

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT  
GENERAL COMMITTEES

## Public Bill Committee

# PARLIAMENTARY CONSTITUENCIES BILL

*Second Sitting*

*Thursday 18 June 2020*

*(Afternoon)*

---

### CONTENTS

Examination of witnesses.

Written evidence reported to the House.

Adjourned till Tuesday 23 June at twenty-five minutes past Nine o'clock.

---

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

**not later than**

**Monday 22 June 2020**

© Parliamentary Copyright House of Commons 2020

*This publication may be reproduced under the terms of the Open Parliament licence, which is published at [www.parliament.uk/site-information/copyright/](http://www.parliament.uk/site-information/copyright/).*

**The Committee consisted of the following Members:**

*Chairs:* SIR DAVID AMESS, † IAN PAISLEY

† Afolami, Bim ( <i>Hitchin and Harpenden</i> ) (Con)	† Miller, Mrs Maria ( <i>Basingstoke</i> ) (Con)
† Bailey, Shaun ( <i>West Bromwich West</i> ) (Con)	† Mohindra, Mr Gagan ( <i>South West Hertfordshire</i> ) (Con)
† Clarkson, Chris ( <i>Heywood and Middleton</i> ) (Con)	† Shelbrooke, Alec ( <i>Elmet and Rothwell</i> ) (Con)
† Efford, Clive ( <i>Eltham</i> ) (Lab)	† Smith, Cat ( <i>Lancaster and Fleetwood</i> ) (Lab)
† Farris, Laura ( <i>Newbury</i> ) (Con)	† Smith, Chloe ( <i>Minister of State, Cabinet Office</i> )
† Fletcher, Colleen ( <i>Coventry North East</i> ) (Lab)	† Spellar, John ( <i>Warley</i> ) (Lab)
† Hughes, Eddie ( <i>Walsall North</i> ) (Con)	
† Hunt, Jane ( <i>Loughborough</i> ) (Con)	Sarah Thatcher, <i>Committee Clerk</i>
† Lake, Ben ( <i>Ceredigion</i> ) (PC)	
† Linden, David ( <i>Glasgow East</i> ) (SNP)	
† Matheson, Christian ( <i>City of Chester</i> ) (Lab)	† <b>attended the Committee</b>

**Witnesses**

Roger Pratt CBE, Boundary Review Director, Conservative Party

Tom Adams, Acting Director of Data and Targeting, Labour Party

Dave McCobb, Deputy Director (Campaigns & Elections), Liberal Democrats

Scott Martin, Solicitor, Scottish National Party

Geraint Day, Deputy CEO and Head Elections Campaigns Unit, Plaid Cymru

Professor Richard Wyn Jones, Wales Governance Centre

## Public Bill Committee

Thursday 18 June 2020

(Afternoon)

[IAN PAISLEY *in the Chair*]

### Parliamentary Constituencies Bill

2 pm

**The Chair:** You are all very welcome back to the Committee. We have six witnesses over this afternoon's session. Three witnesses will be physical and three will be down the line using digital technology.

If people want to remove their jackets and bring in refreshments, that is fine by me. I emphasise that those who do not have a microphone in front of them but wish to ask a question should make their way to the microphone in the corner of the room, for *Hansard's* sake.

#### Examination of witness

*Roger Pratt CBE gave evidence.*

2.1 pm

**The Chair:** We will now hear from our first witness this afternoon, Mr Roger Pratt. Roger, you are very welcome.

**Roger Pratt:** Thank you.

**The Chair:** I hope that you enjoy today's session, rather than endure it. If you introduce yourself for the record, we will then move on to questions, starting with Chloe Smith.

**Roger Pratt:** Thank you, Mr Chairman. I am Roger Pratt, the boundary review director for the Conservative party.

**Q55 The Minister of State, Cabinet Office (Chloe Smith):** Thank you for joining us today, Roger. I will turn to the use of data, after the more general questions we had this morning. Can you give your view on the robustness of the sources from which we take data for the review? They have for some time and for a number of reasons been based on electoral registration data, compared with, for example, census data or other sources, and they are usually based on the canvass as the point in the year. Can you offer any comment on why that is a sensible approach?

**Roger Pratt:** Thank you very much. I fully support the use of electoral registers as the basis. They are likely to be the most up-to-date information that one has—they are conducted on an annual basis and electorates have always been the basis for parliamentary boundary reviews. In fact, it was the Labour Government in 1948 who brought forward the use of electorates, following a unanimous recommendation from the Speaker's conference of 1944 that the electorate be used, and it has been used ever since—I think that is absolutely right.

On the data that might be used, I think it absolutely right, under the very strange circumstances that we have, that the 2 March 2020 data be used rather than the December 2020 electorates, which clearly would normally be used. I thought that might be worthwhile to look at. I know there have been suggestions that one should look at either the general election figures or the December '19 figures, but I do not think that those are robust because the December '19 figures—the figures published recently on the Boundary Commission website and by the Office for National Statistics—and the general election electorate data, which are publicly available, differ very markedly. The difference is about half a million electors between those two figures—that is a dramatic difference, but it is not all one way.

Three hundred and eighty-eight seats were actually larger at the general election than on 1 December, but 261 seats were smaller at the general election, so it went both ways. I do not think that either the general election or December '19 figures are robust, and I am sure that the March figures, when they can be properly checked and cross-checked by the Boundary Commission, will be much more robust and that, in my view, will be the right data to use.

**Q56 Chloe Smith:** Thank you very much. I am sure that when we think in terms of robust data, we all know the definitions of completeness and accuracy, which are the two terms that we use in this arena. It is not necessarily the case, as people argue, that a larger register from general elections is in itself a good thing. Would you agree that what we are looking for is completeness and accuracy? Would your view be that there is a good chance of that from the March figures and, more long term, that there is the best chance of that from the canvass data every year?

**Roger Pratt:** Absolutely. Completeness and accuracy are absolutely the right words, and the best opportunity of that is to get it normally at the annual canvass and, in those special circumstances, on 2 March.

**Chloe Smith:** I have a final question to round off that set. Obviously, we all want to see as many people who are eligible to be registered as possible—and that, I trust, would be the view of the Conservative party.

**Roger Pratt:** Absolutely. Every effort to drive up registration, to make sure everyone is registered, is a goal we all support.

**The Chair:** We will now make our way around the group leaders, unless I signal otherwise. If anyone else wishes to speak, just catch my eye.

**Cat Smith (Lancaster and Fleetwood) (Lab):** Thank you, Roger, for coming to give evidence. Are there any specific circumstances in which electoral quota could be relaxed in order to avoid splitting an electoral ward? For example, even though the vast majority of seats were within the 5%, if in one or two very localised examples a 6% variance would prevent a ward splitting, would you find that preferable?

**Roger Pratt:** No, I would not: I think we have to stick to the quota. There are already exceptions in the Bill—four constituencies are clearly protected, Northern Ireland has special rules for the quota and there are rules about the area of a constituency, which in effect affects only

northern Scotland. Those exceptions are in the Bill. Otherwise, it is right to have the 5% tolerance and, within the 5% tolerance, we can get constituencies that meet quota but also respect communities.

The best opportunity, as was said in the report by Mr Pattie and others, is split wards, which make a considerable difference. Splitting wards is the opportunity to make sure that constituencies are in the right place in terms of communities. I know you are to speak to Mr Pattie later—very sadly, Ron Johnston died recently—but, just so you know, in their report, they said:

“The Boundary Commissions for Northern Ireland, Scotland and Wales were prepared to split wards where they considered that sensible; the Boundary Commission for England was extremely reluctant to do so, and many of the problems that emerged in its recommendations resulted from this.”

They went on:

“With ward-splitting, it is possible to have substantially more unchanged constituencies—and, as a corollary, substantially fewer undergoing major change—especially with the tighter tolerances. The advantages are particularly pronounced at lower tolerances with 650 seats but, as the tolerance is relaxed, ward-splitting is needed in fewer areas”.

So I believe in ward splitting, rather than in relaxing the tolerance.

The 5% tolerance—10%, either way—is right. Otherwise, we could have one constituency that is 67,000 next to another that is 78,000, so ward splitting is right. There are those few exceptions in the Bill, as is correct.

**Cat Smith:** One of those exceptions would be the Isle of Wight, which looks set to get two MPs under the Bill. On current figures, that would come in at about 55,000 electors in each, which is about the size of many Welsh constituencies, in particular if we look at the Welsh valleys and their geography, where mountains divide communities. How do you explain the difference between those geographical features that make the Isle of Wight the exception but not necessarily the Welsh valleys?

**Roger Pratt:** The Welsh valleys—I actually live in one, so I have some experience of this—are totally different from the Isle of Wight. You suggested that the Isle of Wight had similarities with the Welsh valleys, but the Isle of Wight is an island without any direct link to the mainland; all the Welsh valleys have links to the rest of Wales, and so on. It is not sensible to link the Welsh valleys with the Isle of Wight.

The treatment of the Welsh valleys is absolutely right. Unfortunately, Wales will take a hit—one has to say that—but the position is that just before 2005, Scotland was required to reduce the number of seats to the English quota. They were required to use the English quota prior to 2005 with the Scottish Parliament. That was not required in Wales with the Welsh Assembly—Wales now has a Welsh Parliament—but unfortunately that means that Wales will take a hit.

However, I think it is right that my vote in Monmouthshire should equal a vote in another part of the country. Monmouthshire is one of the largest, but my doctor’s surgery is in Blaenau Gwent, one of the Welsh valleys to which you refer. Is it right that Blaenau Gwent has 50,736 electors whereas just over the Severn bridge in Bristol West, they have 99,253? I do not think that is right, and Wales will take a hit—there is no doubt about that. However, it is right that you have a standard quota throughout the United Kingdom. That is fair and that is equal.

**Cat Smith:** My final question. We have the representative of the Conservative and Unionist party before us, and you have acknowledged that Wales looks set to take a hit. It looks to be the most badly affected of all the nations of the United Kingdom in the review. What assessment do you make about the integrity of the Union in terms of the consequences of this boundary review and Welsh voices in this place?

**Roger Pratt:** I think the Union is intact. The whole of the Union will have the same quota. It is absolutely right that everywhere in the United Kingdom has a quota and so every person in the United Kingdom has the same representation. The difference in Scotland and Wales is that they have a Scottish Parliament and a Welsh Parliament. They still have equal representation in the UK Parliament, which I think is absolutely right, but clearly the Members for Glasgow East and Ceredigion do not have responsibility in this place for health and education, whereas all the other Members on the Committee do.

Scotland has a slight advantage over the rest of the United Kingdom, quite rightly in terms of the Western Isles and Orkney and Shetland. I fully support that. However, it means that—slightly—Scotland has an advantage over the rest of the United Kingdom because those are very small seats. I do not object to that in any way. The Union is intact because everybody’s vote counts equally whatever part of the United Kingdom they come from.

**Q57 David Linden (Glasgow East) (SNP):** I want to follow on from the last question. On the issue of equality within the United Kingdom, it was the view of the Conservative party for quite some time that the number of seats should be reduced to 600. Am I right in thinking that your view is now in line with the Government’s—that it should be 650?

