



The Local Work of Scottish MPs and MSPs: Effects of Non-coterminous Boundaries and AMS

Report to the Commission on Boundary Differences and Voting Systems

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Preface

This report has been commissioned from the authors by the Commission on Boundary Differences and Voting Systems in Scotland (The “Arbuthnott Commission”). The Commission was established to investigate the consequences of having different electoral systems in Scotland operating within different electoral boundaries – in particular for voter participation, engagement between public bodies and representatives, and representation of constituents.

The report primarily addresses the third of these questions. It is based on evidence collected between 2000 and 2005 on three different research projects undertaken by the authors. Two of these projects were funded by the Leverhulme Trust’s ‘Nations and Regions’ programme and the third by the ESRC’s ‘Devolution and Constitutional Change’ programme. The evidence in the report is based on three rounds of postal surveys and interviews with MPs and MSPs over this period.

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Executive Summary

The local representative role in Scotland

- Representation of local constituency interests has long been central to the British tradition of government. Studies have shown that, if anything, the orientation of MPs to local work (particularly ‘casework’ for individual constituents) has grown over time. It also appears that Scottish MPs are more oriented to constituency work than those from other parts of the UK.
- The establishment of the Scottish Parliament shook up these local representative relationships. Not only were there now two members sharing each constituency, but also members elected from party lists across regions. This report investigates how relationships have developed at local level, between MPs and MSPs, constituency and list members, and the public and local organisations.

MPs and MSPs – issues around coterminosity

- Following devolution, Scottish MPs have continued to spend significant time on constituency work, as have MSPs. Often the boundaries between the two can be unclear – members of both parliamentary institutions receive enquiries from constituents that would be more properly directed to the other, whilst some policy issues span the responsibilities of both.
- Generally MPs and MSPs who share a constituency have built up co-operative relationships. Members often share offices and staff, most regularly pass correspondence to each other, and many engage in joint meetings with local groups. In the majority of cases, when a member is approached about a matter that lies within the responsibilities of the other institution, they will pass this on rather than seek to get involved.
- There are exceptions to this pattern, however. In particular where two local members are drawn from opposing political parties, relations are more likely to be competitive. In these cases members are far more likely to pursue cases that are outside the responsibility of their own institution (ie. MSPs pursuing reserved matters with UK ministers and MPs with Scottish Executive ministers). In these circumstances the public may not be clearly guided through the system and accountability can suffer.
- MPs and MSPs reported to us that public understanding of the responsibilities of the different institutions is relatively poor, and better information could be provided. However, they also reported that the public are generally less interested in constitutional niceties than in who they think will most effectively get the job done.
- Members had mixed views on whether the (fairly limited) existing guidance covering MP-MSP relations was adequate. In general members reported few difficulties raising issues outside the remit of their own institutions.
- There was strong opposition amongst MPs to the ending of coterminosity, although MSPs were more accepting of this change. However, it should be noted that it is MPs who will feel the change most, as all but two of them now share their constituency with more than one MSP, whereas one third of MSPs continue to share with only one MP.

- The ending of coterminosity will make local relationships more complex, and seems likely to result in more tensions and confusion at local level. This will apply to some extent in all constituencies where there are multiple members present, compared to the two that existed in the past. However, it seems particularly likely to affect those areas where local members are drawn from competing political parties. After the 2005 general election there are 30 Westminster constituencies affected in this way, compared to the previous 10. In total 21.7% of the Scottish electorate is now living under ‘split’ political control, compared to 14.6% previously.

The operation of the Additional Member System

- The operation of AMS for the Scottish Parliament has been strongly influenced by the pattern of party representation that has resulted. Labour wins most of its seats through the constituencies, whilst other parties are strongly represented on the lists. This has created a confusing situation where views about the operation of the electoral system, and mechanisms for local representation, are mixed with partisan sentiments resulting from electoral competition.
- Both constituency and list MSPs conduct local representative work. The extent of local work by list MSPs is however, somewhat less, and more varied than that of constituency MSPs. List MSP organisation of local representative work is frequently on a sub-region wide basis. This does sometimes involve a strong and extensive focus on a single constituency, but often list MSPs attend to a group of constituencies and see their service as more reactive than proactive.
- Relations between constituency and list MSPs of the same party in an electoral region are generally co-operative. There is a high incidence of sharing office resources and liaising over relations with local interest groups, local policy issues and local community meetings.
- Relations between constituency and list MSPs of different parties in an electoral region are generally competitive, although perceptions of competitiveness are stronger among constituency MSPs than list MSPs. Constituency MSPs, predominantly Labour, have strong perceptions of targeted activity for electoral purposes by list members. List members accept that such perceptions have some truth to them but refute their general validity or significance.
- Relations between MPs and list members can also be strained, as MPs also resent targeting. This has led some to suggest that there should be limits on list members standing for Westminster. Although such restrictions seem impractical, frictions between MPs and list members are likely to worsen now that coterminosity has ended.
- A majority of list MSPs oppose specific components of the Parliament guidance on the local roles of MSPs, and suggest that they are unfair, petty and/or unenforceable. At the same time it would appear that during the second term of the Parliament a majority of list MSPs support the guidance as a package as a whole as adequate, as do some constituency MSPs.
- In contrast, a majority of constituency MSPs, predominantly Labour, consider the guidance to be inadequate. There is significant support amongst this group for not upholding the principle of equal status for constituency and list members, and for requiring stronger guidance on the roles of list members. At the same time such views appear to be held with less urgency during the second term of the Parliament.

