



Library Note

Devolved Legislature Elections, 5 May 2016: Background

On 5 May 2016, elections will be held for the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly. This briefing provides an overview of the electoral arrangements for these legislatures, their current political composition, any recent opinion polling and speeches relevant to the elections.

Members of the Scottish Parliament and the National Assembly for Wales are elected under the Additional Member System, which combines elements of first-past-the-post and proportional representation. Under this system, each voter has two votes. The first is used to vote for a named candidate in a single-member constituency, using the first-past-the-post system. The second vote is cast for a political party, or for an independent candidate, in a larger electoral region from which multiple candidates are elected. Members for the Northern Ireland Assembly are elected by Single Transferable Vote in multi-member constituencies.

Polling suggests that support in Scotland is highest for the Scottish National Party (SNP). Analysis by John Curtice, Professor of Politics at the University of Strathclyde, of a poll by YouGov suggests that this level of support would translate to 70 seats for the SNP, 26 for the Scottish Labour Party, 24 for the Scottish Conservative Party, five for the Scottish Green Party and four for the Scottish Liberal Democrats. In Wales, the Welsh Labour Party was most the popular party in a poll conducted in February 2016. Analysis of this poll by Cardiff University projected that the Labour Party would win 27 seats, the Conservatives would win twelve seats, Plaid Cymru would win ten, the UK Independence Party (UKIP) nine and the Welsh Liberal Democrats two. A poll of voters in Northern Ireland put support for the Democratic Unionist Party at 26 percent and Sinn Féin at 24 percent, followed by the Ulster Unionist Party polled at 14 percent, the Social Democratic and Labour Party at 11 percent, the Alliance Party at 8 percent, Traditional Unionist Voice at 3 percent and the Green Party and UKIP at 2 percent.

Several party leaders have set out election pledges in recent speeches; however, most of the parties contesting the elections have yet to publish election manifestos.

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I. Scotland

I.1 Electoral Arrangements

Members of the Scottish Parliament (MSPs) are elected either as a representative of a constituency or as part of a regional party list. There are 129 seats in the Scottish Parliament, 73 of which are for constituency MSPs and 56 for regional MSPs.¹ Under this system, known as the Additional Member System (AMS), each voter has two votes. The first is used to vote for a named candidate in a single-member constituency, using the first-past-the-post system. The constituencies used for Scottish parliamentary elections are not the same as those used for UK general elections; there are currently 59 Westminster constituencies in Scotland, while the number of constituencies for the Scottish Parliament is fixed in legislation at 73.² The second vote is cast for a political party, or for an independent candidate, in one of Scotland's eight electoral regions. Seven candidates are elected from each region. Therefore each person in Scotland is represented at the Scottish Parliament by one constituency MSP and seven regional MSPs.³

Regional seats are allocated under what is known as the d'Hondt system:

The d'Hondt system allocates additional seats to political parties or independent candidates according to the number of regional votes cast for that party or independent candidate divided by the number of seats (constituency and regional) already gained in that region, plus one. The party with the highest total after this calculation gains one additional member. The divisor for that party, or individual, is then increased by one (because of the victory in the first round) and the calculation is repeated. Again, the party, or individual, with the highest total wins a seat. This process is repeated until all seven regional/list seats are allocated.⁴

The Scotland Act 1998, which established the Scottish Parliament, specifies that elections will be held every four years.⁵ However, in order to avoid elections to the Scottish Parliament being held at the same time as the UK general election in 2015, it was agreed that the election which was due to take place in May 2015 would be instead be held in May 2016. This was provided for in the Fixed-term Parliaments Act 2011, and the election will take place on 5 May 2016.⁶

The Scotland Bill (HL Bill 100 of session 2015–16) proposes changes to the way elections to the Scottish Parliament are set and administered. The Bill would devolve a number of powers to the Scottish Parliament and Scottish ministers in relation to the organisation, operation and timing of Scottish Parliament and local government elections. Clause 5 of the Bill provides that a Scottish parliamentary election could not be held on the same date as a UK parliamentary general election or a European parliamentary general election.⁷ This Bill has passed all its House of Commons stages, and is scheduled to have its third reading in the House of Lords on 21 March 2016.⁸

¹ Scottish Parliament, '[MSPs](#)', accessed 4 March 2016.