**Roger Pratt:** Correct, yes. I am fully supportive of 650.

**Q58 David Linden:** You are very honest about the fact that, in your words, “Wales will take a hit” as a result of the legislation—I think that is on the record. Are you also willing to place on the record that Scotland, too, will lose seats as a result of that? If so, can you say how many seats Scotland will lose?

**Roger Pratt:** I cannot say how many seats Scotland will lose because we do not yet have the figures from 2 March. When we have those figures, we will know, but on certain calculations they lose two and on others they lose three. I expect it to be either two or three seats. Wales is likely to lose eight, but we will have to see.

I think it is right that Scotland and Wales do that. Scotland’s electorate has not gone up as fast as England’s. It had to use the English quota previously and now that has not caught up because England’s electorate has gone up more. In terms of Scotland, your own seat is one of the larger seats in Glasgow, but there are four smaller seats in Glasgow, one of which is 57,000. I do not believe it is right that a seat in Glasgow should have only 57,000 and two other members of this Committee in the south-east of England both have well over 80,000. It is right there is an equal quota throughout the United Kingdom.

**Q59 David Linden:** Of course, your research will show that my seat is spread over two local authorities as well. I am the only MP in Glasgow whose constituency is not coterminous with the city of Glasgow.

I want to ask you specifically about the idea of the size of constituencies. You have hit the nail on the head in terms of some island communities, which are protected; Na h-Eileanan an Iar is a good example of that. There is also what was proposed as the Highland North constituency, which is probably the size of a country like Belgium or Luxembourg. Do you have a view on the limit of 12,000 to 13,000 sq km being the provision for a constituency? Is it the Conservative party's view that that is a manageable size of constituency for a Member to deal with?

**Roger Pratt:** Of course, your parliamentary leader represents a constituency that currently is the largest in the United Kingdom, and that is 12,000 sq km. I could not find a more accurate figure than 12,000, but it is 12,000, so I think that was why that figure was brought into the Bill as the constituency that was of that size. That is right in terms of 12,000. It cannot go beyond 13,000, but above 12,000 gives the Boundary Commission in Scotland discretion if it so wishes between 12,000 and 13,000.

There is discretion if the commission wishes to use it if a constituency is over 12,000. It is up to the Scottish commission, but that is the right balance. It is currently the largest constituency in the UK Parliament, and the Boundary Commission has discretion up to 13,000.

**David Linden:** Okay, can I finish off with one question going back to the equality of the United Kingdom? You said yourself that Scotland stands to lose two or three seats. How would you, as a representative of the Conservative and Unionist party, reconcile that with what people in Scotland were told in 2014—how we were better together and we should be a United Kingdom?

**Roger Pratt:** I still think you are better together, obviously. I do not think the fact that you will lose two or three seats affects that in any way. You will still have the same equal representation; actually, slightly larger because of the Western Isles—I apologise, but I cannot pronounce it in the way you did—and Orkney and Shetland, so there is a slight advantage there for Scotland. But I think it is right that it should have the same equal quota as the rest of the United Kingdom.

It is just right that Scotland should have the same quota. I do not think it means that the whole of the UK is an equal and fair place. I noticed that in the Bill brought before the House by the Member for Manchester, Gorton, there was no change in either Scotland or Wales; they would have been exactly the same. There was a change in the Bill to Northern Ireland, but no change as far as Scotland and Wales are concerned. That is absolutely right and I support that part—not others—of the Khan Bill.

**Christian Matheson** (City of Chester) (Lab): If it helps, Mr Pratt, I believe the correct pronunciation is Na h-Eileanan an Iar.

**Roger Pratt:** I am not going to try!

**Christian Matheson:** I thought I would get that one in.

I have just one question. Moving away from the numbers, what is your experience of being able to influence local proposals once they are already out? How flexible have

you found the Boundary Commission and the assistant commissioners to be? What are the most useful arguments to deploy when considering the ones that perhaps resonate most with the boundary commissioners when you consider local proposals?

**Roger Pratt:** Thank you very much indeed. Absolutely, the Boundary Commission and the assistant commissioners do listen. That is very important.

The whole point of this process is that it is consultative. It is a three-stage process and I think the changes to that process are right. You have got the initial proposals coming out and then you have got the secondary consultation stage, including the public hearings when people can discuss not only the Boundary Commission proposals but any alternatives that have been put forward, which I think is absolutely right for that secondary stage, and then you have got the revised proposals.

The commissioners do listen and they change their minds. I have found them to be very accommodating to what should be changed if people make a good argument. The arguments have to be based around the factors in rule 5: existing constituencies, local government boundaries, local ties and geography. Those four factors are the way in which you persuade them to change. Indeed, we changed them a number of times: in the last review, the Boundary Commission for England changed the composition of more than 50% of the constituencies. That showed they were prepared to listen.

During the Second Reading debate, you referred to the notorious Mersey Banks constituency, which illustrates the issue very well. I entirely agree with you: it was one of the strangest proposals I have ever seen from a boundary commission, but like the Labour party, the Conservative party opposed it. We all opposed it at the initial stage, and the boundary commission came out with revised proposals. They never came out with final proposals because the review was effectively suspended, but they changed Mersey Banks so there was no detached constituency. That is the whole point of the process: you have a proper consultation, then they come out with the proposals that best meet the factors within the quota tolerance level.

**The Chair:** We still have nine minutes with you, Roger, so I will call John Spellar.

**Q60 John Spellar** (Warley) (Lab): Thank you, Chair. First, Roger, you were very robust in your declaration of support for 650 seats. Were you as robust in your support for 600 when it was Conservative policy?

**Roger Pratt:** I always support whatever is the Conservative party line. I am a Conservative party employee.

**Q61 John Spellar:** You talked about the Isle of Wight as if this issue were somehow absolutely insuperable, but you also talked about the constituency that includes Skye. Until the Skye bridge was built, people had to get across by ferry, so why is it so utterly impossible to have linkage between part of the Isle of Wight—a much bigger constituency, as you have agreed—and part of the mainland, if we have achieved it in Skye?

**Roger Pratt:** I think I am right in saying that the decision about the Isle of Wight followed discussion in the House of Lords about the previous Bill. The Lords

decided that it was wrong for the Isle of Wight to link with part of the mainland. There is quite a large chunk of water. Those two constituencies would be made up of about 55,000 people, as you rightly say, but it is difficult: you have to get a ferry and so on. I appreciate that there is a Skye bridge, but you could not do Skye on its own. I cannot remember what the Skye electorate is, but it is not very large.

**John Spellar:** There are lots of ferries between Portsmouth and the Isle of Wight, though. I was recently on a Defence Committee visit there, prior to covid-19, and the ferries are quite regular and quite quick.

**Roger Pratt:** There are ferries, but if we are talking about communities, I think the Isle of Wight would feel very let down if it were linked with part of the mainland. I remember a boundary commission where it was suggested that there should be a seat crossing the Mersey between Liverpool and the Wirral, and that suggestion was very unpopular and rightly changed as a result of the consultation. With the 12,000 people from Skye, the current electorate of Ross, Skye and Lochaber is almost exactly the same as the seats in the Isle of Wight would be. The Isle of Wight seats would be very slightly larger.

**Q62 John Spellar:** You conflated the situation in Scotland and Wales, did you not? Was not the reason why Wales retained a degree of what we accept is over-representation precisely so that the Welsh voice was heard in Westminster, because much more legislation regarding Wales was dealt with in Westminster than legislation regarding Scotland? Surely the underlying point is about the integrity of the Union and maintaining a strong voice for Wales, which is still much more directly linked with England than is Scotland.

**Roger Pratt:** You are right that Wales was not required to use the English Parliament. At that time, there was a Welsh Assembly; it is now called the Welsh Parliament. That Parliament has a lot of responsibility, particularly for health and education, but for a lot of other matters as well. Members of Parliament from England have to deal with health and education, whereas those from Wales do not, so I think it is right that Wales should be on a fair and equal basis with England, Scotland and Northern Ireland.

**Q63 John Spellar:** I agree with you about using the electoral register as the basis for drawing this up. You mention both accuracy and completeness. Would it be right to give greater powers and direction to electoral registration officers to use their access to public data to improve the completeness of the register and, as with registrars of death removing those who have died, the accuracy as well?

**Roger Pratt:** Certainly it needs to be as accurate and complete as it possibly can be. Some of those matters are beyond the scope of the Bill, but I would support all the measures that the Government are taking, as are the Scottish Government and the Welsh Government, and all the local authorities, to ensure the most accurate and complete register we can possibly get.

**Q64 John Spellar:** Finally, you mentioned that something like 50% of the initial recommendations were altered. Is that not partly because if they followed an argument in one constituency, because of the 5% margin, there were inevitable knock-on effects on many other constituencies,

which could have been perfectly easily accommodated had there been a wider margin of difference? You had a domino effect rather than dealing with a perfectly proper and legitimate cause of local complaint.

**Roger Pratt:** There were some perfectly legitimate causes of local complaint, but one of the things they had to do was make sure that the knock-on effects were affected. Certainly, the Labour party and ourselves and others always put in an overall plan, so you could look at the overall plan. That is what you must do to try to get it right sometimes.

The Labour party and ourselves and other parties agreed in Dorset. All three of us came up independently with the same alternative plan for the Boundary Commission, so I do believe that it is right. I do not believe that a 7.5% quota is right.

It is a question of balance, isn't it? It is a question of the balance you strike between getting a quota right and community ties. I think the quota at a 10% variance, rather than at 15%, which you would have under seven and a half, is the right balance to strike.

In the past, the Boundary Commission, in the rules under which you were all elected, stated quite clearly that it needs to get as near as possible to the electoral quota—that is in the Act—but it has been conflicted as to how it uses those rules. Under the new rules, it is not; it knows it has to get everything within 10%, that is 5% either side, but, in addition to that, it uses the rules to make sure that it uses the other factors. It does not need to get as near the quota as possible. Mr Bellringer made that clear this morning.

If I may, Mr Chairman, I have one other point on the 10%. The right hon. Member for Elmet and Rothwell referred to the Organisation for Security and Co-operation in Europe. The OSCE Office for Democratic Institutions and Human Rights publishes an election observation handbook, which says that,

“all votes should carry the same weight to ensure equal representation. This means that each elected representative represents a similar number of registered electors. For example, in a majority voting system, the size of the electorate should not vary by more than approximately ten percent from constituency to constituency.”

I think that is the right balance to strike.

**Q65 Jane Hunt (Loughborough) (Con):** I have a couple of questions about reviews. First, on the proposal for an eight-year review cycle, could you tell me what you think of that, and why?

**Roger Pratt:** Yes. I think that is absolutely right. When there was an original five-year term, it was linked to the Fixed-term Parliaments Act 2011. Since then, we have had two general elections not based on the Fixed-term Parliaments Act, and I think it is the Government's intention to change that Act. So I think eight years is the right balance to strike, so that normally you would have two Parliaments between each review.

**Q66 Jane Hunt:** Super. And if I may, I have a second question, which is about the review process, or rather the consultation process. Again, it is proposed that that process will change slightly. What do you think of that?