- Whilst there is some support among MSPs for a revision of AMS that might result in either fewer or more members, a majority of MSPs oppose both any change in numbers or a move towards a national list.
- Support among MSPs for a different electoral system for the Scottish Parliament principally comes from non-Labour list MSPs and focuses on an advocacy of STV. This is seen as having the advantage in terms of local representative-constituent relations of providing for all MSPs to be elected on the same basis, thus eroding problems of status in relations between the members themselves. The potential problem of multiple electoral systems is embraced as a supporting argument for moving to STV.
- Opposition to a move to STV, principally articulated by constituency Labour MSPs, suggests that STV could produce even more competitive relations in local constituency representation, that may be to the possible detriment to the general development of the Parliament. Equally, it is suggested that the potential problem of multiple electoral systems could be overstated.
- The roles of regional list members and Scottish Parliament guidance on the roles of constituency and regional list members remain issues of controversy. Options exist for the revision of list member roles and for the enhancement or downgrading of Parliament guidance. There is some evidence, however, that over time the problems raised by member roles and parliament guidance are diminishing in political importance. It is not clear that extensive renewed debate would solve existing problems and may cause new ones.
- MSP views on electoral reform suggest that there is no consensus regarding simply revision of the AMS system. Views in favour of moving to STV are primarily supported by non-Labour and list MSPs, and those in favour of retaining the current AMS system are primarily supported by Labour constituency MSPs. It would appear that the problems of local representation under the current system of AMS could be interpreted as sufficient to warrant change, or difficult but manageable, depending on prior views on electoral reform.

Policy options

- In conclusion we find that the system of multilevel politics in Scotland, coupled with AMS, has resulted in various difficulties and tensions with respect to local representative work. This is reflected in the views of members, who at the outset felt optimistic about the likely effects of devolution on local representation, and now take a more negative view.
- The ending of coterminosity is clearly problematic, whilst offering no obvious benefits to the electorate or local groups. At the very least the impact of this change must be kept under close review.
- In particular ending coterminosity will probably lead to greater local tensions due to the higher number of constituencies where there is split political control. This seems likely to result in greater competition between members, and more misdirected enquiries. One option is to seek to counter this through better public information. However, whilst this may be useful it alone will not counter the problem, which results from inbuilt incentives to electoral competition. Another option would be to reinforce the guidance with respect to UK ministers responding to MSPs and Scottish Executive ministers dealing with MPs. This is currently quite flexible and could be strengthened in various ways.

- Another means of discouraging local competition, particularly with respect to list members, would be to introduce new bars on standing for election. A bar on MSPs standing for Westminster seems unduly restrictive and could be seen as an infringement of democratic rights. However, a bar on members standing for list and constituency seats simultaneously in the Parliament is a more serious option and could be kept under review.
- In terms of making the AMS system work more effectively, the current Scottish Parliament guidance on member behaviour seems to be an adequate compromise. There are no strong arguments for either greatly weakening or strengthening the guidance, and to do so would reawaken anger on this issue which has started to subside.
- The more radical alternative of abandoning AMS seems unlikely to solve the perceived problems with the current system. In particular a move to STV for the Parliament, whilst putting all members on an equal footing, would almost certainly also greatly increase competition over local work. If a proportional system is to be maintained for the Parliament, AMS thus remains the least problematic option. However this might be amended to reintroduce coterminosity with Westminster, by a rebalancing between list and constituency seats.

Introduction: The Local Representative Role in Scotland

The representation of local constituency interests has always been central to the British system of government. The traditions of Westminster since (and indeed before) the Acts of Union created a strong bond between elected representatives and their constituents. Throughout the twentieth century factors such as the widening of the franchise, changes to the party system and the growth of the welfare state contributed to these relationships changing in important ways. But research has repeatedly demonstrated that the net result has tended to be an increase rather than a decrease in the local focus of elected members.¹

Even before the advent of devolution, the constituency role was perhaps of particular importance in Scotland. In his landmark study of the House of Commons conducted in the 1970s, Donald Searing categorised MPs into four types depending on how they prioritised their roles.² Some were ‘policy advocates’ for particular causes, some were ‘ministerial aspirants’ and others were ‘Parliament men’ who focussed on the running of Westminster as an institution. However, others were principally ‘constituency members’, who concentrated first and foremost on serving the needs of their local areas. It was in Scotland, Searing suggested, that the highest concentration of such members was to be found.³

There are many different aspects to the local role, which led Searing to suggest two broad subcategories of ‘constituency member’. The first, the ‘local promoter’ sought to raise the profile of the constituency and improve its economic wellbeing and status – for example by encouraging local investment, and facilitating activities of local businesses and other interest groups. In contrast the ‘welfare officer’ sought to take up cases on behalf of individual constituents – generally through helping negotiate services such as housing and health provided by the welfare state, or dealing with government departments over matters such as benefits or immigration. These two categories of ‘constituency member’ are of course not mutually exclusive, and most MPs carried out both to some extent.

By the late twentieth century the importance attached to the constituency role meant that all members (not just those primarily oriented locally) spent some time engaged in such duties. In particular – in part facilitated by the higher allowances available to pay MPs’ staff – the ‘welfare officer’ or ‘casework’ role had grown in importance. In 1992, 84.3% of MPs considered it ‘very important’ to help constituents with their problems, whilst a further 14.4% classified this role as ‘important’.⁴

¹ See, for example, Buck, J. V. and Cain, B. E. (1990). ‘British MPs and Their Constituencies’, *Legislative Studies Quarterly*, 15(1):127-143; Crewe, I. (1985). ‘MPs and Their Constituents in Britain: How Strong are the Links?’, in V. Bogdanor (ed.), *Representatives of the People?: Parliamentarians and Constituents in Western Democracies*, Aldershot: Gower; Norris, P. (1997). ‘The Puzzle of Constituency Service’, *Journal of Legislative Studies*, 3(2): 29-49; Norton, P. and Wood, D. (1993). *Back from Westminster: British MPs and their Constituents*, University Press of Kentucky; Radice, L., Vallance, E. and Willis, V. (1989). *Member of Parliament: The Job of a Backbencher*. Basingstoke: Macmillan; Rush, M. (2001). *The Role of the Member of Parliament Since 1868*. Oxford: Oxford University Press.

² Searing, D. (1994). *Westminster's World*. Cambridge, MA: Harvard University Press.

³ This may have partly been a party effect, as Labour MPs consistently ranked constituency duties higher than Conservative MPs, and Labour was more strongly represented in Scotland. Yet Labour was (and remains) even more disproportionately represented in Wales.

