

The re-vamped public inquiries currently changing Westminster constituency boundaries in record time (across the whole of the UK) keep power firmly in the hands of the biggest political parties, and not the general public.

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Many commentators initially welcomed the changes in public consultation introduced to speed up the redrawing of boundaries for the new parliamentary constituencies. Yet it has become starkly clear that the revised system continues to favour the desires of established political parties with the resources to influence the proceedings. After sitting in on many sessions of the new process, [Ron Johnston](#), [Charles Pattie](#) and [David Rossiter](#) get an overwhelming sense of déjà vu.



Three of the UK's four Parliamentary Boundary Commissions recently took to the road, conducting public hearings for their proposals to have new constituencies approved by parliament in October 2013, in time for the next general election, scheduled at the latest for May 2015.

The [Parliamentary Voting System and Constituencies Act, 2011](#) introduced major changes to the public consultation procedures, which have been deployed as part of the process for defining Westminster constituencies since the 1950s. Traditionally there was only a narrow four-week period for interested parties to submit written representations regarding a commission's initial proposals for constituencies in a local government area, followed by a public inquiry if there were objections. Instead, the coalition government proposed a twelve-week period, in line with Cabinet Office recommended practice.



The old form public Inquiries: no longer fit for purpose?

Initially the coalition government's Bill explicitly prohibited public inquiries on the grounds that they were 'no longer fit for purpose', – as one government minister put it. Recently held reviews under the old system were described as



- long (even though most dealt with small areas, many with fewer than ten constituencies),
- dominated by the political parties, and
- often involving lengthy (even aggressive) cross-examination by barristers acting for the major parties.

Most old-style reviews resulted in little change. Only a few areas saw extensive changes made to the initial proposals recommended by the assistant commissioner and accepted by the Commission, – mostly counties or boroughs that were either to gain or lose a seat.

The abolition of public inquiries was one of several aspects of the coalition Bill that disturbed politicians, although many observers suggested that their absence would not severely damage the procedure. However, Labour peers successfully pressed for their reinstatement. Labour tended to do well out of the inquiries at recent reviews, and the peers argued that without them arithmetic criteria could overwhelm arguments around community representation when new constituencies were defined. Their concern was shared by some cross-bench peers, who were influenced by Lord Woolf's argument that without public hearings the procedure could be open to judicial review. To ensure the Bill's progress the government amended it by introducing public hearings – adopting an Australian model.

The new inquiries – pragmatic deliberation, or another venue for party politics?

These newly instituted hearings differ significantly from the previous public inquiries. They are to be short – no more than two days. They are to be non-confrontational and their chairs will determine who can question those people or bodies making representations, and then for clarification purposes only. The hearings are to be limited in number – no more than five in each of Northern Ireland, Scotland, and Wales, plus the nine European Parliament constituencies (the standard regions) into which it was suggested that the English

Commission divide the country. They are not to be held *after* the twelve-week period for making written representations, but instead *during* the period – specifically in weeks 5-10. This is because the government feared that lengthy hearings would elongate the entire process and increase the likelihood of the new constituencies not being in place in time for a 2015 election.

The English and Northern Irish Commissions published their initial proposals in September 2011 and the Scottish Commission followed in October. The Welsh Commission will not publish its proposals until January 2012. A total of 44 public hearings were held during October and November 2011 in Scotland, Northern Ireland and England. Did the hearings break any new ground, especially in being more evidence-based? Or were the inquiries simply briefer and less combative versions of the previous reviews? After sitting in on many of these sessions, we have a clear view now of how they operated.

The Commission agreed with the three main political parties that in England the first hearing in each region would be designated as the 'lead hearing' – at which each party would be given 40 minutes to present its views on the initial proposals and any alternatives that it wished to promote for the entire region. But where a party suggested a substantial number of changes – and each did in several regions – then the 40 minutes allowed was insufficient to present a detailed rationale. All the parties could provide was an overview. Their counter-proposals were then backed-up in detail by other speakers, who were allowed to speak for a maximum of fifteen minutes each. These included MPs from affected seats, local councillors, and party officials – all of whom embellished the initial cases (usually referring to one or a few seats only) so as to sustain their party's stance.

Of course, under the prevailing rules and organizational culture of UK boundary-setting, the speakers could not mention partisan advantage reasons for favouring their proposals (though some did). Instead in England each of the parties stressed that

- their alternative configurations kept more of the existing constituencies intact than the Boundary Commissions' initial proposals, or
- involved fewer seats crossing local authority boundaries, and
- reduced the number of electors being moved between seats.

Continuity of community representation was at the core of the parties' explicit cases. Of course, implicitly, their party winning as many seats as possible underpinned most of what that they counter-proposed.