**Roger Pratt:** I fully support the changes. I think it is right that the initial proposals should be out there for eight weeks, and you should not be having public hearings during that period. It was very difficult to have public

hearings during the initial period; I think that caused problems for parties and people. It is much better that, during the secondary consultation stage, which is six weeks, you have those public hearings, and you can discuss not only what the Boundary Commission has brought forward but any other alternatives that are brought forward in the first stage. So I think it is absolutely right.

**The Chair:** Order. I am afraid that brings us to the end of the time allotted for the Committee to ask questions of you, Roger. Thank you very much for your time and your expertise today; they have been much appreciated.

**Roger Pratt:** Thank you very much, Mr Chairman.

### Examination of Witness

*Tom Adams gave evidence.*

2.31 pm

**The Chair:** We now move to our second witness this afternoon. We will hear from Tom Adams. Tom is the acting director of data and targeting for the Labour party. And we will have until 3 am for—[HON. MEMBERS: “Three am?”] Sorry, I knew there was something wrong there.

Tom, we have until 3 pm with you today. I will go round the Front-Bench spokespeople first and then other Members, as they signal, will ask you questions.

**Q67 Chloe Smith:** Thank you for coming to join us today, Tom; it is much appreciated. I also thank all the political parties who we have before us today for some of their technical engagement with the Cabinet Office in preparing the Bill.

Tom, may I invite you to talk about the automaticity provisions in the Bill? By that, I mean the measure that we are proposing whereby the review’s recommendations should come into effect automatically, without the possibility of political influence either from the Government or from Parliament. What is your view on those provisions?

**Tom Adams:** Broadly, I think there should still be some parliamentary scrutiny of the review’s recommendations at the end. Fundamentally, while the commissions are obviously independent, the advice and instructions given to them by the Government are obviously given by the Government of the day. And given that there is still some scope for whoever is in Government at that time to influence the process in some way, I think it is right that the review’s recommendations come back to Parliament.

Fundamentally, the Government have obviously now decided, rightly in my view, that there should be 650 seats and not 600, but obviously the previous reviews—two of them on 600 seats—would have been implemented automatically if these new rules had been in place at that time, which Parliament might later have come to regret if it has since changed its mind. And obviously at those times, there was no parliamentary majority for implementing the change to 600 seats, but Parliament would not have been able to do anything about it at the time.

So I think that Parliament offers a last stop-gap, and it is right that Parliament gets the final say on these matters, just as an important principle of parliamentary sovereignty on this material.

**Q68 Chloe Smith:** Thank you very much. You said that the Government would have the ability to influence the instructions given to the Boundary Commissions. Could you point to where that is in the Bill?

**Tom Adams:** Sorry—what I mean is that obviously the Government, by proposing the Bill and passing it, will be able to set things such as the 5% threshold. That is obviously something that the Government have decided upon and Labour has taken a different position on that. That is what I mean—the Government are deciding that that is the threshold to be used. Therefore, given that the Government have some ability to influence this process—it is not completely and utterly independent, because fundamentally the commissions have to work within the guidelines that the Government have given them—I think it is right that the proposals that come back should be agreed by Parliament at the end of the process.

**Q69 Chloe Smith:** There is a final question in my set of questions. Indeed, we all believe in parliamentary sovereignty, but is it not Parliament that sets those rules rather than the Government?

**Tom Adams:** That is true, but if a Labour Government were proposing this Bill, there might be slightly different thresholds, for example, so clearly the Government still have quite a lot of influence over what is put in the Bill in terms of these boundaries, which obviously will persist for at least—possibly—two general elections. That is why I think it is right that it does come back to Parliament at the end.

**Q70 Cat Smith:** Tom, thank you so much for coming to give evidence this afternoon. In the session so far, there have been quite a lot of contributions from members of the Committee about the balance between having constituencies as equal as possible and maintaining community ties. Members have given examples from their own areas about different ward sizes making it more challenging in some areas to do that without splitting wards than in others. I just wonder what you think, having overseen this on a more national level for the Labour party, about where the balance should lie. I suppose my question is this. Can you foresee specific circumstances in which in order to avoid splitting a ward, it would be preferable to have some level of exceptional flexibility on the 5% in relation to the quota? For example, if a handful of seats across the country were at 6%, would that be preferable to having wards that were split between different constituencies?

**Tom Adams:** Broadly, yes, having a constituency that varies by 5.5% from the quota makes more sense than having a split ward or, indeed, an orphan ward added to a constituency, where you have one ward from a different local authority. I think that makes more sense from the perspective of maintaining community ties and having constituencies that the public understand and have trust in. It is a question of having some flexibility in specific areas. Obviously, some wards in the country are very, very large in terms of electors, particularly in the west midlands, where some wards in Birmingham have 20,000. That obviously makes it very hard, in those areas, to come up with arrangements, so having additional flexibility

on the 5% figure would make that easier. The same applies to some bits of Wales, for example, where the geography obviously makes it much more challenging.

**Q71 Cat Smith:** What about things like polling districts? Do you have any concern about the use of polling districts? For instance, they have no legal standing. Does that concern you at all?

**Tom Adams:** Yes, I think wards should be the building blocks for this. Obviously, where a decision is taken to split a ward, if that is absolutely necessary, it should be along the existing polling district lines, but as you say, polling districts do not have a clear legal status. Councils can amend them, basically, as and when they want. There is not a clear process for how that happens in the same way as there is for how wards are done by the Local Government Boundary Commission. Polling districts are at the discretion of the councils, and although in some areas they are based on parishes, in many others they change quite frequently.

We saw, for example, in the general election some councils that created polling districts just for the purposes of helping them to administer the general election, and then they got rid of them afterwards again. Things like that make it very hard to have a consistent process that is based on using polling district boundaries. Using wards would be much preferable, and avoiding splitting where possible; and where that is necessary, that is when you can use the polling district boundaries to do that. I do not think polling districts should be the primary building block for this process.

**Q72 Cat Smith:** Finally, with regard to the register that is used to draw up the boundaries, the Government have tabled an amendment to the Bill to use the March 2020 register. What are your thoughts on that, and do you have any concerns about the accuracy of that register?

**Tom Adams:** I very much welcome the move from December 2020 to March 2020. Obviously, the Minister will be aware that we have raised significant concerns about this, in the earlier engagement with political parties. We still have some concerns about the impact of people dropping off the register even between 12 December 2019 and March. Obviously that will be less significant compared with December 2020, but just in our rough estimations looking at it now, it does look likely that a few hundred thousand people will have dropped off the register in that time, because obviously there are areas where people move a lot and there is high turnover of population.

On 12 December there was a general election, so that register will be the most complete a register is going to be. To my mind, it makes sense to use that one, although obviously I strongly welcome the use of 2 March as compared with December 2020, when I think the impact on the annual canvass of coronavirus will have been quite significant. I think the 12 December one would be better: it will be more complete and a better representation of the actual electorates in these places. But 2 March is certainly preferred to December 2020.

**Q73 David Linden:** Mr Adams, you are director of data and targeting. I think we all know that a lot of what you do is probably running numbers through spreadsheets. Have you run a number through your spreadsheet as to how many seats Scotland and Wales would lose under these proposals?

**Tom Adams:** Obviously, the commissions did publish the numbers on this, but broadly, there is likely to be a loss of three seats for Scotland and a loss of eight seats for Wales. Obviously, that might change slightly, depending on exactly which register you use, but it is going to be in that region of change.

**David Linden:** That is very helpful; thank you.

**Q74 Ben Lake (Ceredigion) (PC):** Will you elaborate on whether you think the allocation of seats between the nations of the UK is appropriate, and on whether your party has any views on the status of Ynys Môn?

**Tom Adams:** That raises an important question, particularly when it comes to Wales, because Wales is due to lose such a significant number of seats; it is quite a drastic overhaul of the number of Wales's constituencies. While there clearly needs to be some decrease to equalise the electorate sizes in constituencies, it seems slightly odd that Wales has no protected constituencies at all, yet there will be two constituencies on the Isle of Wight, the electorates of which will be roughly the size of an average Welsh constituency. The introduction of protected constituencies in certain places in Wales is one possible way of achieving that, and Ynys Môn would be a good example.

This big drop of eight in one go is quite significant, and we should be mindful of the impact that it will have on representation in Wales. Having additional protected constituencies—Scotland obviously has several and the Isle of Wight has two guaranteed, whereas Wales does not have any—is perhaps something to look at.

**Q75 Christian Matheson:** This is the same question I asked Mr Pratt: how responsive and flexible has the Labour party previously found the commission, the assistant commissioners and the consultation process, in terms of the representations that the party has made? How flexible are they in responding to the party's representations?

**Tom Adams:** The first thing to say is that I am relatively new to this responsibility in the party. However, generally, they are quite flexible and accommodating. Particular MPs clearly have quite a large role in that, and their submissions are often taken quite seriously. The commissioners clearly do an excellent job of trying to balance all the competing priorities, but they are sometimes potentially constrained by things such as the 5% threshold. However, within the guidelines that they have, I think they do a good job of taking everything into account and coming up with proposals that are genuinely reasonable for everyone.

**Q76 Alec Shelbrooke (Elmet and Rothwell) (Con):** I am seeking clarification on your justification against the automaticity. You gave the example of its being at 5%, when it could be 7.5%. If the Bill went back for approval by Parliament, is it to be taken as read that, because it is set at 5%, your party would vote this down because you think it should be 7.5%? If that was to happen, the 2024 election would be fought on the current boundaries, which are 25 years out of date. Where does the balance come?

**Tom Adams:** Whether we would vote it down is probably a question for the politicians in my party, rather than for me; I work in a technical role at head office. Obviously,

it is likely that if the Government supported the proposals, they would still pass Parliament, even if Labour voted against them. I think there is a role for Parliament in finally approving those proposals when they come back, as has been the case for previous reviews.

**Q77 Alec Shelbrooke:** You rightly point out the size of the metropolitan boroughs in Birmingham and in my city of Leeds, which can easily have 18,000 or 19,000 people. A threshold of 5% or 7.5% will not stop you having to split wards in those big areas—they are enormous. Are we not talking arbitrarily about numbers, when we just need to get down to trying to get within the OSCE boundaries and working out the best way to split these enormous metropolitan wards?

**Tom Adams:** In the last review, not that many wards were split in the end. I think you are hearing evidence later from academics who have done some research on the difference between 5% and 7.5%, and the better outcomes that 7.5% produces. It is not quite an arbitrary number. Their research found that even the difference between 5% and 7.5% has quite an impact on the outcomes. While there are obviously likely to be occasions when you still need to split wards, clearly any increase in the threshold will improve your ability to maintain community ties and to not have to split wards or create constituencies that seem slightly odd.

**Alec Shelbrooke:** I just add that the last time, we were able to form much bigger constituency numbers.

**Tom Adams:** Yes, that change will have an impact.

**Q78 Laura Farris (Newbury) (Con):** I want to pick up on the point about wards and to explore your answer. Is there any particular reason why you do not think that wards should be split? An ordinary member of the public in a city often does not know what ward they live in. Prior to becoming involved in politics, I was not really aware of where I lived. What is the democratic principle?