² Boundary Commission for Scotland, '[Frequently Asked Questions—Constituencies](#)', accessed 8 March 2016.

³ Scottish Parliament Information Centre, '[Scottish Parliament Electoral System](#)', 8 June 2011, p 2.

⁴ *ibid.*

⁵ Scotland Act 1998, s 2(2).

⁶ Fixed-term Parliaments Act 2011, s 4.

⁷ [Scotland Bill, clause 5](#).

⁸ UK Parliament, '[Scotland Bill 2015–16](#)', accessed 10 March 2016.

1.2 Political Parties

The following table shows the current composition of the Scottish Parliament by political party:⁹

Party	Number of MSPs
Scottish National Party	64
Scottish Labour	38
Scottish Conservative and Unionist Party	15
Scottish Liberal Democrats	5
Scottish Green Party	2
Independent	3
No party affiliation	1

There are currently 128 MSPs, rather than the 129 provided for in legislation, because of the death of the regional MSP Margo MacDonald in 2014.¹⁰ As Ms MacDonald was an independent regional Member, no by-election was held and the seat will remain vacant until the next general election.

Two recent polls examined electoral support in both the constituency and regional list votes. In the constituency vote, a YouGov poll of 1,022 people carried out between 1 and 4 February 2016 put support for the Scottish National Party (SNP) at 50 percent, followed by the Scottish Conservative and Unionist Party at 20 percent, the Scottish Labour Party at 19 percent, and the Scottish Liberal Democrats at 6 percent.¹¹ However, a poll of 1,036 people carried out by TNS between 3 and 24 February 2016 put support in the constituency vote at 60 percent for the SNP, 21 percent for the Labour Party, 13 percent for the Conservative Party and 4 percent for the Liberal Democrats.¹² In the regional list vote, the YouGov poll predicted that the SNP would win 42 percent of the vote, and the Labour and Conservative parties would both win 20 percent. The Scottish Green Party polled 6 percent, followed by the Liberal Democrats at 5 percent.¹³ The TNS poll put the SNP's share of the regional vote at 55 percent, the Labour Party at 21 percent, the Conservative Party at 13 percent, the Green Party at 6 percent and the Liberal Democrats at 4 percent.¹⁴

Analysis by John Curtice, Professor of Politics at the University of Strathclyde, of the YouGov polling data suggests that this level of support would translate to 70 seats for the SNP, 26 for the Labour Party, 24 for the Conservative Party, five for the Green Party and four for the Liberal Democrats.¹⁵

Further information on understanding contemporary polling data is available in the House of Lords Library Note *Polling Data on the Scottish Independence Referendum*.¹⁶

⁹ Scottish Parliament, '[Current State of the Parties](#)', accessed 7 March 2016.

¹⁰ Scottish Parliament, '[MSPs](#)', accessed 7 March 2016.

¹¹ Lindsay McIntosh, '[Poll Shows Davidson's Tories Neck and Neck with Labour](#)', *Times*, 5 February 2016.

¹² TNS BMRB, '[SNP Still Dominant Despite Efforts to Challenge Record](#)', 1 March 2016.

¹³ Lindsay McIntosh, '[Poll Shows Davidson's Tories Neck and Neck with Labour](#)', *Times*, 5 February 2016.

¹⁴ TNS BMRB, '[SNP Still Dominant Despite Efforts to Challenge Record](#)', 1 March 2016.

¹⁵ Lindsay McIntosh, '[Poll Shows Davidson's Tories Neck and Neck with Labour](#)', *Times*, 5 February 2016.

¹⁶ House of Lords Library, '[Polling Data on the Scottish Independence Referendum](#)', 8 August 2014.

