to the body corporare of voters who have exercised their choice of candidate ..**

the above TWO examples demonstrate the differing understandings to that ambiguity and "fuzziness " of mandate which previously has occurred ,is currently occurring in England and ask that steps are taken after this Inquiry that can return elective politics in Wales to a more simpler ,clearer,.cleaner and easily understandable state of affairs.

### **The Dual Role Petition:**

**The petitioner asks the Welsh Government to bring forward legislation to bar the practice currently exhibited by 7 currently serving Assembly Members to hold TWO elected positions simultaneously,namely holding office as a Councillor witin the Welsh Jurisdiction and also holding office as an elected Assembly Member in the National Assembly of Wales.**

As the WG asserts :

It would therefore be beneficial for CLAC to examine afresh the principles underpinning the disqualifying posts and employments contained in the previous Disqualification Order, propose new principles as appropriate and, so far as possible, recommend a new list of disqualifying posts and employments which could then be included in the next Disqualification Order. We would like the Order to be as clear and accessible as possible, and we would also like to eliminate any unnecessary complexity

And Again as **WG asserts**:

It is our view that the current structures for excluding persons from Assembly membership do not properly reflect their *raison d'être*. The disqualifications purport to prevent AMs from holding offices or employments deemed to interfere with the proper fulfilment with their duties. But it is our view that the rules pertaining to disqualifications are increasingly unfit for purpose to the point that, in some instances, they pose a disincentive to potential candidates and thus fall foul of the logic of empowering democratic participation.

**PLAINLY** --the rationale, principles and design of the system will have a bearing on the reputation, engagement and participation in Wales for the nascent National Assembly—a clear principled, transparent and accountable elective process is the order of the day for the CLAC, and it is hoped that the CLAC inquiry will rise to the challenge,

To Chair..[Petitions Committee]

Please maintain an active interest on behalf of the Petitions Committee to ensure the practice of DOUBLE JOBBING does not become a possibility at the NEXT Assembly elections:

1 BY Drafting a possible amendment to the relevant legislation to achieve this end.

2 By considering across the piece ALL possible difficulties in DUAL serving on BOARDS,NDPB's and other ASPB ;so that the difficulties encountered by CANDIDATES at the last Assembly election who had to stand down because of the vagaries and ambiguities of the current ELIGIBILITY criteria to stand as an Assembly candidate are without ambiguity.

3 USE the Electoral Commission and the NI Executive to formulate a clearer, cleaner and more accessible CANDIDATE base for the Assembly..

Consider also the increase to 80 members and

HOW the principles of CANDIDATURE eligibility should be translated to an enlarged Assembly.

your sincerely#

N Perrott Petitioner

NORTRIDGE PERROTT/PETITIONER/5/5/14

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rationale behind disqualifying people from Assembly membership must be well justified, and we should restrict exclusions to the minimum. There are certain UK-wide qualifications that a prospective candidate must comply with in order to be able to stand for elections to any one of the legislatures in the UK. For

example, the person must be at least 18 years old and must be a British citizen, an eligible Commonwealth citizen, or a citizen of any member state of the European Union.

Specifically in relation to the Assembly elections, a prospective candidate, apart from meeting the above qualifications for standing for election, must not also be disqualified from standing as set out in the Government of Wales Act 2006 (—GoWA 2006||).

Section 16 of GoWA 2006 identifies a number of persons who may not be members of the Assembly. Additionally, it provides for an Order in Council (—Disqualification Order||) to designate further offices and employments, the holders of which would also be disqualified from becoming members of the Assembly. There are also posts appointed by the Assembly (for example, members of the Independent Remuneration Board and the Standards Commissioner) where the legislation establishing them debar AMs from being appointed to the posts and debar post-holders from standing for election.