**Tom Adams:** It certainly creates challenges from the perspective of political parties and others who are reliant on electoral geography boundaries. Given that wards are created by local Boundary Commissions to have some sense of community ties, and they are created for a reason, if you split them you are further cutting community ties, and potentially creating more challenges, in the sense that people are cut off from people who they would see as firmly part of their community by cutting across a ward. Obviously, you cannot always come up with a perfect arrangement.

**Q79 Laura Farris:** To pick up on that, thinking particularly of cities, would that not vary from city to city? There is no real reason why one ward would have a distinct identity compared with the ward next door necessarily.

**Tom Adams:** Local Boundary Commissions will certainly try to make that the case. They will come up with those wards for a reason, which is why I think they are sensible building blocks for the whole process. If you abandon that principle and say, “Does it really matter?”, we might as well just ignore them entirely. I do not think that is practical for the purposes of political parties or

electoral administrators, who certainly find it much easier to think of wards as sensible building blocks for constituencies, rather than having entirely separate arrangements that do not bear any relation to the existing wards. Using those wards and keeping them as far as possible is sensible.

Clearly the Government recognise that to an extent, because there is the very sensible provision in the Bill of allowing the provisional wards to be taken into account. That is a fantastic reform that will help to keep some of that, so wards will continue to be in line with parliamentary constituencies. We had the problem in the past, even where we were using whole wards, that if those wards were then amended or changed only a year later, the new wards would bear no relation to the constituencies. The new provision enables you to make sure that you have wards and constituencies that are coterminous as far as possible. That does improve people’s experience of the democratic process.

**Q80 Laura Farris:** Are you aware of the extent of the dispute between, for example, the Labour and Conservative parties over the last boundary change exercise? Do you know what proportion of constituencies were broadly agreed or not agreed?

**Tom Adams:** In terms of which ones we particularly—

**Laura Farris:** In the 2018 exercise—sorry, I am not familiar with it myself—do you know what proportion there was broad agreement over and what proportion there was not?

**Tom Adams:** Not off the top of my head. I do not know exactly; I have not studied that in detail recently. As I said, that was carried out by someone else at Labour head office, so I do not know exactly on which constituencies we agreed and which we did not.

**Q81 Laura Farris:** I will ask a follow-up question and if you cannot answer, that is fine. Do you know how the Boundary Commission resolves a dispute of fact between the Labour party and the Conservative party? I mention those parties because I am talking about the seats in England, but do you know how it would approach that, if the two main political parties had a different view? What would the sequencing of its thinking be?

**Tom Adams:** Presumably, they are not the only two submissions that will have been put in. The Labour and Tory submissions are not the only ones that will be put in.

**Q82 Laura Farris:** But in the event that there was a dispute between them in a seat that the two parties contested—it is a process question—do you know how the Boundary Commission would approach that?

**Tom Adams:** I am not completely sure off the top of my head, but I am not entirely sure that that is within the scope of the Bill either, to be honest. That is a matter for the commissions really, rather than a matter of law.

**The Chair:** I don’t think he could answer that, Laura. I think that is more for the Boundary Commissions.

**Laura Farris:** Okay, that is my last question then. Thank you.

**Q83 Jane Hunt:** Automaticity—a word I have much difficulty saying—proposes that decisions on boundary changes will be put into force directly. Would that prevent a recurrence of what happened with the Labour Government in 1969?

**Tom Adams:** Or equally what happened in the last few reviews. I think I have covered my views on that already, and what I think Parliament should do in terms of approving the proposals once they are put to Parliament. I do not have anything further to add.

**Q84 Jane Hunt:** Okay, so you do not think it would make any difference if the Boundary Commission made the recommendations and they went straight to the Speaker.

**Tom Adams:** Well, the fact that they would go straight to the Speaker is welcome, because that would mean that the Secretary of State could no longer make amendments to them, but I still think they should be subject to parliamentary approval, as I said earlier.

**Q85 John Spellar:** Do you find it interesting that a Government with a majority of 80 are so concerned about their inability to get through a boundary review? Might that indicate that the underlying reason for the previous review not going through was because it caused so much discontent in their own ranks—in other words, because it did not respect local community interests and local boundaries?

**Tom Adams:** That gets at one reason why Parliament should ultimately have to approve boundary reviews: if you cannot even get half the House to agree to them, clearly there is not sufficient MP backing for them—not enough MPs agree that it is a sensible process. Last time, the proposed reduction to 600 seats clearly had a big impact on that backing. Keeping the number at 650 will mitigate that somewhat. I agree that that is one reason why it is important that Parliament has that oversight. If it struggles to get half of MPs to vote in favour of the proposal, that implies that people do not broadly think it would be a good outcome.

**Q86 John Spellar:** In your work, do you find that there is an underlying problem, in that while many Conservatives can understand the issue of local identity for rural areas and small towns, they have a complete incapacity to understand the effect of identity on neighbourhoods and communities in conurbations, which they see as sprawling, shapeless continuous masses?

**The Chair:** John, I do not think you are entitled to have fun with the witness.

**Tom Adams:** I would not want to comment too much on that, but clearly there are still community ties in large urban wards, yes.

**The Chair:** As no one else is signalling to ask a question, I thank Tom for taking the trouble to give us his evidence. It is much appreciated. I thank Members for asking their questions.

The witness on our third panel this afternoon, Mr Dave McCobb, is not here yet. I will suspend the Committee until 3 o'clock.

2.51 pm

*Sitting suspended.*

### Examination of witness

*Dave McCobb gave evidence.*

3 pm

**The Chair:** We will now hear from Dave McCobb, the deputy director of campaigns and elections for the Liberal Democrats, with whom we have until 3.30 pm. Dave, I believe that you are joining us from down the line—can you hear us loud and clear?

**Dave McCobb:** Yes, I can hear you very well, thank you.

**The Chair:** Excellent; we can hear you too, which is great. Dave, you are very welcome. Could you introduce yourself for the record? I will then call Chloe Smith to ask the first series of questions.

**Dave McCobb:** Thanks very much. My name is Dave McCobb. I am the deputy director of campaigns and elections—covering the whole of the UK—for the Liberal Democrats.

**Q87 Chloe Smith:** Thank you very much for joining us today, Dave; it is great to have you. Thanks to you and many others on the Parliamentary Parties Panel who have also taken part in technical engagement on the Bill behind the scenes. I am using these questions to work through the major headings and themes of the Bill and, if I may, I would like to talk about the number of constituencies. Do you support the shift to 650 constituencies in this legislation?

**Dave McCobb:** Yes, we support the retention of 650 constituencies in this iteration of the proposals. We certainly do not believe that there should be a reduction in the number of MPs unless there is a corresponding increased level of devolution across the UK that would enable us to reduce the number of Ministers. So while there is not further devolution across the UK, we support the retention of 650 constituencies.

**Chloe Smith:** Thank you very much. I am happy to leave that line of questioning there and allow other colleagues to come in.

**Q88 Cat Smith:** Thank you so much for joining us, Mr McCobb. Given that we do not have a Liberal Democrat member of the Committee, could you outline any concerns about the content of the Bill?

**Dave McCobb:** Thanks very much. Our primary concern is about the restrictiveness of the 5% threshold in terms of equalising the electorates in constituencies. There have been widespread reports of the degree of under-registration of electors in many parts of the country and of the number of people who are not correctly registered. Setting a very restrictive threshold at 5% reduces the commission's flexibility to recognise that significant under-registration is likely in some parts of the country.

It also means that constituencies could be constructed incredibly arbitrarily. In the previous round of the review—the proposals that were ultimately never implemented—many constituencies were constructed that really bore no reference to identifiable communities with which

people who lived there would identify. That impacted cities in England particularly, where, due to the size of local government wards, the number of wards that needed to be added together could not be done within local authority boundaries. So very arbitrary constituencies were constructed including chunks of some local authorities, and they really bore no reference to communities that people would identify with. That could be eliminated by having a higher threshold of 10%, for example. That would be the No. 1 concern about the proposals as they are currently outlined.

**Q89 David Linden:** Thank you very much for coming before the Committee, Mr McCobb. As I have asked other representatives, because you guys tend to be the kind of folk who run numbers through spreadsheets, have you run these numbers through the spreadsheet and found the seats per nation? The reason I ask is that Scotland, for example, currently has 59 seats in the UK Parliament. Have you run the numbers to see how many seats Scotland would have under these proposals?

**Dave McCobb:** I have not personally, no. That would be done by a colleague who is not currently in work. In terms of the overall distribution of seats between the four nations, that is something that I would not want to comment on until we actually see the registered totals that will be published for the electoral register that will be used for this.

I would like to bring it back to the 5% threshold. When I have been involved in cross-party talks on this, colleagues from the SNP have rightly raised concerns that the 5% threshold would require the creation of some geographically enormous constituencies in the highlands of Scotland and potentially in other parts of rural England and Wales.

Anyone who knows otherwise may correct me if I am wrong, but someone once told me that the constituency of Brecon and Radnorshire is larger than Luxembourg. It would require a constituency that is already that geographically large—the same applies to parts of the highlands of Scotland, too—to be 25-30% bigger to meet the 5% threshold. That is likely to make it very difficult to represent or campaign in a constituency on that scale.

**Q90 David Linden:** In the evidence we have heard so far, colleagues from the Labour party and the Conservative party have broadly agreed that we could be looking at losing two or three seats in Scotland. Do the Liberal Democrats have a view on whether Scotland should remain at 59 seats?

**Dave McCobb:** As I say, I reserve judgment on the balance of seats between the four nations until we have seen the exact numbers on the proposed electoral rolls.

**David Linden:** Okay, thank you.

**Q91 Mrs Maria Miller (Basingstoke) (Con):** Thank you so much for giving evidence. I want to probe further on the issue of automaticity in the Bill. We are currently working on boundaries that are decades out of date. Much of the reason for that and for problems in the past has been the way in which political parties in Parliament have blocked changes to boundaries. As a party, do you support automaticity, because of the ability to have automatic changes?

**Dave McCobb:** We support the principle that the proposals that come from the Boundary Commission should be subject to minimal potential political interference, or a majority party could use its majority to impose boundaries on other people. The critical issue is how far the whole process is as divorced from partisan political control as possible.

**Q92 Mrs Miller:** Surely the final recommendations not coming before Parliament would fulfil your criteria of not having political involvement at that crucial stage, which in the past has proved to be such a barrier.

**Dave McCobb:** I think that depends on the criteria that are set for the Boundary Commission's review. Provided that the criteria are set for the Boundary Commission's work in as non-partisan a way as possible, then not having a political vote at the end of it might be acceptable. Again, it comes back to the provisions that the Boundary Commission is required to work to also being free of party political influence to the largest degree possible.

**Q93 Mrs Miller:** Can you give an example of what might constitute influence on the Commission?

**Dave McCobb:** I would like to come back to the 5% variation threshold. The Organisation for Security and Co-operation in Europe specifically recommends a variation of up to 10% when doing [Inaudible] necessary. Having that greater degree of flexibility around the way the Commission is able to be flexible, to recognise natural communities where they exist, would enable it to be more free of political direction than as the Bill is currently set out.