⁴ Norris, P. and Lovenduski, J.C. (1996). *British Candidate Study, 1992* (computer file). Colchester, Essex: UK Data Archive (distributor), SN: 3287.

Table 1 shows MPs' responses to our 2004 survey, with respect to the importance they attach to particular roles. This demonstrates how highly MPs rate constituency duties, and especially that of conducting casework. Almost 90% of MPs considered that 'helping solve constituents' problems' was 'very important'. This compared to 67.2% of members who considered that holding government to account was very important, and 61% who said the same about work on parliamentary committees. Members' responses with respect to other forms of local work are also shown. Work in the local party and with local interest groups was rated highly by a majority of members, and over a third considered promotion of business and government funded projects in the constituency, and attending local community meetings and functions, to be 'very important'.

Table 1: Percentage of MPs and MSPs ranking local and other roles as 'very important', 2004

	All MPs	Scottish MPs	MSPs*
Help solve constituents' problems	89.7%	96.3%	86.7%
Hold government to account	67.2%	66.7%	76.3%
Work on parliamentary committees	61.0%	70.4%	48.3%
Provide leadership to the local party	55.2%	51.9%	30.5%
Have good contacts with local interest groups	52.8%	48.1%	69.5%
Promote business and government funded projects in the constituency/electoral region	37.4%	48.1%	27.1%
Attend local community meetings/functions	37.1%	42.3%	57.6%

All MPs, N = 186-195; Scottish MPs, N = 26-27; MSPs, N = 87-90.

* For analysis comparing list and constituency MSPs see Table 24 in Part 2

One notable feature of these figures is how Scottish MPs rate some aspects of local work more highly than do MPs from other parts of the UK. In particular, 96.3% of Scottish MPs considered constituency casework to be a 'very important' part of their role.⁵ This appears to be consistent with Searing's findings of 30 years ago.

Table 2: Mean number of hours per week spent on constituency duties by MPs and MSPs, 2004

	All MPs	Scottish MPs	MSPs*
Casework for individual constituents	14.7	11.8	11.0
Dealing with local interest groups/business	5.1	3.8	6.0
Attending local community (non-party) meetings	5.1	3.3	4.8
Attending local party meetings	2.2	1.8	2.0
Promoting business and public spending in constituency	3.4	3.8	3.6
Total on these five activities	30.5	24.5	27.4

All MPs, N = 162-184; Scottish MPs, N = 25-26; MSPs, N = 44-55.

* For analysis comparing list and constituency MSPs see Table 25 in Part 2

The constituency role can take up a great deal of members' time. Casework is consistently ranked by MPs as the single most time consuming duty that they engage in. In 2004, for example, as

⁵ This difference remains noticeable, even when party is controlled for.

shown in Table 2, our survey found that MPs spent on average 14.7 hours per week on this activity (with Scottish MPs spending rather less). When four other activities – meeting local interest groups, attending local community meetings, attending local party meetings, and promoting local business and public spending – are included, Scottish MPs spent on average of 24.5 hours per week on local matters, even after devolution. Casework for individual constituents remained by far the most time consuming of these activities.

The establishment of the Scottish Parliament in 1999 raised important questions about the future of these local representative roles. The Parliament took over responsibility for many of the issues that individual constituents were likely to raise with their elected members, as well as important strategic matters such as economic development, transport and health which were central to the ‘local promoter’ role. Given the strong tradition of local representation at Westminster, members of the new Parliament seemed bound to take on a similar local orientation to some extent. As Table 1 and Table 2 also show, this has certainly been found to be the case. MSPs rank local representative duties just as highly as do Scottish MPs, and they spend as many or more hours per week fulfilling them. Our survey found that 86.7% of MSPs (including both constituency and list members) rated the casework role as ‘very important’, and on average spent 11 hours per week on this activity. Contact with interest groups and attending local community meetings were also rated highly. MSPs spent more time on these latter activities than Scottish MPs, and an equivalent or greater amount of time than MPs in the rest of the UK.

These changes create potential conflicts, which lie at the heart of the issues that the Commission is considering. The traditional local role of the MP in Scotland, which has been both highly rated and significant in terms of commitment of time, must now be shared with members of the Scottish Parliament. From 1999 until May 2005 there were two members representing each constituency – an MP and an MSP – each likely to adopt these local roles. Potential was therefore introduced for either duplication of work and confusion amongst constituents, or an improved level of local service – depending in part on whether co-operation between the two local members was established. Our research, based on surveys and interviews with MPs and MSPs, has investigated how these relationships have developed. The results can help us to predict how the situation will change once the coterminosity of boundaries has ended.

The second challenge created by devolution was to the single member constituency system. The new Parliament was created with an electoral system comprising not only ‘constituency’ members in the traditional sense, but also members elected from party lists on a regional basis. Another question was therefore what role these ‘list’ members would adopt with respect to local work, and how their relationships would develop with constituency members. This question relates particularly to the differing roles and relationships within the Parliament itself, but also with respect to list members’ relationship with MPs.

These are the two issues that are investigated in Parts 1 and 2 of this report. The report draws upon our research with members of both institutions between 2000 and early 2005. The first part addresses the question of relationships at the constituency level, between MPs and constituency MSPs. It seeks to draw some conclusions with respect to coterminosity. The second part reviews the local roles of list and constituency members and how they interact, drawing lessons about the operation of the additional member system. In both sections we give particular attention to constituency ‘casework’ (as this is the dominant part of members’ local roles), but also discuss other forms of local work. Finally, Part 3 summarises the possible policy lessons from the evidence presented in the earlier sections of the report.

Part 1: MPs and MSPs – Issues Around Coterminosity

The first question to be addressed is how local relationships work between the constituency members of the Westminster and Scottish Parliaments, and how (if at all) these are likely to change as a result of the ending of coterminosity. Until now identical constituencies have been represented by two elected members – one in each parliamentary institution. In this part of the report we investigate the ways in which local duties have been divided between them under this system, and consider how such patterns are likely to develop when boundaries change.