1.3 Recent Speeches

From 1 April 2016, the Scottish Parliament will have the power to levy a Scottish rate of income tax.¹⁷ The UK Government will deduct ten pence in the pound from the basic, higher and additional rates of income tax in Scotland, and the new Scottish rate will apply equally across the three bands. Additional income tax powers are contained in the Scotland Bill currently making its way through the UK Parliament; these would give the Scottish Parliament the power to set rates of income tax and the thresholds at which these are paid.¹⁸

Several recent announcements from Scottish party leaders have focused on how the parties would use these taxation powers should they be elected to govern. Both the Scottish Labour Party and the Scottish Liberal Democrats have proposed setting the new Scottish rate of income tax at eleven pence in the pound, an increase of one penny in the pound on the current UK-wide rate.¹⁹ In a speech to the Scottish Conservative Party conference on 4 March 2016, Scottish Conservative Party Leader Ruth Davidson stated that her party would campaign on a platform of neither cutting nor raising income taxes.²⁰ The current SNP Government has said it will not use the new powers available from April 2016 to change the income tax rate.²¹

In a speech on 29 February 2016 Kezia Dugdale, Leader of the Scottish Labour Party, outlined changes to the welfare system that her party would make should it be elected.²² These changes included: ensuring that children leaving care and going into higher education receive a full grant; the “abolition of the so-called bedroom tax”; raising the Carer’s Allowance to the same level as Jobseeker’s Allowance; and increasing the Sure Start maternity grant to £1,030.

At the Scottish Conservative Party conference Leader Ruth Davidson set out several campaign policies, including: a “new NHS guarantee” that “spending on our health service should rise each year by whatever is highest: inflation, two percent or by the extra funding coming from Westminster”; a review of NHS targets set by central government; and more powers over school budgets and recruitment to be handed to head teachers.²³

The Scottish Liberal Democrat Leader, Willie Rennie, announced several campaign promises in his speech to the Scottish Liberal Democrat conference on 26 February 2016.²⁴ Mr Rennie stated that the Party’s proposed increase in income tax would be spent on “expanding nursery education, implementing a pupil premium, stopping cuts to schools and repairing cuts to colleges”. He also stated the Party’s commitment to improving mental health services and social care, recruiting more GPs and tackling climate change.²⁵

In his speech at the Scottish Green Party conference on 5 March 2016, Co-convenor Patrick Harvie emphasised the Party’s opposition to fracking.²⁶ The Party’s other Co-convenor, Maggie Chapman, promised that the Party would campaign to reform the council tax system, stating

¹⁷ Scottish Parliament, [‘The Scottish Rate of Income Tax and Additional Rate Taxpayers’](#), accessed 8 March 2016.

¹⁸ [Scotland Bill, clauses 13–15](#), HL Bill 100 of session 2015–16.

¹⁹ BBC News, [‘Scottish Labour Calls for Scottish Income Tax Rise’](#), 2 February 2016.

²⁰ Scottish Conservative Party, [‘Ruth Addresses Scottish Conservative Conference’](#), 4 March 2016.

²¹ BBC News, [‘Scottish Labour Calls for Scottish Income Tax Rise’](#), 2 February 2016.

²² BBC News, [‘Kezia Dugdale Sets Out Scottish Labour’s ‘Tax and Spend’ Plans’](#), 29 February 2016.

²³ Scottish Conservative Party, [‘Ruth Addresses Scottish Conservative Conference’](#), 4 March 2016.

²⁴ Scottish Liberal Democrats, [‘Willie Rennie’s Speech to Spring Conference’](#), 26 February 2016.

²⁵ *ibid.*

²⁶ BBC News, [‘Patrick Harvie: Holyrood Needs More Green MSPs to Challenge SNP’](#), 5 March 2016.

that the “Greens demand a new fairer system of local taxation capable of raising the money our public services and our communities desperately need”.

The Scottish National Party conference is scheduled to take place on 12 and 13 March 2016.²⁷

2. Wales

2.1 Electoral Arrangements

As is the case for the Scottish Parliament, Members of the National Assembly for Wales (AMs) are elected under the Additional Member System. There are 60 seats in the National Assembly for Wales, 40 of which are for constituency AMs and 20 of which are for regional AMs. There are five regions, each of which has four AMs. The regional seats are distributed according to the d’Hondt system, as described above. The constituencies for the National Assembly for Wales were originally the same as those for Westminster parliamentary constituencies, however the Parliamentary Constituencies and Assembly Electoral Regions (Wales) (Amendment) Order 2011 made some minor changes to some Assembly constituency boundaries, without affecting the Westminster constituency boundaries.²⁸