The new arithmetic

As already [discussed exhaustively on this blog](#), the current review of constituency boundaries is much more extensive than previous ones. It involves both a reduction in the number of parliamentary seats from 650 to 600 and a new absolute requirement that all constituencies (with four exceptions) must have electorates within the range from 72,810 to 80,473 (i.e. within plus or minus 5 per cent of the national quota for constituencies, which is 76,641 electors). Changes to constituencies are hence necessarily very extensive. Many existing constituencies have been split asunder – including towns that formerly had an MP representing them. And many of the proposed new seats have little in common with any predecessors.

For MPs and party organisations this is threatening. And many local communities may see their local ties broken. A ward with strong links to one nearby may find it is now in a separate constituency, perhaps grouped with wards from another local authority with which it has little in common. In some places public opposition to this disruption was mobilised. A coachload of protesters gathered outside the West Midlands hearing in Birmingham with placards to protest splitting the town of Bilston into several constituencies.

Apart from the political parties and their allies, the most frequent speakers were community representatives. A number of them argued that a proposed constituency failed to reflect their local ties and would inhibit its future operations, some of which are key to the delivery of a range of public services. But they were now at a considerable disadvantage in making such a case. In previous reviews, if they had a strong case, then the Commission could accede to their wishes by varying constituency sizes more – even if it meant that one constituency was somewhat larger than others and another somewhat smaller. Before the changes the organic criterion of representing constituencies was considered more important than the arithmetic of equal electorates. But now it takes a poor second place, which severely disadvantages community stakeholders.

Now, if you just wanted to move a ward from one constituency to another it is probably impossible under the rules. Certainly it is not feasible in urban areas where wards average several thousand electors – unless compensating changes are made to neighbouring constituencies. Coming up with acceptable alternative configurations is not straightforward. Many local organisations and most private individuals lack the

resources to attempt this, even for the sub-regions that the Commission divided each English region into.

The parties' advantage and the public's loss

All these factors have meant that the established parties (three in England and four in Scotland and Wales) in effect dominated proceedings, although all of the hearings in Scotland and Northern Ireland were brief with the main parties playing little part – and in many cases offering no alternatives to the Commission's proposals. Only they had the experience and resources to come up with alternative configurations of constituencies across sub-regions. Indeed they took the whole of the summer developing them, followed by a hectic few weeks in September and October spent deciding whether to challenge the Boundary Commission's proposal.

The scale of the new operation strongly favours the biggest political parties. They decide, on the basis of their partisan electoral interests, which of the Boundary Commission's proposals meet those needs and so are acceptable. And, for those that don't, they suggest alternatives. Their members and supporters back them up by arguing that the alternative will reduce the amount of change and keep communities together. The parties could not challenge their opponent's counter-proposals at the public hearings. But they have clearly encouraged their supporters to do so between the public 'performances' and the final date for written submissions.

So is it déjà vu all over again? We won't know for many months. After the closing date the written submissions will be published and a further four weeks allowed for counter-arguments to be submitted. The Commissions will then publish their revised proposals – probably late in 2012. Most of the main changes to their initial recommendations will undoubtedly derive from the counter-proposals pressed by the political parties and their supporters. A few local community cases for changes may win support, but only because they have no substantial impact elsewhere – and they will be few.

Academics and other commentators were largely in favour of the abolition of the old-style public inquiries when the government's Bill was first published. They are unlikely to believe that the new style public hearings are an improvement on the old after this first exercise – and their odd, super-compressed timetable. The balance of power remains where it has always been. The Boundary Commissions certainly have not heard what the general public thinks.

About the authors

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Ron Johnston joined the University of Bristol as Professor of Geography in 1995, having previously worked in the Departments of Geography at Monash University, the Universities of Canterbury and Sheffield and as Vice-Chancellor of the University of Essex. He has twice been honoured by the Royal Geographical Society for his research achievements, and by the Association of American Geographers. He was a co-editor of two major journals – *Progress in Human Geography* and *Environment and Planning A* – between 1979 and 2006. His most recent books are [Putting Voters in their Place: Geography and Elections in Great Britain](#) (2006), and [City and Society: an outline for urban geography](#) (2007).



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Professor Charles Pattie has been a personal Chair in the Department of Geography, University of Sheffield since 2000. His main research area is in electoral geography and political participation. On-going work with colleagues at the University of Bristol studies the impact of a variety of local contextual effects on voting choices. His most recent book (with Johns, R., Denver, D., and C Mitchell), is [Voting for a Scottish Government: The Scottish Parliament Election of 2007](#), (2010, Manchester University Press).



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