The existence of two sets of representatives raises particular questions about public understanding of their respective policy responsibilities, and the extent to which the members themselves a) respect each other's differing responsibilities and b) seek to educate the public about them. Here we address both the current operation of the new 'multi-level' system, and how this is likely to change after May 2005. Will boundary changes improve or damage the quality of local representation, and the overall efficiency of the democratic system?

Devolution and the Changing Pattern of Constituency Casework

As discussed above, constituency work has traditionally been a major and highly-valued part of the Scottish MP's role, but one which was liable to change after devolution. The new Parliament took on responsibility for many of the issues, such as health and education, that featured in the MPs' postbag. It also had responsibility for policy making in many of the areas of greatest relevance to local interest groups and businesses. Consequently, the time spent on constituency duties by Scottish MPs after devolution might have been expected to decline.

Our research shows very little evidence that this has happened, as Table 3 suggests. Although some Scottish MPs have taken the opportunity to devote more time to policy interests at Westminster rather than local work, they are probably in the minority. There are a number of reasons for this. Important amongst them, of course, is the fact that many members' policy interests have primarily transferred to the Parliament and are no longer the subject of substantive debate at Westminster (at least where Scotland is concerned). Members with interests in foreign affairs and defence, or Treasury matters, for example, have been able to spend more time on committee and other work. Others whose interests are now largely devolved have not been able to do the same. In any case, the constituency role is highly valued by members – as the figures in Table 1 showed. Earlier research has suggested that members gain satisfaction from their ability to help local residents, as well as seeing this as a potential means of maintaining electoral support.⁶ Similarly, links to local organisations and businesses may reward members in terms of status, and boost their sense of political purpose.

Table 3 shows responses to our survey from Scottish MPs with respect to the pressure of their constituency caseload, in 2000 and 2004. In the first of these surveys, just one year after the Parliament was created, only a minority of those responding suggested that their constituency caseload had gone down. However, four years later over 60% of Scottish members who had been in the House of Commons since before devolution acknowledged some change in this direction. Nonetheless the change in most cases was reported to be only small, and 37.5% of members maintained that their caseload had not changed at all.

⁶ See note 1 above.

Table 3: Change in constituency caseload of Scottish MPs since devolution

<i>% members saying</i>	2000	2004
gone down a lot	2 (15.4%)	1 (6.3%)
gone down a little	2 (15.4%)	9 (56.3%)
stayed about the same	4 (30.8%)	6 (37.5%)
gone up a little	3 (23.1%)	
gone up a lot	2 (15.4%)	
Total	13 (100%)	16 (100%)

These issues were explored further in interviews with Scottish MPs. Members cited a number of reasons why their caseload had fallen little if at all. One was that established MPs continued to have a high profile with local residents. Another was that public understanding of the devolved settlement was generally fairly poor. Many MPs suggested that members of the public saw them as the most ‘senior’ of the local representatives, since they saw Westminster as the ‘senior’ institution. Constituents therefore sought assistance from the MP, even on matters that were the responsibility of other institutions. But the reasons for MPs maintaining a high caseload are not wholly to do with constituent demand – they also relate to supply. Many Scottish (and Welsh) MPs since devolution have taken active steps to attract more casework, to compensate for what they have lost. New techniques such as ‘street surgeries’ (which have also come into use in the rest of the UK) have seen MPs advertising their services more widely. This has generated interest from constituents and helped maintain the profile of MPs – particularly new members elected since devolution.

Given that many important responsibilities passed from Westminster to the Scottish Parliament, and that public understanding of the division of roles between the two institutions was likely (at least initially) to be poor, MPs and MSPs could expect to be approached by constituents about matters that were properly within the control of each others’ institutions. Indeed there was a precedent for such constituent behaviour already. Much of MPs’ constituency caseload has traditionally comprised of matters which are in fact the responsibility of local government.⁷ This was partly a product of confusion about lines of responsibility but also resulted from constituents seeking what they perceived to be a powerful advocate to act on their behalf in relation to the council. Generally, MPs pursue such matters when approached in order to offer support to their constituents and encourage voter loyalty. The same pattern seemed likely to be played out with respect to the Scottish Parliament.

Table 4 and Table 5 show MPs’ and MSPs’ estimation of how their constituency ‘postbag’ is made up, in terms of matters within the responsibility of four levels of government: local government, the Scottish Parliament, Westminster and the European Parliament. This demonstrates that both sets of members receive many enquiries which relate to institutions other than their own. Results may not be wholly reliable, as they are based on members’ self reporting, rather than an objective test of correspondence received. But they are fairly consistent between our three surveys, in 2000, 2002 and 2004.

Scottish MPs report that around half of the constituency correspondence they receive relates to Westminster matters. They also report that less than 20% of the postbag relates to matters within the control of the Scottish Parliament. Meanwhile MSPs report that 40-45% of their constituency enquiries relate to Scottish Parliament matters, and less than 15% to matters resting with the

⁷ See Norris and Norton and Wood at note 1.

parliament at Westminster. But both sets of members also report a high proportion of correspondence relating to local government matters – around 40% by MSPs and 25% by MPs. .⁸

Of course there are some matters where the division of responsibilities between different institutions is not clear. This is the case, for example, where there are issues of funding, taxation or welfare benefits in relation to a service controlled by the Scottish Parliament. It is also the case with respect to some cross-border matters. In such cases MPs and MSPs would ideally work together on behalf of their constituencies and individual constituents.

Table 4: Mean proportion of constituency correspondence received by Scottish MPs relating to four levels of government

	2000	2002	2004
Westminster	48.1%	55.9%	59.9%
Local government	29.1%	23.7%	20.7%
Scottish Parliament	18.8%	15.7%	16.5%
European Parliament	3.6%	3.9%	4.1%

2000, N = 16; 2002, N = 27; 2004, N = 27.