The Government of Wales Act 1998, which established the National Assembly for Wales, set out that elections would take place every four years.²⁹ However, as was the case for the Scottish Parliament, the elections which were due to take place in May 2015 were postponed until May 2016 to avoid a clash with the UK general election.³⁰

The UK Government published a draft Wales Bill on 20 October 2015.³¹ This Bill would devolve to Wales many powers relating to Welsh Assembly elections, however clause 5 of the Bill would prevent Assembly ordinary general elections being held on the same day as ordinary general elections to the UK Parliament, general elections to the European Parliament, and local government elections in Wales.³² On 28 February 2016, the Welsh Affairs Committee called for progress on the draft Wales Bill to be paused to allow for reconsideration of which powers should be devolved to the Welsh Assembly.³³ Shortly afterwards, the Secretary of State for Wales announced that he would take extra time to make changes to the Bill. On 7 March 2016, the Welsh Government published a draft Government and Laws in Wales Bill which, it stated, illustrates “the sort of approach which we believe would provide Wales with the devolution settlement we need for the longer term”.³⁴ The Welsh Government’s draft Bill would retain the current electoral arrangements for the Welsh Assembly, but would give the Assembly full legislative competence to make new arrangements.³⁵

²⁷ Scottish National Party, ‘[Spring Conference 2016](#)’, accessed 9 March 2016.

²⁸ Office for National Statistics, [Guide to Parliamentary Constituencies](#), March 2015.

²⁹ Government of Wales Act 1998, s 3(2).

³⁰ Fixed-term Parliaments Act 2011, s 4.

³¹ HM Government, [Draft Wales Bill](#), Cm 9144, October 2015.

³² *ibid*, p 89.

³³ UK Parliament, ‘[Committee Welcomes Delay for Wales Bill Rethink](#)’, 29 February 2016.

³⁴ Welsh Government, [Written Statement—Government and Laws in Wales Draft Bill](#), 7 March 2016.

³⁵ Welsh Government, [Government and Laws in Wales Draft Bill: Explanatory Summary](#), March 2016.

2.2 Political Parties

The following table provides the current composition of the National Assembly for Wales by political party:³⁶

Party	Number of AMs
Welsh Labour	30
Welsh Conservative Party	14
Plaid Cymru	11
Welsh Liberal Democrats	5

An opinion poll for ITV and Cardiff University, carried out between 9 and 11 February 2016 and with a sample size of 1,024 people, found that for constituency votes, support for the Welsh Labour Party was at 34 percent, followed by support for the Welsh Conservative Party at 22 percent, Plaid Cymru at 19 percent, UKIP at 18 percent and the Welsh Liberal Democrats at 5 percent.³⁷ The polls for the regional list vote put support for Labour at 31 percent, Conservatives at 22 percent, Plaid Cymru at 19 percent, UKIP at 18 percent, the Liberal Democrats at 4 percent and the Green Party at 3 percent. Analysis of this poll by Cardiff University projected that the Labour Party would win 27 seats, the Conservative Party would win twelve seats, Plaid Cymru would win ten, UKIP nine and the Liberal Democrats two.

2.3 Recent Speeches

At the Welsh Labour Party conference in February 2016, Welsh Labour Party Leader and current First Minister Carwyn Jones set out six campaign pledges ahead of the May elections. These were: free childcare for working parents; tax cuts for all small businesses in Wales; 100,000 quality apprenticeships for all ages; new treatment fund for life-threatening illnesses; double the capital limit for those going into residential care; an extra £100 million to improve school standards.³⁸

Speaking at the Plaid Cymru conference on 4 March 2016, Leader Leanne Wood also made several campaign promises. These included scrapping care home charges for the elderly, hiring 1,000 extra medical staff, writing off debts for students who work in Wales after graduating and setting up a new economic development agency.³⁹

At the Welsh Liberal Democrat conference on 7 February 2016, Leader Kirsty Williams set out the Party's campaign promises.⁴⁰ In health, Ms Williams said that the Party would campaign for improved access to GPs, better mental health services and more nurses. In education, the Party's promises include smaller class sizes and extending the pupil premium. Ms Williams also promised that the Party would build more affordable houses and support small businesses.⁴¹

³⁶ National Assembly for Wales, '[Your Assembly Members by Party](#)', accessed 7 March 2016.