**The Chair:** And the issue of what constitutes pressure on a commissioner.

**Dave McCobb:** I am afraid I could not hear that.

**The Chair:** I think the question was, what do you think constituted pressure on a commissioner? You were going to come back to that point.

**Dave McCobb:** Sorry, I think I have said what I wanted to on that point.

**Q94 Mrs Miller:** Following up on one of the previous lines of questioning on the premise of the Bill, which is about equal-sized constituencies and the fairness of that, I was reflecting on what Nick Clegg, when he was leader of the Liberal Democrats, said about that—very much supporting that as a principle. I was reflecting on the comments that you made earlier about the need to balance the issues of community over those of fairness. If it were possible to break down the units of work to, say, a polling-district level, to get that sensitivity on communities and on fairness, which the Liberal party has put prominently in the past, do you think that you could get a better balance, if you were dealing with polling districts, rather than wards, and you could therefore live with a far tighter tolerance of the variances between different constituencies?

**Dave McCobb:** You make an important point, which is specific to the way in which the commission in England worked on the last review, in that it was very clear that, apart from one or two examples in its final proposals, it was adamantly against ward splitting.

The combination of the English commission's reluctance to split council wards and the tight 5% threshold contributed to some quite perverse constituencies being proposed in some cases, in particular in some urban areas. In parts of the country, a council ward is 2,000 or 3,000 electors, so a number of them can be added or subtracted around the threshold, but in Leeds, for example, there are 17,000 electors in a council ward and, if you are not willing to split one, in one case a lot of people had to have a random ward that really had no community links with Leeds tacked to the top of a Leeds constituency.

If the commission is given clearer direction on preferring ward splitting if that helps them to retain constituencies that relate to natural communities, that is obviously helpful. We support the principle that each MP should represent a roughly equal number of residents, but we highlight the fact that the Electoral Commission last September estimated that up 9 million potential electors are not on the register and that, while there is evidence that some particular groups might be heavily disadvantaged by under-registration, giving the commission a bit more flexibility to enable it to recognise the parts of the country where there might be major issues with electoral under-registration is the right thing to do.

**Mrs Miller:** It is interesting: in Wales and Scotland, there is an ability to split wards, even to go down to postcode level. It can be done, so I suppose the question is why it is not done more in England.

**Dave McCobb:** It is that combination of the two factors: the English commission's reluctance to split wards, which contributed; and the 5% threshold, which, if that were 10%, would allow it the flexibility better to match natural communities and to recognise that there will be parts of the country with much greater problems of under-registration of people resident there than others.

**Q95 Ben Lake:** I would like to go back a few topics to the allocation of seats across the nations of the United Kingdom. I appreciate, Mr McCobb, that you do not want to pass comment on any numbers, but I was wondering whether the Liberal Democrats have a view of how that allocation should be decided.

**Dave McCobb:** That is not something that I am in a position to comment on at this time, but I am happy to take that question back to colleagues and to give you a written follow-up, if that would be helpful.

**Ben Lake:** I was interested to hear your comment about the overall number of MPs at Westminster, that there should not be a reduction without further devolution. I completely agree with you. Do you have a view that you can offer us—or come back to us—on whether the differential devolution statuses across both regions and nations of the UK need to be considered when it comes to the allocation of seats?

**Dave McCobb:** Again, if it is all right, I will happily get back to you about that, having consulted colleagues.

**The Chair:** If there are no other questions, I thank you, Dave, for taking the trouble and time to come to us today and to present your evidence before us. We look forward to receiving that written evidence over the next two weeks, if that is possible.

**Dave McCobb:** Thank you very much and yes, no problem.

**The Chair:** We will break until 3.30 pm, when our next witness joins us.

3.16 pm

*Sitting suspended.*

### Examination of Witness

*Scott Martin gave evidence.*

3.30 pm

**The Chair:** We will now hear from Scott Martin, the solicitor for the Scottish National party. We have until 4 pm for this evidence. Scott, will you please introduce yourself, for the record?

**Scott Martin:** I am Scott Martin, and I am the solicitor to the Scottish National party.

**The Chair:** Thank you, Scott. It is nice of you to join us. We will start with the Minister, Chloe Smith.

**Q96 Chloe Smith:** Thank you for joining us, Scott. It is a great pleasure to have you with us. Thank you for some of the prior work that your party did as part of technical engagement. Given that in Scotland there are two of the protected characteristics—I mean protected constituencies; I make that mistake all the time, as I have the Equality Act in my head—and given, too, the rule on geographical area, can you tell us a little more about what that looks like in practice? Also, what considerations have to go into the review under those headings?

**Scott Martin:** I think that the considerations in Scotland are the same rules that are applied elsewhere in the UK, as far as local ties. Obviously it will be perhaps a slightly easier exercise this time round, in so far as there may be fewer constituencies that need to be changed, but certainly a reduction of either two or three will mean some changes that are significant—rather less than the last time round; but clearly the Highland North constituency, or whatever it may be called after the next review, is one that any parliamentarian would clearly find it difficult to represent, given its vast area.

**Q97 Chloe Smith:** Would you be able to give us a little more colour around perhaps the reasons why constituencies might be protected?

**Scott Martin:** Clearly the two protected constituencies are there for fairly obvious geographical reasons. Highland North, or whatever you want to call it, is not as it were a protected constituency. It is just a constituency that comes up to the 12,000 sq km and 13,000 sq km rule.

**Q98 Chloe Smith:** Finally, aside from those reasons, would you take a view on whether there should be equal treatment across the nations of the United Kingdom?

**Scott Martin:** I think there is a logic that says if one is reverting from a model of 600 to a model of 650, the existing distribution of constituencies between the nations of the United Kingdom should be retained. Of course, the position of the Scottish National party is that there should be zero Westminster constituencies in Scotland.

**Chloe Smith:** Thank you, Scott. I am looking forward to talking much more about that with David Linden, as the Committee goes on.

**The Chair:** Talk about getting your retaliation in last, there, Scott.

**Scott Martin:** I am sure Mr Linden will be invited to the celebration of his unemployment.

**Q99 Cat Smith:** Thank you so much, Scott, for giving evidence to the Committee. We have heard from other witnesses that their expectation is that Scotland will lose seats, and that England looks set to gain some. Can you outline the SNP's view of the impact of the Bill in terms of the integrity and strength of the Union of the United Kingdom?

**Scott Martin:** I suppose our view on the integrity of the Union may be different from that of other political parties that are represented there. I suspect that it may be two rather than three seats that will be lost, with the current formulas. It rather depends, I think. The numbers we have so far do not include attainers. By my calculation, the percentage of attainers in Scotland is roughly 0.957%, whereas in England it is 0.644%. When the attainers are added in, it may be that Scotland will only lose two seats, rather than three. However, as people have identified, we will not know that until all the final figures are collated after March. I suspect the reason why there are more attainers in Scotland will be questions of life expectancy. Also, because we have voting at 16 in Scotland, it is likely that we manage to get more people on as attainers than other parts of the UK.

**Q100 Cat Smith:** On a slightly different issue, are there circumstances where the electoral quota could be relaxed to avoid ward splitting? The Committee has been exploring that throughout the day. For example, could you imagine it making more sense for a constituency to have a 5.5% variance than to split wards? Would that be preferable?

**Scott Martin:** I certainly think that work could be done on changing the variance, which is effectively half the gains I talked about as a permissible departure in relation to the Venice Commission "Code of Good Practice in Electoral Matters". The question of wards is rather different in Scotland than in England. Parliamentary constituencies in Scotland are based on wards, with no ward splitting. Of course, before the 2007 Scottish Parliament and local government elections in Scotland, we moved to three or four-member wards. The consequence is that you cannot get sensible constituencies without splitting wards, particularly with the hard limit put in place as a result of the Fixed-term Parliaments Act 2011. It is a rather different situation in Scotland, for practical reasons, as a consequence of the size of wards we have.

**Q101 David Linden:** I think I put on record on Second Reading that my preference was for either a minimum of 59 seats in Scotland, or zero with independence. Certainly the latter would be my preference, but I appreciate that we are not quite at that moment, though I am sure it is coming soon.

I want to ask about parliamentary approval. You will note that in the Bill, Parliament's approval role is being removed. Can you share your view on that?

**Scott Martin:** That is, in a sense, a highly political question. Do you want politicised districting—everyone has difficulty with that word—or independent districting? Do you want the model they have in the United States, where the word "gerrymander" comes from? The logic is that if you have an independent commission model, which we have had here since the commissions were put on a permanent footing, the ability for political interference is minimised. Automaticity, as it has been described, is a sensible approach to take on that—although clearly, as we have seen from a variety of reviews, including the last two, ultimately, if Parliament wants to stop a review, or wants to proceed on another basis, that can happen, but unless we move to having a written constitution, which I would obviously support, that is not something that we can legislate for.

**Q102 David Linden:** Debate has sprung up today on the idea of building constituencies not on wards, but on polling districts. That issue is of interest to other members of the Committee too. Could you elaborate on that?

**Scott Martin:** Yes. In Scotland, there is the Improvement Service, and if you go to [www.spatialhub.scot](http://www.spatialhub.scot), you will find a polling district map of Scotland. Not all of it is up to date—some of it was updated just before the general election, and some of it is a little bit older—but there is now a complete polling district map of Scotland. Where that data is available, polling districts are a sensible way of drawing boundaries.

The reason why the Boundary Commission for Scotland has had to take a postcode approach is because it cannot use wards, and it did not have the polling districts. I appreciate that there is a bit of a chicken-and-egg situation here, in that polling districts are supposed to be divisions of parliamentary constituencies, rather than being used the other way round, but thinking back to the first Scottish Parliament boundary review, I recall that the Boundary Commission, after its first review, was prepared to take representations from Edinburgh on realigning everything with existing polling districts. Electoral administrators and campaigners in Scotland have practical issues as a result of there being non-coterminous boundaries—it means they have some very strange polling districts—but those issues would certainly be removed if everything was built from one set of polling districts.

**Q103 David Linden:** If I could presume on Mr Paisley's indulgence ever so slightly, I have a final question. You touched on the much-discussed proposal for a Highland North constituency, which raised a few eyebrows after the last review. You touched on the fact that it would be almost impossible for a Member to conduct parliamentary business in that constituency without a helicopter. Do you have any ideas or proposals for ensuring slightly more manageable and sensible constituencies that do not take up a space that, in certain parts of England, would be represented by 73 Members?

**Scott Martin:** There is obviously the 12,000 and 13,000 number there, and certainly some thought could be given to reducing it. My understanding was that that number was effectively taken from the size of Ross, Skye and Lochaber. Clearly we could look at reducing that.

**David Linden:** Thank you, Mr Martin.

**The Chair:** I do not see anyone else indicating that they wish to ask a question. Scott, you got off scot-free today. Thank you for your evidence and your time.