Table 5: Mean proportion of constituency correspondence received by MSPs relating to four levels of government

	2000	2002	2004
Westminster	14.2%	10.2%	10.2%
Local government	36.3%	45.6%	43.1%
Scottish Parliament	45.3%	41.5%	43.2%
European Parliament	5.3%	5.5%	2.8%

2000, N = 55; 2002, N = 42; 2004, N = 56

So with respect to constituency casework there have been important developments in Scotland since devolution in 1999. MPs' burden of work has been lifted to some extent, but perhaps not as much as might have been expected. More than a third of the correspondence received by Westminster MPs continues to relate to policy either within the control of the Scottish Parliament or local government, whilst MSPs are also in receipt of enquiries about Westminster matters, and a high volume of correspondence relating to matters within local authority control. This raises questions about what elected members do with enquiries that are not properly related to their institution, and to what extent they co-operate with each other in offering a constituency casework service. It also leaves questions about the extent to which the two types of member collaborate over dealings with local organisations and other local matters.

MPs' Relations with Constituency MSPs

Devolution ended the monopoly of parliamentary representation in constituencies in Scotland. Whilst MPs had previously been the political top dog locally, after 1999 they were potentially in competition with local MSPs for this position. Given the value that MPs attached to local roles (as

⁸ One clear pattern from our data is that Scottish MPs are receiving a far lower level of enquiries about local government matters than are their English counterparts – in 2004 the average proportion of the English postbag relating to local government matters was 48%. These enquiries may now have been partly redirected to MSPs.

evidenced above) this seemed likely to lead to some local tensions between representatives. Any confusion by local citizens or interest groups about policy responsibilities also had the potential to create difficulties.

In each of our surveys we asked constituency MPs and MSPs about the nature of their relationships with each other. The results are shown in Table 6 and Table 7. These suggest that MPs and MSPs at the constituency level generally enjoy co-operative relationships, and that the extent of co-operation is improving over time. In 2004 only one MP responding, and one MSP, classified their relationships as ‘competitive’.

Table 6: MPs’ perceptions of co-operation and competition in relationships with local constituency MSPs

	2000*	2002	2004
Entirely/very co-operative	13 (92.9%)	19 (73.1%)	22 (81.5%)
Fairly co-operative	-	3 (11.5%)	4 (14.8%)
Sometimes co-operative, sometimes competitive	-	4 (15.4%)	
Fairly/somewhat competitive	1 (7.1%)		1 (3.7%)
Very competitive			
Total	14 (100%)	26 (100%)	27 (100%)

* In 2000 a three-way classification was used: ‘entirely co-operative’, ‘somewhat competitive’, ‘very competitive’

Table 7: Constituency MSPs’ perceptions of co-operation and competition in relationships with local MPs

	2002*	2004
Very co-operative	15 (78.9%)	20 (71.4%)
Fairly co-operative	1 (5.3%)	5 (17.9%)
Sometimes co-operative, sometimes competitive		2 (7.1%)
Fairly competitive	2 (10.5%)	1 (3.6%)
Very competitive	1 (5.3%)	
Total	19 (100%)	28 (100%)

* In 2000 this question was not asked in a comparable form to MSPs

On the basis of this information it would seem that local relationships are working relatively well – at least in the eyes of elected members. But this remains a wholly subjective assessment, which does not tell us anything about the practicalities of MP-MSP relations. Other questions on our surveys therefore investigated specific forms of co-operation over local matters, and in particular what happens when Westminster members are approached by constituents about Scottish Parliament matters and vice versa.

Table 8 summarises some of the main ways in which local MPs and MSPs can collaborate, and in general finds fairly high levels of co-operation. These results were confirmed, and explored in more detail, in our interviews with MPs and MSPs. For example, it is common for the constituency MP and MSP to share a local office and staff. In our 2004 MP survey 15 out of 29 respondents (51.2%) reported sharing office space with the constituency MSP ‘a great deal’ or ‘quite a lot’, and 11 (37.9%) said the same about sharing staff resources. In interviews members explained how they located their staff together, usually in a single constituency office but

sometimes split between two offices (particularly in geographically larger constituencies). This arrangement enabled staff to cover for each other, consult regularly, and sometimes share databases and filing systems for local work.

Table 8: Specific forms of co-operation between MPs and constituency MSPs, MP responses 2004

	A great deal	Quite a lot	Some	Not very much	Not at all	Total
Liaise over issues raised by constituents	16 (55.2%)	7 (24.1%)	4 (13.8%)	1 (3.4%)	1 (3.4%)	29 (100%)
Hold joint constituency surgeries	8 (27.6%)		3 (10.3%)	5 (17.2%)	13 (44.8%)	29 (100%)
Conduct joint constituency work	5 (17.3%)	4 (13.8%)	7 (24.1%)	4 (13.8%)	9 (31%)	29 (100%)
Share office resources	13 (44.8%)	2 (6.9%)	4 (13.8%)	2 (6.9%)	8 (27.6%)	29 (100%)
Share staff resources	6 (20.7%)	5 (17.2%)	1 (3.4%)	4 (12.8%)	13 (44.8%)	29 (100%)
Liaise in dealings with local interest groups	11 (37.9%)	9 (31%)	5 (17.2%)	3 (10.3%)	1 (3.4%)	29 (100%)
Jointly attend local community (non-party) meetings	9 (31%)	7 (24.1%)	10 (34.5%)	1 (3.4%)	2 (6.9%)	29 (100%)
Liaise in promoting loc. business & public spending projects	11 (37.9%)	8 (27.6%)	6 (20.7%)	1 (3.4%)	3 (10.3%)	29 (100%)
Liaise over the development of Scottish policy issues	6 (20.7%)	5 (17.2%)	7 (24.1%)	5 (17.2%)	6 (20.7%)	29 (100%)

Similarly, it is relatively common for MPs and constituency MSPs to conduct joint ‘surgeries’ at which constituents can ask for help with their problems. In 2004, 11 of the 29 MPs responding to this question (37.9%) reported that they did this to some extent. However, failure to hold joint surgeries did not necessarily imply lack of co-operation. In interviews some members explained to us that they found it more efficient to spread resources around by each holding surgeries on different dates or at different locations, and then passing information to each other where necessary afterwards. Such arrangements were therefore often organised by explicit agreement. Indeed a majority of MPs reported that they liaised with the constituency MSP ‘a great deal’ over issues raised by constituents, whilst a further 24.1% did this ‘quite a lot’.