³⁷ BBC News, '[UKIP Assembly Election Poll Boost Despite Candidate Row](#)', 15 February 2016.

³⁸ BBC News, '[Welsh Labour Faces 'Toughest Election' Since Devolution](#)', 20 February 2016.

³⁹ BBC News, '[Plaid Cymru Claims Voters 'Taken for Granted' by Labour](#)', 4 March 2016.

⁴⁰ Caron Lindsay, '[Kirsty Williams' Speech to Welsh Conference: Community, Better Public Services and a New Initiative to Ask Wales](#)', 7 February 2016.

⁴¹ *ibid.*

Nathan Gill, Leader of UKIP Wales, told the Party's conference on 27 February 2016 that UKIP Wales' policies for the assembly election include: making local health boards elected and reducing the number of NHS managers on six-figure salaries; reintroducing grammar schools and establishing "university technical colleges" for 14–19 year-olds; opposing tax powers for the Assembly without a referendum; opposing any increase in the number of AMs; devolving economic development powers to local authorities and ending the Severn bridge tolls.⁴²

The Welsh Conservative Party conference is scheduled to take place on 11 and 12 March 2016.⁴³

3. Northern Ireland

3.1 Electoral Arrangements

The Northern Ireland Assembly has 108 seats, six for each of Northern Ireland's 18 constituencies.⁴⁴ Members of the Legislative Assembly (MLAs) are elected by the Single Transferable Vote system, under which voters rank candidates in order of preference.⁴⁵ A quota is calculated using the 'Droop Quota' method (this is calculated by dividing the total number of valid voting papers cast by the number of seats to be filled plus one, and then adding one) and any candidates who exceed the quota are elected. Once a candidate has been elected, the second choices of those that voted for the elected candidate are reallocated to the next choice candidates at a transfer value, which is a fractional percentage of one vote. This reduces the value of each vote transferred, so that the total redistributed vote is not worth more than the value of the candidate's surplus.⁴⁶ This process is repeated until all seats in the constituency have been filled. If no candidate reaches the quota in a particular stage of the count, the candidate with the lowest vote is eliminated and their votes redistributed to the next preference candidate.

The Northern Ireland Act 1998 stipulated that elections to the Northern Ireland Assembly must be held every four years.⁴⁷ However, the Northern Ireland (Miscellaneous Provisions) Act 2014 changed this to every five years, with effect from every election following the May 2011 election.⁴⁸

The Assembly Members (Reduction of Numbers) Bill, introduced in the Northern Ireland Assembly on 12 January 2016⁴⁹, would reduce the number of MLAs per constituency from six to five, resulting in a reduction of the total number of MLAs from 108 to 90.⁵⁰ This change was suggested in a Northern Ireland Office consultation paper, which highlighted that the Northern Ireland Assembly has a lower ratio of population to representatives of any of the devolved

⁴² BBC News, "['Real Devolution' if UK leaves EU, UKIP's Nathan Gill Says](#)", 27 February 2016.

⁴³ Welsh Conservative Party, "[Welsh Conference 2016](#)", accessed 9 March 2016.

⁴⁴ NI Direct, "[Elections in Northern Ireland](#)", accessed 7 March 2016.

⁴⁵ BBC News, "[Vote 2014: How Northern Ireland's Voting System Works](#)", 13 May 2014.

⁴⁶ Northern Ireland Assembly, "[Elections to the Northern Ireland Assembly: The Single Transferable Vote System](#)", accessed 7 March 2016.

⁴⁷ Northern Ireland Act 1998, s 31(1).

⁴⁸ Northern Ireland (Miscellaneous Provisions) Act 2014, s 7.

⁴⁹ Northern Ireland Assembly, "[Assembly Members \(Reduction of Numbers\) Bill](#)", accessed 8 March 2016.

⁵⁰ [Assembly Members \(Reduction of Numbers\) Bill, clause 1\(1\)](#).

legislatures.⁵¹ This Bill completed its final stage in the Northern Ireland Assembly on 23 February and, as at 8 March 2016, was awaiting royal assent.⁵²

Ministers of the Northern Ireland Executive, the Government of Northern Ireland, are nominated by the political parties in the Northern Ireland Assembly.⁵³ The number of Ministers a party can nominate is determined by its share of seats in the Assembly, using the d'Hondt System as described above. The First Minister and deputy First Minister are nominated by the largest and second largest parties respectively and act as chairs of the Executive.⁵⁴ Each Executive minister has responsibility for a specific Northern Ireland government department.