**Scott Martin:** Thank you.

### Examination of Witness

*Geraint Day gave evidence.*

3.44 pm

**The Chair:** We will now hear from Geraint Day. We come to this panel early—we are moving swiftly—so we can give it as much time as required. Geraint, could you please introduce yourself for the record?

**Geraint Day:** Sure. Hello! My name is Geraint Day. I am the deputy chief executive of Plaid Cymru, and head of its campaigns unit.

**The Chair:** You are very welcome here. Minister, could we start with you?

**Q104 Chloe Smith:** Thank you, Geraint, for joining us today—it is great to have you here. Thank you for your participation and that of your party.

Can we talk a little about how political parties, large and small—I hope you do not mind my acknowledging that Plaid Cymru is one of the smaller ones in terms of parliamentary representation—respond to the boundary commissions? Will you talk a little about how easy parties find it to interact with the boundary commissions, and how we can encourage members of the public to interact with the boundary commissions through the consultation stages?

**Geraint Day:** The boundary commissions should be praised for the way they approach their interaction with political parties and the public. On the whole, they are very open—they are available online and by phone, as well as through the more formal public hearings. I would reiterate something that one of the previous contributors said: the commissions are very open to alternative suggestions—I certainly agree with that.

Political parties start from the size of the electorate—the snapshot of the electorate. In Wales, which is the only area I feel competent to talk about, we have to start by looking at Ynys Môn. There is only one way you can go from Ynys Môn apart from the Irish sea, and that is across into Gwynedd. All boundary changes therefore start there and expand out. That has a knock-on effect—somebody referred to a domino effect earlier, and that is very true. If we decide to go one way on a proposal, it has a knock-on effect in a subsequent constituency. In the case of Wales, which is bordered on three sides by sea, with the English border on the other side, that leads to certain pressures, especially in mid-Wales, where the population is more sparse, vis-à-vis the more populous north and southern Wales.

**Q105 Chloe Smith:** Thank you very much. Just to be absolutely clear, the reason you start at the corner of Ynys Môn, as it were, rather than in south Wales, is that it is an island—or is it that south Wales is more populous? Can you be explicit on that point for the record?

**Geraint Day:** Ynys Môn has been mentioned a number of times already today—I have been following the Committee online. It is a unique constituency. In Plaid Cymru's view, it should be a protected constituency. It first got its franchise during the Acts of Union in 1536, and its representation has continued ever since,

except during the Barebones Parliament in the English civil war. We certainly support and call for the protection of that constituency.

In previous reviews where that has not been the case and you start in the south, if you are limited by the percentage variance, you end up getting to Ynys Môn and suddenly realising that you cannot fit the remainder of the constituency within the variance that is left over, as you cross the Menai. Then you have to start again. Realistically, the only place to start when doing a boundary review in Wales is Ynys Môn. You then work your way east and south from there. You cannot go anywhere else; there is no alternative constituency. Only one constituency borders it, and that is Arfon.

**Chloe Smith:** Thank you very much.

**Q106 Cat Smith:** Other witnesses today have indicated that Wales looks set to lose more seats than any other nation of the United Kingdom. The figure of eight seats has been suggested. Some of that is inevitable, due to population changes over the past two decades, but it does look like Wales will have quite a big overhaul in its Westminster parliamentary representation. Do you have an opinion on the introduction of some kind of protected status for Wales?

**Geraint Day:** We do not believe that Wales should lose any MPs. The previous review, which would have reduced the number to 600, has in effect been scrapped, and the number has gone back to 650, yet Wales is losing Members of Parliament and England is gaining Members of Parliament. That seems like a strange place to be. It will appear very strange to the Welsh electorate when they look at this and say, “Where is the UK headed? Is it becoming more and more England-dominant?” We believe that would be incorrect, and that Wales should keep the same level of representation.

**Q107 Cat Smith:** To clarify, would you agree with a protected number of constituencies for Wales?

**Geraint Day:** Yes, if we were to agree on the current level of representation.

**Q108 Cat Smith:** Finally, regarding the geography of Wales—I am particularly thinking of the Welsh valleys—some constituencies end up far below the threshold, but with mountain ranges between areas that might be put together. Do you have any comments to make about Wales's geography, and whether anything could be done to mitigate disruptions and keep communities together? For example, would a slight deviation beyond the 5% threshold be helpful for maintaining community links in Wales?

**Geraint Day:** Absolutely. The figure of 7.5% that has been suggested would help. I think it would still leave challenges, but it would certainly reduce the negative impact of the suggestion.

This is not just about the south Wales valleys, although it is interesting that in the last review, the first proposal from the Boundary Commission about the Rhondda constituency was to include part of Cynon Valley in it. To get there, you have to cross over the Rhigos mountain, which features heavily on winter travel reports on Radio Wales when the mountain road is closed because of bad weather. That is a common occurrence in Wales, due to

its geography, and not just south Wales; it happens even more in the north, where you have the mountain ranges of Snowdonia and the Clwydian hills. They are big barriers to building constituencies, and taking a ward on the other side of a mountain away from its natural community has a big impact and is very unpopular with the local electorate.

A larger variance—7.5%, or something akin to it—would allow greater flexibility for the Boundary Commission. It must be said that the commission generally does a good job and is very open to other suggestions, but has its hands tied by the 5% rule. Giving it extra freedom to determine the best fit is a very sensible suggestion.

**Q109 Ben Lake:** Diolch, Geraint, for joining us this afternoon. This morning, we heard from a witness from the Boundary Commission for Wales, who spoke a bit about the way in which local ties affect how the commission considers boundaries and boundary changes. When it comes to local ties, do you have any particular concerns about the commission's considerations—its rules—not encompassing all the characteristics we might want to see reflected and respected in Wales?

**Geraint Day:** The biggest difference in local ties between Wales and England is the Welsh language. A large percentage of Welsh language speakers are down the west coast, but they are also in some of the upland areas in north and south Wales. Local ties do not necessarily go down the same route as that. The Boundary Commission is looking at geographical ties—shopping centres, travel-to-work areas and those types of things—whereas at times the Welsh language communities do not fit into that local-tie element.

In the past, the Boundary Commission has made attempts to address this; where it has originally proposed splitting Welsh language communities, it has made efforts to put them back together. However, I suggest that it would be better to specifically state that in the Bill, rather than just lump it in with “local ties”. If you look at the Welsh Government's planning process and the advice it gives to local government about local development plans, those plans are required to have a language impact assessment, a requirement that originates from the Welsh Language (Wales) Measure 2011. The way the Boundary Commission operates is perfectly bilingual and it deserves great praise for the way it operates. However, it is not required under the current local ties rule to specifically consider the impact on the Welsh language. I think that should be included as a specific item in the Bill.

**Q110 Mrs Miller:** Thank you very much for giving evidence to us today and, very importantly, for bringing the Welsh perspective into consideration. One of the provisions in the Bill is automaticity, which means that after about two and a half years of review, the recommendations automatically get brought into being, removing the possibility of political influence from the Government or indeed from Parliament, which has been a problem for us in the past. Do you have a view on that and will you support that measure?

**Geraint Day:** In one regard, it is a very simple statement to make. However, the removal of parliamentary authority and moving that decision away from Parliament to

straight implementation is a big step to make. If that rule had been in place in the last two reviews, we would now have a Parliament of 600 MPs and we would not be having this conversation.

Parliament provides a track to final proposals. If we cannot get a majority in the House of Commons, that raises questions about whether it should be implemented. I understand the trouble that the previous two reviews caused, and as one of the people who contributed and spent a lot of time putting submissions to that, it is quite frustrating. There should be some way of keeping some form of parliamentary overview of the proposals without necessarily enabling it to become a party political football in the House of Commons.

**Q111 Mrs Miller:** Has that check not become a full stop, which has left us in the position we are in now, with boundaries that are decades out of date and huge variance? Does it not worry you that a vote in a constituency in one part of the country has more or less value than a vote in another part of the country? Does that not cause you concern?

**Geraint Day:** In terms of how the Boundary Commission operates, it has been doing its job; the issue has been with Members of Parliament in the House of Commons. The way in which that is solved is something that I think Parliament needs to come to an answer about, rather than the non-elected people in society, including myself. It is really a matter for Members of Parliament, but I understand where you are coming from and I have a certain amount of sympathy. I refer back to my previous point—if this rule had been in place in the past, we would already have a Parliament of 600 MPs and not 650. I think that 650 is by far a better fit and that seems to be the general opinion of the majority of the population, so I think the check has worked, to a certain degree, despite how frustrating it has been.

**Q112 Mrs Miller:** I have one final question. I was brought up in Wales. I understand when you talk about the unique nature of the geography of Wales. There is nowhere more unique than Ynys Môn, where you have a very clear boundary. I am a Hampshire MP, so I have huge sympathy for the need to protect and to support those island communities. Is there anything you would like to add to your comments, in terms of the particular importance of protecting that island community?

**Geraint Day:** Island communities are unique and you see that not just throughout the UK, but throughout the world, not least in the fact that they even have the Island games, where various islands of the world get together and put on a semi-Olympic games just for the islands. You see it in the identity. That is something that is quite precious and unique and that we as a society need to foster and take care of.

In terms of their numbers, if the Isle of Wight has two MPs, each one will have an electorate the current size of Ynys Môn's. If it is good enough for the people of the Isle of Wight, why is it not good enough for the people of Ynys Môn?

**Mrs Miller:** Speaking as a Hampshire MP, I am sure that the people who live on the Isle of Wight would understand exactly what you are talking about. Thank you.

**Q113 Alec Shelbrooke:** Just as a quick point of principle, do you believe that voters in Scotland should have a greater representation than voters in Yorkshire, which has a similar population?

**Geraint Day:** This is coming down to the constituencies of the United Kingdom vis-à-vis the nations of the United Kingdom. This is one of the consequences of our current constitutional set-up, without a parliament for England, which Plaid Cymru is quite supportive of. The other option if you have equal levels of constituencies in the UK is a reduction in the representation of the Celtic countries of the United Kingdom. Certainly, we do not support the reduction in the number of MPs.

**Q114 Shaun Bailey (West Bromwich West) (Con):** Speaking as someone who cut his political teeth in Wales, actually in Ceredigion, the idea of language and culture is quite an important one. I am keen to understand and probe more into the language element. If we take Ceredigion as an example, when you have been faced with scenarios in previous consultations where there has been a crossover and, as in the example given before, there is a predominantly Welsh language community with one that is less so, how would Plaid Cymru engage with that process? What would be the thought process that you would go through in that scenario?

**Geraint Day:** Under the rules the Boundary Commission operates with, I can give an exact example from the last review. The Boundary Commission originally proposed putting Llandrindod in with Ceredigion. Llandrindod is in Powys on the other side of the Cambrian mountains from Ceredigion. That was a very strange decision. The argument on local links was that the main trunk road to Ceredigion goes right by Llandrindod. The subsequent argument that we put together, which I think was supported by every other contributor to the response, was that that should not be the case because the linguistic links and levels of Welsh speaking in Llandrindod are much different to those in Ceredigion. Instead, we proposed to look north into Machynlleth and the Dyffryn Dyfi area and take that into the proposed constituency of Ceredigion, which was subsequently adopted by the Boundary Commission.

