

Introduction

Thank you for the invitation to present at the committee. My name is Anna Mercer and I am a Senior Consultant with Belfast-based public affairs agency Stratagem.

Part of the Connect Group since 2019, we were founded at the time of the Belfast/Good Friday Agreement, and have advised organisations on government and politics over the past 22 years.

Based on a paper I delivered at the Magill Summer School in 2019, I hope to provide some practical solutions that will support our politicians to deliver more effective government through institutional and policy reform. Drawing on current thinking about the relationship between citizens and the state, alongside the importance of societal, economic and environmental wellbeing, Northern Ireland has the opportunity to build on both the values of the Belfast/Good Friday Agreement and the principles and practice of recent innovations such as an outcomes-based Programme for Government.

Institutional Review and Reform

Mark Durkan famously referred to “the ugly scaffolding” of the Good Friday Agreement in describing some of the safeguards installed to protect against abuses, such as community designation, lack of opposition and Petition of Concern. Thirteen years later, there have been modest moves towards addressing these features.

The introduction of an official opposition provides the option for political parties to formally fulfil a challenge function to the Executive; New Decade, New Approach also made commitments on the Petition of Concern which need to be brought forward by the Executive.

Over the years, we have seen agreements reached in St Andrew’s, Stormont House and NDNA that have dealt with some aspects that have bottle-necked our politics. However, each of these incidences responded to a specific crisis, reactive rather than proactive or strategic, subject to political negotiations and horse trading; these are not the optimal conditions under which we should be reviewing our institutions. Therefore I believe it is time that the Northern Ireland Act was reviewed in its entirety to ensure that our institutions are fit for purpose in a modern and evolving post-conflict society.

One option would be to mandate an external body, such as a Citizens Assembly, to deliver this, and there is an opportunity to incorporate this within a commitment in NDNA to establishing this model of deliberative democracy in Northern Ireland.

Public Policy Reform

Getting a strong framework follows on from the need for a renewed institutional framework, and is critical in setting the tone for good governance. The prominence and dominance of constitutional politics permeates public policy, and the extent of the normalisation of this approach is such that it has become an acceptable, often self-fulfilling characteristic; we need look no further than our education system for evidence of this.

And so we need to find a vision that all parties can coalesce around. Something that has nothing to do with constitutional preference; essentially something that can unify rather than divide.

There is an opportunity to make this shift through the much-welcomed development of an outcomes-based Programme for Government, and critically, the centrality of wellbeing in this approach.

A concept promoted by many organisations including the Carnegie UK Trust, this focus on wellbeing establishes a more long-term vision that endures beyond electoral cycles, and which is based on a clear and unambiguous ambition; improving the wellbeing of citizens.

But key to making this work is to underpin it with legislation.

This has been done in Scotland through the Community Empowerment Act; in Wales through the Future Generations Act; and in England, a Future Generations Bill is currently progressing through the House of Lords. All of these pieces of legislation have wellbeing principles at their heart.

This may also enable a rights-based narrative that is more acceptable for those who are less comfortable with this language; by championing a wellbeing approach, we seek to secure positive outcomes for individuals, starting the conversation from the point of enhancing their outcomes, rather than from looking at what has been denied or omitted.

Accompanying the legislation to underpin the Programme for Government there needs to be a Duty to Cooperate, which is something CUKT are also currently advocating for. In the same spirit as my proposal on institutional reform, this goes hand in hand with enshrining wellbeing and delivering on the outcomes approach; a “pick and mix” approach will fail to address the structural requirements needed to support the policy ambition.

Conclusion

How our politicians interact with the institutions has evolved and an independent, system-wide review is required to consider how the legislation that governs them is fit for purpose, and promotes integration and not just equality.

Ultimately, we need to move away from the quid-pro-quo approach that has characterised our politics, and agree a new platform that can sustain the turbulence of governing; that accommodates - but doesn't prioritise - our constitutional positions.