3.2 Political Parties

The following table provides the current composition of the Northern Ireland Assembly by political party:⁵⁵

Party	Number of MLAs
Democratic Unionist Party	38
Sinn Féin	29
Social Democratic and Labour Party	14
Ulster Unionist	13
Alliance Party	8
Green Party	1
NI21	1
Traditional Unionist Voice	1
UKIP	1
Independent	2

An online poll of 2,886 people, conducted by LucidTalk between 8 and 12 February 2016, asked respondents which party they were planning to vote for at the May 2016 elections.⁵⁶ Support for the Democratic Unionist Party (DUP) in this poll was 26 percent and support for Sinn Féin was 24 percent. The Ulster Unionist Party (UUP) polled 14 percent, followed by the Social Democratic and Labour Party (SDLP) at 11 percent, the Alliance Party at eight percent, Traditional Unionist Voice at three percent, and the Green Party and UKIP at two percent. This poll did not include a projection of how many seats each party would win based on this level of support.

3.3 Recent Speeches

Addressing the Democratic Unionist Party conference on 5 March 2016, Party Leader and First Minister Arlene Foster set out the Party's "five key priorities" for the future: creating jobs and

⁵¹ Northern Ireland Office, [Consultation Paper](#), August 2012.

⁵² Northern Ireland Assembly, '[Assembly Members \(Reduction of Numbers\) Bill](#)', accessed 8 March 2016.

⁵³ Northern Ireland Assembly, '[The Assembly and Executive](#)', accessed 10 March 2016.

⁵⁴ Northern Ireland Executive, '[Your Executive](#)', accessed 10 March 2016.

⁵⁵ Northern Ireland Assembly, '[Statistics: Assembly Party Make Up](#)', accessed 8 March 2016.

⁵⁶ Bill White, '[Northern Ireland Assembly Elections: Which Party are People Voting For?](#)', *Belfast Telegraph*, 29 February 2016.

increasing incomes; “protecting household budgets” by not increasing taxes; prioritising spending on the health service; raising standards in education; and investing in infrastructure.⁵⁷

At the Alliance Party conference on 5 March 2016, Party Leader David Ford emphasised the Party’s commitment to community unity, fiscal responsibility and progressive social values.⁵⁸ In her speech, Deputy Leader Naomi Long called for more scrutiny in order to achieve “open, transparent and accountable governance”.⁵⁹

The Sinn Féin conference is scheduled to take place on 22 and 23 April 2016⁶⁰, and the SDLP conference is scheduled to take place on 12 March 2016. As at 10 March 2016, the Ulster Unionist Party were yet to announce a spring conference date.

In December 2015, the Labour Party in Northern Ireland approved a motion in favour of preparing to stand candidates in elections in Northern Ireland.⁶¹ The national party’s current policy is not to field candidates in Northern Ireland, asking supporters to instead vote for the SDLP.⁶² On 3 March 2016, BBC News reported that the Labour Party’s National Executive Committee was reviewing the policy not to field candidates in Northern Ireland.⁶³

⁵⁷ Democratic Unionist Party, [‘2016 DUP Spring Conference: Leader’s Speech’](#), 5 March 2016.

⁵⁸ Alliance Party, [‘Ford Says Pace of Change in Northern Ireland Needs to Increase’](#), 5 March 2016.

⁵⁹ Alliance Party, [‘Long Says Politics Needs to be More Progressive and Accountable’](#), 5 March 2016.

⁶⁰ John Manley, [‘BBC Yet to Decide on Gerry Adams Ard Fheis Speech During Stormont Election Campaign’](#), *Irish News*, 8 March 2016.

⁶¹ Labour Party in Northern Ireland, [‘LPNI Prepare to Fight Elections’](#), 8 December 2015.

⁶² Siobhan Fenton, [‘Labour’s Crisis in Northern Ireland’](#), *New Statesman*, 10 December 2015.

⁶³ BBC News, [‘Labour Peer Calls for Party to Run in Northern Ireland Elections’](#), 3 March 2016.

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