That worked because there was unanimity of view among those giving comments to the Boundary Commission. Where you would find difficulty is where the different parties and individuals who give evidence differ in their approach. If one or two of the parties had said, “No, we want Llandrindod to go in,” we could have ended up with a very different end result from the Boundary Commission. If it had been required to consider the impact on the Welsh language right from the start, it would not even have made the initial proposal. That is the main reasoning behind it and that is where we come from.

**Q115 Shaun Bailey:** That is really helpful. In terms of the engagement of Welsh language communities in the process, historically, particularly in mid-Wales, we have seen quite high local election turnouts in Welsh language communities. I am conscious of the work Plaid has done in ensuring that those people who are in the Welsh language community are able to engage with the process, notwithstanding the provisions in the Welsh Language Act, to ensure that it is as representative as it can be for some quite unique communities.

**Geraint Day:** Absolutely. I pay credit to the Boundary Commission in the first instance; every time I have given evidence without simultaneous translation, it has been able to provide written evidence in Welsh or English. It works entirely bilingually, and it deserves credit for that.

Where it engages with the Welsh-speaking communities is around where it holds public hearings, which can be slightly awkward because of the number that it is restricted to. Having the ability to arrange more public hearings, without a cap, is one way around that. For example, in some of the constituencies along the north Wales coast, there are large population centres on the coast, but the Welsh-speaking communities tend to be in the island areas and the mountains. The public hearings, naturally enough, are held where the large population centres are. Getting rid of that cap and allowing people to interact with communities in more dispersed rural areas should be encouraged, whether it is done through public hearings or through more promotion of online submissions, which might be a way forward.

**The Chair:** There are no further questions from Members, so thank you very much, Geraint, for your evidence and for your time. We will move on to the next witness, whom I see waiting in the wings.

#### Examination of Witness

*Professor Richard Wyn Jones gave evidence.*

4.6 pm

**The Chair:** We will now hear from Professor Richard Wyn Jones of the Wales Governance Centre. Professor Wyn Jones, you are very welcome. We will go round the table, starting with the Minister.

**Chloe Smith:** Thank you very much indeed, Richard, for joining us this afternoon. It is really valuable to have your insights.

**Professor Wyn Jones:** It’s a pleasure.

**Q116 Chloe Smith:** I have been trying in my questions to touch on all the Bill’s major issues; I wonder if I might return to the need to get the job done and the need for updated constituencies. I know that you have a great academic interest in devolved politics and, naturally, in topics that connect to that for Wales. Would you care to dwell on the length of time since we have had updated boundaries—broadly, around 20 years across the different Boundary Commissions—and on how much political change there has been in that time in Wales?

**Professor Wyn Jones:** I have to say that I have had cause to make myself unpopular with Welsh MPs when appearing in front of various Committees over the past few years, because I have argued consistently that there is no real justification for the level of Welsh over-representation in particular.

I think that there is a real issue with the boundaries being so out of date. For those who are interested in such things, there is a historical precedent going back to the first world war, when boundaries were very much out of date. That finally changed, which unleashed a period of Labour domination of Welsh politics that continued, but that was basically what people in Wales

wanted and still want, to a very large extent. That is fine, but I do think that there is a real problem with rumbling on with boundaries that are clearly outdated.

There is also a real problem because there is no in-principle argument in favour of Welsh over-representation. It was never anybody's intention, as far as I can make out; it is an unintended consequence of the rules that were put in place for the other Boundary Commission. We have ended up with a situation that was never justified beforehand, as far as I can see, and for which it is very hard to retrofit a justification now. Even though I love having lots of Welsh MPs, because it makes my life more interesting, it is hard—in fact, in my view it is impossible—to justify the current position, the current stasis and the apparent inability to move forward.

**Q117 Chloe Smith:** Thank you very much for putting that on the record. Can you give us your view of the provisions in the Bill?

**Professor Wyn Jones:** These kinds of things are always a difficult balance. My general view is that equality of constituency sizes makes sense. I cannot see any particular reason for ensuring that the different constituent territories of the UK are over-represented here. There are different arrangements in place for Wales, Scotland and Northern Ireland. Frankly, the fact that Wales has 6% rather than 5% of MPs—I think that is right—does not make a blind bit of difference.

In terms of general principle, I think equality, with a relatively small margin of difference, is fine. I also support in principle the decision that the changes should be enacted without a further vote. It is probably better that MPs set the terms of the exercise for the Boundary Commission behind a veil of ignorance, if you like, without knowing exactly what the particular outcomes would be for them as individual MPs. It is probably preferable—I think definitely preferable—that they vote behind the veil of ignorance and set the parameters of the exercise, and then allow the exercise to play out in the way we are now used to.

**Q118 Chloe Smith:** Just dwelling on that last point, are you saying that essentially the process should be free of political inference and it would be wrong for MPs to mark their own homework?

**Professor Wyn Jones:** You choose a particular way of phrasing it that I might not choose. It is human nature that MPs will look at any list of redrawn constituency boundaries and think, “Hang on, where do I fit in in this particular structure?” That may well colour how they then vote or agitate before the thing gets voted on, which I know happened quite a lot with the last review.

We need democratic involvement that is appropriate, in terms of setting the terms of the exercise, such as deciding how many seats there should be in the House of Commons, if you want rough and ready equality or if you want to be very precise in terms of equal constituency sizes. Those are all appropriate decisions for Members of Parliament to be involved in, and I think they should be involved in those.

However, there are in-principle advantages of allowing the Boundary Commission to get on with it, with all the safeguards that remain in place around process. The appointment of commissioners is then incredibly important,

but, assuming all those things are done properly, it is better that MPs are not given the final opportunity to undermine the whole thing if they do not like the results.

**Q119 Chloe Smith:** Thank you for that insight. Turning to the independence of the commissions, they are judge-led and there is an extremely high standard required for those appointments. I am sure everyone here would agree that they would want that to be upheld.

**Professor Wyn Jones:** I was not implying that that was not the case. I am saying that those safeguards become even more important in a context in which that final vote is removed. That was my sole point. You are absolutely right that the commissions have a very high reputation, deservedly so at present.

**Q120 Chloe Smith:** Yes, indeed. I suspect between our words we have made the point I was going to invite you to make, so thank you for that. For completeness, were you also in favour of there being 650 seats and there being the tolerance level that we have in the Bill?

**Professor Wyn Jones:** I have no particularly strong view as to 600 versus 625 versus 650, so I do not have a particularly strong view about that, but a reasonably narrow tolerance is absolutely fine. If you are going to will the ends of relatively equal constituency sizes, you have to will the means. If I am going to be consistent in saying that that seems to be the appropriate, fair thing to do in a modern democracy, so be it. We have to will the means to allow that to happen.

**Chloe Smith:** I salute the crystal clarity of your thinking and the way you have put it to us. Thank you.

**Cat Smith:** My question is about devolution, which looks very different in different parts of the United Kingdom. It looks a certain way in Wales and, even within England, there are huge variations. To what extent do you think that the Senedd boundaries should be taken into consideration, as opposed to ward boundaries? What do you think makes the best building blocks for Welsh constituencies that truly represent the communities and keep the communities together, while obviously striving to have constituencies as equal as practically possible?

**Professor Wyn Jones:** Thank you for the question. One of the things we tend to focus on, especially in these kinds of conversations, is the relative number of MPs from each of the constituent nations, but I think it is important to point out that within Wales, the boundaries are now so out of date that we have very large differences in constituency sizes in Wales.

If you take Arfon at one end of the spectrum and Cardiff South and Penarth at the other, there are very large differences in terms of size. To the extent that the boundaries of the Senedd, or parts of the Senedd electoral system, remain tied to those of Westminster, having relatively equal constituency sizes for Westminster will probably make the Senedd electoral system a little bit fairer, too. We miss the fact that the differences within Wales are now very substantial indeed.

If you will permit me to widen the optic a bit, you are right to say that we have distinct dispensations for Scotland, Wales and Northern Ireland. They now look

more alike than they did in 1999, but they are still different. England has an incredibly complex—I would say pathologically complex—internal devolution system. My view is that that should be separated out from the issue of representation in Westminster.

There is room, I think, for variation within the state, but in terms of representation in the House of Commons, it seems to make sense to have a kind of equality, not least because I have never heard a good justification for the level of variation that we have. As I said earlier, why should Wales have 6% of MPs when we have 5% of the population? Why not 8% or 10%? There is no obvious logic to the current system. Equality makes more sense.

**Q121 Cat Smith:** Finally, this question might stray beyond what you have considered, but what challenges do you foresee for the Welsh boundary commissioners in delivering a boundary review?

**Professor Wyn Jones:** I think we all recognise that commissioners always have a terribly difficult job to do, because there will be particular communities that feel a sense of association with some communities and less so with others.

Assuming this legislation reaches the statute book, the challenge for the Welsh commissioners is particularly daunting, because Wales would see the biggest level of change. That will be an enormous challenge, and there will be communities in Wales that feel that the changes being imposed are unwelcome; there is no doubt about that. I am an Anglesey boy, an Ynys Môn boy—I can well foresee that people at home will be extremely unhappy. I am sure that there will be different valleys and different communities thinking, “Well, we don’t really have much in common with the people over the other side of the ridge”, and so on and so forth.

So the challenge will be substantial. I think that my predecessor on this call, Geraint Day, pointed to a recent example around Ceredigion, where people felt that the commissioners had got it wrong, and fair play to the commissioners—they went back and changed things in a way that was regarded as being more acceptable. And I have no doubt that there will be lots of that.

**Q122 David Linden:** Thank you, Professor, for appearing before the Committee. Before the election, which obviously conjured up a very good result for the Conservative party, the Government were absolutely resolute in their view that they wanted to have 600 seats, and then they made quite a sudden change after the election to go for 650 seats. Why do you think that was?

**Professor Wyn Jones:** I do not really have that level of insight into the minds of the people involved. All I would say is that I spoke to Conservative MPs in Wales about this—I spoke to many of them because, as you probably have guessed, my views about this issue are not always particularly popular among Welsh MPs, and several of them were very keen to put me right. But it was very clear from a very early point that the reduction from 650 was not politically viable and that the Conservatives would have real issues, in terms of whipping their own MPs to support it.

It was certainly made clear to me very early on that, in all likelihood, the last attempt at reform would fail and that we would be coming back to this issue, and that we would be coming back to it with 650 MPs as the aim. And the people who I spoke to at that time were correct.

**Q123 David Linden:** Do you think it is particularly courageous on the part of the Government and the Conservative party, having gone from having six Conservative Welsh MPs in the 2017-19 Parliament to now having 14, to propose to remove eight seats from Wales?

**Professor Wyn Jones:** I would not describe it as “particularly courageous”. The issue is that we have boundaries that are terribly out of date; I do not think that there is any argument about that. And we have a real issue, in terms of some constituencies being, by orders of magnitude, larger than others. Wales is a particularly egregious example of that, because we are over-represented to an extent that no other constituent nation is.