There was a particularly high level of co-operation over more strategic matters at the constituency level. Thus 68.9% of MPs reported liaising at least ‘quite a lot’ over dealings with local interest groups, and 65.5% said the same about promoting business and public spending projects locally. In interviews members told us that they often organised joint meetings with local groups, particularly where the responsibility for the policy issues under discussion was complex or split between the Scottish Parliament and Westminster. Members also occasionally wrote joint letters to ministers (either in Edinburgh or London) about strategic issues affecting their constituencies.

A particular form of co-ordination is that over individual constituency casework. As already discussed, both MPs and MSPs are regularly approached by constituents about matters which fall within the control of each other’s institutions (and also sometimes are approached about matters where responsibility is shared). It is therefore of interest to ask what members do in such circumstances. Properly, it can be argued that members should pass such cases to each other, rather than taking them up themselves. However, experience with MPs and local government related casework suggested that this might not happen in practice.

Table 9 and Table 10 summarise responses from MPs and MSPs on this question, showing figures for both 2000 and 2004 for comparative purposes. These seem to demonstrate some fairly clear patterns.

Table 9: MPs' actions when approached about devolved matters

<i>When approached about a matter where responsibility rests with the Scottish Parliament do you ...</i>		
	2000	2004
Pass the letter on to the constituency AM/MSP?		
Always	5 (41.7%)	17 (60.7%)
Often	6 (50.0%)	8 (28.6%)
Sometimes/rarely	1 (8.3%)	3 (10.7%)
Never		
Total replied	12 (100%)	28 (100%)
Take the matter up with the devolved minister?		
Always	2 (18.2%)	2 (7.7%)
Often	1 (9.1%)	4 (15.4%)
Sometimes/rarely	5 (45.5%)	14 (53.8%)
Never	3 (27.3%)	6 (23.1%)
Total replied	11 (100%)	26 (100%)

Table 10: Constituency MSPs' actions when approached about Westminster matters

<i>When approached about a matter where responsibility rests with the Westminster Parliament do you ...</i>		
	2000	2004
Pass the letter on to the constituency MP?		
Always	17 (73.9%)	21 (72.4%)
Often	5 (21.7%)	6 (20.7%)
Sometimes/rarely	1 (4.3%)	1 (3.4%)
Never		1 (3.4%)
Total replied	23 (100%)	29 (100%)
Take the matter up with the UK minister?		
Always	2 (13.3%)	1 (4.2%)
Often		4 (16.7%)
Sometimes/rarely	8 (53.3%)	7 (29.2%)
Never	5 (33.3%)	12 (50.0%)
Total replied	15 (100%)	24 (100%)

In general, most MPs and MSPs appeared to be adhering to the boundaries of their institutions' powers, and this adherence was growing over time. The proportion of MPs reporting that they 'always' passed relevant matters on to the constituency MSP grew over time, and the proportion saying that they take devolved matters up with ministers in Edinburgh fell. Similarly, most MSPs rarely or never took reserved matters up with ministers in London.

The fact that the majority of cases are passed on to a member of the relevant institution is further illustrated by Table 11, which shows MPs' and MSPs' reporting of receiving constituency correspondence that has been passed to them by the other representative of their seat. Almost all members reported receiving such correspondence at least sometimes, and a large majority reported that this happened often.

Table 11: Extent to which MPs and constituency MSPs report being passed constituency correspondence by each other, 2004

<i>Do MPs/MSPs pass you correspondence from constituents relating to Scottish Parliament/Westminster matters?</i>	MP responses	MSP responses
Often	17 (68.0%)	21 (72.4%)
Sometimes	7 (28.0%)	6 (20.7%)
Never	1 (4.0%)	2 (6.9%)
Total	25 (100%)	29 (100%)

In interviews we explored in greater detail with members how these relationships generally work. By early 2005 most had well-established systems for dealing with individual constituents' enquiries, both at surgeries and when raised by correspondence or by telephone. With respect to surgeries, some members explained that they held joint sessions, with a receptionist who directed constituents to whichever of the two representatives was most appropriate to deal with the constituent's problem. Others did not hold surgeries jointly, and thus often met constituents who had problems that more properly fell within the responsibilities of the other institution. But it was common practice for members in these circumstances to take the details of the case and explain that it would be passed on to the other representative. Similarly, if correspondence was received that was more properly the responsibility of the other representative, it was common for members to have standard letters indicating that they had passed it on, and staff similarly tended to redirect phone calls in the same way. These latter arrangements were obviously easier where the members shared an office.

In general, then, members tended to respect the role of each other's institutions, and take on an educative role with the public (and local groups) with respect to how the devolution settlement works. Most members confined themselves to taking up matters with ministers within their own institutions, where they could properly follow them up through parliamentary channels (such as questions and adjournment debates) should the need arise.

There were, however, exceptions to this general rule. As the tables show, there were members who pursued matters outside the scope of their own institutions, taking them up with ministers elsewhere. There were members who did not pass correspondence on to each other, and who co-operated little over liaison with local interest groups and over local projects. There were a small number of members who described their relationship with their constituency counterpart as 'competitive' rather than 'co-operative'. The obvious question then becomes, who were these members? What are the factors that drive co-operation or competition at the local level?

What Drives Competition and Co-operation

It is not wholly straightforward to explain which factors determine co-operation and competition between constituency members over local work. But one factor above the others stands out. In the

majority of constituencies in Scotland the MP and the MSP have been drawn from the same political party. After the 1999 Scottish Parliament elections there were just five constituencies where the two local members represented different parties. After the 2003 elections this number rose to 10. In these seats members were less likely to have good relationships with each other, and more likely to see each other as competitors.

This fact is illustrated by the following tables. Table 12 breaks down the information given in the previous section about specific forms of local co-operation, by whether the two constituency representatives were drawn from the same or different parties. The contrast between the two sets of responses is stark. Whilst a large majority of members drawn from the same party reported liaising ‘a great deal’ or ‘quite a lot’ over issues raised by constituents, only one of the three MPs sharing the seat with an MSP from an opposing party said the same. And whilst a majority of members from the same party reported sharing office resources, jointly attending local community meetings, liaising over dealings with local interest groups and liaising in promoting local projects, no members where the MSP was from an opposing party said the same.