So the issue is that if you are going to try and redo the boundaries, on what basis do you do that? As I have said, and I apologise for repeating myself, I have never heard a good in-principle argument for Wales having, for example, 6% of MPs when it has 5% of the electorate. I have never heard an argument that makes any sense of that.

Equality seems to be a reasonable principle, and that means that the biggest impact of any change is felt in Wales. What precisely it means for continuing Conservative representation in Wales in four-and-a-half years’ time, if that is when the next election is held—you are a better man than I am if you can guess that, not least because we do not know what the new boundaries will look like—I do not know. However, that will have an impact on all the political parties; which one it impacts worst, I genuinely do not know.

**Q124 David Linden:** Thank you. I have one final question. You are fairly clearly on record as saying that you think that the level of representation that exists at the moment in respect of Welsh MPs is too high. Would you accept, however, that, regardless of that point, constitutionally, the relationship at the moment between Cardiff, Edinburgh, London and to a certain extent Belfast, is in quite a fractured state? What do you think these proposals would do in terms of the integrity and harmony of the Union?

**Professor Wyn Jones:** I agree that there are very serious tensions across the states, but I genuinely doubt that the relative numbers of MPs from the different constituent units will make much of a difference there. I would concentrate on trying to improve intergovernmental relations between Edinburgh, Cardiff, London and Belfast. That is much more likely to make a difference than having 31 Welsh MPs as opposed to 40. I am afraid that there are fundamental issues around constitutional design and the attitude of the UK Government to the devolved Governments. That is where the action needs to be. Whether we have 31 Welsh MPs or 32 as opposed to the current 40 will not make any difference in terms of dealing with the big issues.

**Q125 Ben Lake:** Diolch i chi, Athro Wyn Jones, am ymuno gyda ni y prynhawn yma. [*Translation: Thank you, Professor Wyn Jones, for joining us this afternoon.*]

This is a very interesting debate about representation and what we actually mean by it. You asked, Professor, what sort of logic could be applied and I suppose, if I were a Conservative and Unionist MP, I would have a particular logic of maintaining the voice of the constituent parts of the United Kingdom.

[Ben Lake]

If you will indulge me for a moment, on that line of logic, Wales's population is set to peak in 2023 and in the next 20 years, England's population alone is estimated to increase by about 8 million. If we are to continue with the logic about seats, in 20 years' time, Wales might have even fewer seats and the relative voice at Westminster would be significantly diminished. In the light of the fact that we are no longer members of the European Union, and so more decisions are now taken at Westminster that have a direct effect on Wales, do you think that we might be embarking here on a set of developments that could—down the line, if not immediately—cause quite considerable tension for the Union?

**Professor Wyn Jones:** Diolch yn fawr iawn am y cwestiwn. Diddorol iawn. [Translation: Thank you very much for the question. Very interesting.]

You make an interesting point. The difficulty with thinking through the logic is what is the pay-off, in terms of an alternative arrangement? In many multinational internally differentiated states, the second Chamber is often used as a way of trying to balance territorial representation and, as I know you are very well aware, there are proposals for changing the House of Lords and making it more territorially representative in terms of its membership and in enhancing that role of its activities too. That would potentially be one way forward. There, you could follow an American Senate-style logic of giving each of the constituent territories equal representation—an idea that was promoted by Carwyn Jones, the former First Minister in Wales. That was an idea that he put forward.

However, in terms of the House of Commons, I really struggle to see the logic of how that plays out in terms of the relative numbers of MPs for each territory. Equality at the UK level—dealing with those issues that are reserved or that are not captured by English votes for English laws—seems to be a relatively straightforward way of proceeding, if you are going to maintain the Union, but then, of course, you would have potentially differentiated devolution settlements for different territories, reflecting the differences of those devolved territories, and perhaps doing something with a second Chamber. Those are probably better ways of dealing with the problem you highlight than coming up with arbitrary numbers for the different representation of the different constituent units of the UK in the House of Commons. Sorry, that was a slightly long-winded response.

**Q126 Ben Lake:** No, thank you, professor. It is incredibly interesting. I know it is beyond the scope of the Bill to talk about House of Lords reform. That is an entirely separate Bill.

One final question: we have had quite a bit of discussion this afternoon—indeed, this morning as well—on the status of Ynys Môn and the proposal for it to be a protected constituency, given its island status. I know that you are a native of Anglesey. Do you have any particular views or comments in that regard?

**Professor Wyn Jones:** I am not sure that I will have any additional insight. As you are aware, and—I was listening in to the conversation earlier—as I know many other members of the Committee are aware, those of us who come from Ynys Môn view ourselves very much as “mocha Môn”, as we say in Welsh. That's a strong identity.

People from over the Menai Strait will say, “Well, it's only a few hundred metres. What makes you so special?” You can go back and forward, as we do in the pubs of that area on a regular basis. The issue is: where do you draw the line in making special cases? At that moment, I am quite pleased that I am not an MP and that I am a mere academic. I can hand that decision back to you.

**Ben Lake:** Diolch yn fawr i chi. Thank you very much.

**Q127 Christian Matheson:** Thank you. Good afternoon, Professor. You piqued my interest when you talked about Arfon in comparison with Cardiff South and Penarth. Knowing Arfon as I do, which is one of the most beautiful constituencies in the whole of the UK, I know that one of those is an urban area and part of a city and the other is not only a very sparse rural area but very mountainous. Is there not a trade-off between that mountainous, very sparsely populated rural area and the numbers, as opposed to an urban area where you can get the numbers quite easily? Where does the balance lie? At the moment, you are suggesting that the numbers are—and should be—the primary concern.

**Professor Wyn Jones:** This is, as you know, a knotty, difficult issue. A century ago, we ended up with a system that was horribly weighted against more built-up areas and in favour of rural areas, because we had seen a lack of boundary reform. That was deeply unsatisfactory. There are, no doubt, more challenges in terms of MPs moving around in rural constituencies. On the other hand, urban areas often have different kinds of problems that may take up more time. I guess the point I am making is that you could make an argument for Powys being particularly rural. Then again, if you compare it with the north of Scotland or the isles, it looks relatively compact.

There is often a tendency for those of us who live in and who have been brought up in Wales to view ourselves as being particularly rural. Actually, in comparative terms, even Arfon is relatively built up. I really wouldn't want to exaggerate the differences there. I am afraid I am not really answering your question directly, because I don't think there is a “gotcha” answer to that. I still think that equality is the place to start from. Then you can say that the very northernmost parts of Scotland, or Shetland and Orkney, have rurality issues that are so obvious and pronounced that they trump the equality argument, but I struggle to make that argument in the Welsh context.

**Q128 Christian Matheson:** You made an interesting point about the previous proposals to reduce Parliament to 600 MPs: you said that it was not politically viable—in other words, it did not have political support. Did you think it was a good idea?

**Professor Wyn Jones:** It certainly did not have the support of elected Members—that is why. Obviously, there was a manifesto commitment, and an election was won on the basis of that manifesto. The usual practice is that that is a mandate and should be enacted, but it was clear from talking to, for example, Welsh Conservative MPs that they were absolutely not keen. They did not view themselves as tied down by that mandate.

**Q129 Christian Matheson:** Professor, did you think it was a good idea to reduce to 600 MPs across the UK?

**Professor Wyn Jones:** As I think I indicated in response to one of your colleagues, I do not really have a very strong opinion. I know that academics are meant to have strong opinions on everything, but is it 600, is it 625, is it 650? From a Welsh perspective, it is not a massive difference, because we are so over-represented at the moment. Equality is the key thing—if it is 600 or 650, it is not a massive difference in terms of the number of Welsh MPs. I have no strong feelings about that.

**Q130 Christian Matheson:** You did indicate support for removing Parliament from the approvals process. Are there any other areas of public life where you think Parliament should not have a say, or that Parliament should not be allowed to scrutinise?

**Professor Wyn Jones:** I think I have been very clear in saying that Parliament does have a legitimate role in scrutinising and, in fact, in setting up the basic policy—forgive me if I was not clear in saying that. Parliament should very much be involved in establishing the parameters within which the boundary commissioners work. That is absolutely what Parliament should be doing.

I was saying that there is a very strong in-principle argument for removing Parliament from the final approval. In effect, I advocate a system in which MPs, in particular, are voting from behind the veil of ignorance—they do not know what the particular parameters that they are voting to approve would mean for them as individuals. They should be involved at the start of the process, but then the boundary commissioners carry out Parliament's will.

I am absolutely not saying that Parliament should not have a role; I am saying that it should be a specific role at the start of the process. The human temptation for MPs to look at whatever the commissioners come up with through the lens of their own self-interest is too strong.

**Q131 Christian Matheson:** As an academic, do you ever supervise your students' research?

**Professor Wyn Jones:** All the time, yes.

**Q132 Christian Matheson:** You will give them parameters, but you do not then leave them to complete the job themselves, do you?

**Professor Wyn Jones:** For example, you will guide a PhD student, but you do not mark their homework; you get external examiners in who decide if the standard is good enough.

**Q133 Christian Matheson:** It is not MPs marking MPs' homework, but MPs marking someone else's homework. My point is, setting the parameters and

then making sure that the parameters have been set is something you are fairly used to and would understand.

**Professor Wyn Jones:** But with respect, we are all human, and I think that asking MPs to look at the results of a Boundary Commission review in the abstract, without considering what it means for them as individuals, is asking for an inhuman level of self-denial. The experience of the last two reviews suggests that there is every likelihood that, if we continue with the current system, these boundaries are going to become so out of date that they actually endanger the legitimacy of the democratic process.

**Q134 Christian Matheson:** Okay, but the last review was, as you quoted other people as saying, “politically unacceptable”. Did we not get out of jail by, fortunately, having that pressure valve and not reducing to 600, meaning that we now have a better set of boundaries as a result?

**Professor Wyn Jones:** I do not think that the pressure valve was in any way related to an in-principle view that 650 was better than 600. There was a democratic mandate for reducing the size of the House of Commons. The reason why it did not happen, at least from what I understand after talking largely to Conservative MPs, is that too many people were unhappy about what it meant for them personally. It was not a great defence of principle that won out but—forgive me for saying so—pretty naked self-interest.

**Christian Matheson:** Thanks very much, professor.

**The Chair:** Professor Wyn Jones, I thank you on behalf of the Committee for giving us your time and for the evidence you presented. That is very much appreciated.

**Professor Wyn Jones:** My pleasure. I thank all the Members.

**The Chair:** That brings us to the end of this marathon oral evidence session, in which we have taken evidence from nine witnesses. The Committee will meet again on Tuesday at 9.25 am in this room to take further evidence. Sir David Amess will be in the Chair for that session. I thank Members for their self-restraint—I think only two of you mentioned your own constituencies, which is incredible. I even got to mention Rathlin Island in my constituency, for some reason.

*Ordered,* That further consideration be now adjourned.—(Eddie Hughes.)

4.42 pm

*Adjourned till Tuesday 23 June at twenty-five minutes past Nine o'clock.*

**Written evidence reported to the House**

PCB01 Liam Pennington

PCB02 John Bryant

PCB03 Dr Alan Renwick and Professor Robert Hazell,

Constitution Unit, University College London