Table 12: Specific forms of co-operation between MPs and constituency MSPs of same and different parties, MP responses 2004

<i>Number responding ‘a great deal’ or ‘quite a lot’ (% indicates proportion of those from same or different party giving this response)</i>	Same party	Different party
Liaise over issues raised by constituents	83.3%	33.0%
Hold joint constituency surgeries	29.2%	0.0%
Conduct joint constituency work	33.3%	0.0%
Share office resources	58.3%	0.0%
Share staff resources	41.6%	0.0%
Liaise in dealings with local interest groups	79.2%	0.0%
Jointly attend local community (non-party) meetings	62.5%	0.0%
Liaise in promoting local business & public spending projects	75.0%	0.0%
Liaise over the development of Scottish policy issues	41.6%	0.0%

N = 24 for same party, 3 for different party.

Similarly, Table 13 and Table 14 look at MPs’ and MSPs’ responses with respect to passing on correspondence, breaking this down by whether members are drawn from the same or different parties. Again the pattern is clear. Where members are from the same party the majority pass on correspondence to, and receive it from, their counterparts, and tend not to take matters up with ministers in each other’s institutions. In contrast, where members are drawn from different parties, matters are less co-operative. Although the numbers here are necessarily small, the likelihood of passing on or receiving correspondence from each other is lower, whilst taking matters up with ministers in each other’s institutions is more common.

Finally on this point, Table 15 shows members’ perception of co-operation and competition within the relationship with each other, broken down by whether they were from the same or different parties. Where members were from the same party large majorities described their relationship as ‘very co-operative’. Where they were from competing parties a different pattern is seen. Although relationships were not described as ‘very competitive’, members from opposing parties were more likely to state that there was some degree of competitiveness in their relationship. Only one of the seven members where the two local parties were in opposition described the relationship with their counterpart as ‘very co-operative’.

Table 13: Forwarding constituency enquiries by MPs and MSPs of same and different parties, MP responses 2004

<i>Proportion of Scottish MPs with local MSPs of same and different party saying that they...</i>	Same party	Different party
Always forward constituent enquiries on devolved matters to the MSP	60.9%	33.3%
Always or often take up such enquiries with devolved ministers	14.3%	66.7%
Are often passed constituency correspondence by the MSP on Westminster matters	77.3%	0.0%

N = 21-23 for same party, 3 for different party.

Table 14: Forwarding constituency enquiries by MPs and MSPs of same and different parties, MSP responses 2004

<i>Proportion of MSPs with local MPs of same and different party saying that they...</i>	Same party	Different party
Always forward constituent enquiries on devolved matters to the MP	80.0%	25.0%
Always or often take up such enquiries with UK ministers	15.0%	50.0%
Are often passed constituency correspondence by the MP on Scottish Parliament matters	76.0%	50.0%

N = 20-25 for same party, 4 for different party.

Table 15: Perceived competition and co-operation between constituency MPs and MSPs of same and different parties, 2004

<i>Would you say that the relationship between you and the MSP/MP representing your constituency is:</i>	MP responses		MSP responses	
	Same party	Different party	Same party	Different party
Very co-operative	20 (90.9%)	1 (33.3%)	20 (83.3%)	
Fairly co-operative	2 (9.1%)	1 (33.3%)	3 (12.5%)	2 (50.0%)
Sometimes co-op, sometimes compet			1 (4.2%)	1 (25.0%)
Fairly competitive		1 (33.3%)		1 (25.0%)
Very competitive				
Total	22 (100%)	3 (100%)	24 (100%)	4 (100%)

In interviews, members where the other local representative was from a different party were quite candid with us about their lack of co-operation. Several members explained to us how they did not pass correspondence on, and how they rarely or never received it from their local counterpart. It was clear that electoral factors were important in these decisions. Constituencies with shared control are by definition marginal, and local members felt they must work hard to maintain a local profile for fear of losing their seat to the opposition party. Casework and other local duties thus become part of this battleground. This was illustrated particularly clearly by one member who told us that the MP and MSP (of competing parties) sought to pass correspondence to each other

properly, but that this pattern generally broke down as election time approached. Thus, for example, the relationship had moved from a co-operative to a competitive one from 2000-2001, before the Westminster election, became more co-operative again from 2001-2002, but then broke down again as the Scottish Parliament election approached. This was a relatively positive story in comparison to others, however. In some seats there was never any co-operation – instead with a battle for local profile, through casework, work with local organisations, and through the local media, throughout the electoral cycle.

In such seats it is clear that constituency cases are often being pursued by representatives who are not fully qualified – for example by MSPs writing to UK ministers about immigration problems, or MPs intervening with health authorities that are under the control of the Scottish Parliament. It could be argued that the level of contestation to deliver for constituents and local interest groups means that members are more responsive and thus the overall quality of local service improves. However, there must also be concerns about lack of accountability, and even lack of effectiveness, if members take up cases which are not within the scope of their own institutions. And in any case, members in marginal seats were probably already offering a keener level of service than those in other seats – as the pressure of party competition was already in existence.⁹

The figures above do demonstrate that competition and co-operation was not wholly dependent on whether or not members were drawn from the same party. There were other factors in operation as well. Clearly there were some members who were from the same party but did not co-operate as might be expected. This can be due simply to a clash of personality between the MP and MSP, or can reflect different working styles. For example some members had a philosophy that they should take up all matters that were brought to them, otherwise their constituents would feel that they were slacking.¹⁰ Such concerns were most likely to occur where seats were marginal. Even if both representatives were from the same party, where there was a threat that an opposing party could win the seat they were likely to guard their local work dearly. Although their colleague was from the same party, they did not feel that they could afford to be seen to be refusing local work, as the potential electoral costs were too high.

New members are also likely to try and use casework and other local activity to establish their profiles. They may be reluctant to share with a constituency colleague if they see this profile being put at risk. In contrast, well-established members are likely to be more relaxed. Indeed the one MP with an MSP of an opposing party who claimed to liaise over constituency casework and regularly pass correspondence to the MSP was a long-serving member. This member clearly did not feel threatened in the same way as newer and less experienced colleagues might. However, there was one other crucial difference between this member and others facing MSPs from competing parties. He was retiring from Westminster in 2005 and therefore did not have to compete to hold his seat. Thus even this rare case of co-operation between members from opposing parties should not be seen as demonstrating that long term harmony can be found in such situations.

⁹ A higher level of constituency service is generally associated with marginality of seat. See Norris at note 1.

¹⁰ Our research showed that this method of working was far more common in Wales. Here it was relatively common for members to pursue all matters brought to them, even where their local counterpart in the other institution was from the same political party. This seemed to reflect in part the more intermeshed nature of the devolution settlement, and the lower status of the Assembly – which resulted in MPs treating its members more as they have traditionally treated councillors.

Public Understanding

The fact that members receive enquiries about policy matters which are not within the remit of their institutions suggests that, at the very least, there are gaps in the public's understanding of the devolution settlement. Where elected members are acting co-operatively, this contributes to attempts to improve public understanding about responsibilities of different levels of government. However, in cases where members are seeking to compete locally – in terms of casework, liaison with local interest groups and through the local media – their actions are only likely to add to public confusion.

It is difficult to test the extent to which the public understand the responsibilities of the Scottish Parliament and the government at Westminster. One such test was included within the Scottish Social Attitudes survey, when members of the public were asked about how likely they were to approach Scottish politicians, and who they would approach about what.¹¹ Of those questioned in 2003, 10% claimed to have contacted an MSP over the past four years, and 8% claimed to have contacted an MP. Many of these contacts are likely to have been because of lobbying on particular policy issues, rather than casework. But respondents were also asked who they thought would be better able to help with 'getting treatment on the NHS' (under the control of the Scottish Parliament) or 'the payment of a government benefit' (under the control of the UK government). The answers to this question showed a degree of confusion. Whilst 24% thought that the MP would be best able to help with a benefits problem, 33% thought the MSP would, and 37% chose 'both equally'. Likewise whilst 37% thought the MSP would be best able to help on an NHS matter, 20% proposed the MP and 38% 'both equally'.

A more indirect test of public understanding is the assessment of MPs' and MSPs' postbags, reported above in Table 4 and Table 5. This showed that between 10% and 20% of correspondence received from constituents by members related, in fact, to policy matters within the control of the other institution. In addition a large proportion of correspondence directed to MPs and MSPs related to local government matters.

We asked MPs and MSPs whether they believed that advice to the public about the differing responsibilities of the two institutions was currently adequate. The responses are shown in Table 16 and Table 17. These demonstrate that members were sceptical, at best, about the quality of information available to the public. A majority of MPs disagreed that the advice available was adequate, whilst only 18.5% thought that it was. MSPs were more evenly split, but those agreeing that the advice was adequate were only a minority. Labour and Liberal Democrat MSPs were particularly likely to judge the current advice to be inadequate.

Table 16: Is advice to the public relating to the differing responsibilities of MPs and MSPs adequate? MPs' responses 2004

	Strongly agree	Agree	Neither	Disagree	Strongly disagree	Total
Labour		4 (21.1%)	3 (15.8%)	7 (36.8%)	5 (26.3%)	19 (100%)
Conservative			1 (100%)			1 (100%)
Lib Dem		1 (25%)		3 (75%)		4 (100%)
SNP		s	2 (66.7%)	1 (33.3%)		3 (100%)
Total		5 (18.5%)	6 (22.2%)	11 (40.7%)	5 (18.5%)	27 (100%)

¹¹ Final Report of the Independent Commission to Review Britain's Experience of PR Voting Systems, *Changed Voting Changed Politics: Lessons of Britain's Experience of PR Since 1997*, London: Constitution Unit (2003).

Table 17: Is advice to the public relating to the differing responsibilities of MPs and MSPs adequate? MSPs' responses 2004

	Strongly agree	Agree	Neither	Disagree	Strongly disagree	Total
Labour		8 (40%)	2 (10%)	6 (30%)	4 (20%)	20 (100%)
Conservative	1 (9.1%)	6 (54.5%)	3 (27.3%)	1 (9.1%)		11 (100%)
Lib Dem		2 (28.6%)	2 (28.6%)		3 (42.9%)	7 (100%)
SNP		4 (36.4%)	3 (27.3%)	2 (18.2%)	2 (18.2%)	11 (100%)
Other	1 (9.1%)	5 (45.5%)	4 (36.4%)	1 (9.1%)		11 (100%)
Total	2 (3.3%)	25 (41.7%)	14 (23.3%)	10 (16.7%)	9 (15%)	60 (100%)

A final test of the extent to which the public understand the responsibilities under devolution was the questions that we asked members in interviews. These suggested, if anything, that our earlier question underestimated the proportion of enquiries from constituents that were misdirected. Members almost uniformly suggested to us that the public's understanding of the boundaries between the two institutions' responsibilities was poor. Even more so, however, members stated that the public did not care about the proprieties of approaching one elected member or another. What the public are interested in, members maintained, was approaching an elected representative who would be responsive and do their best to help. Thus if the MP was seen as most effective and sympathetic they would be approached, even if a matter was devolved. Likewise the MSP would be approached on reserved matters if it was believed that they would respond more efficiently. This suggests that whilst better public education might help, what really matters in terms of clarifying responsibilities, and offering good service to constituents, is the way in which members behave. If members choose to compete over local work, and advertise their services in ways that seek to attract attention irrespective of formal proprieties, this will perpetuate constitutional muddle. Even if information is available, the public will continue to approach members in 'inappropriate' ways if they believe that this way their cases will be pursued and resolved.

Guidelines about Members' Behaviour

This finding raises questions about the extent to which there should be regulation of member behaviour, or at least guidance indicating what members should do when approached about matters outside the formal remit of their own institutions. With respect to correspondence between members and ministers, regulation might apply at either end. Members might be discouraged from raising matters outside the responsibility of their own institutions, and ministers (or, in practical terms, their officials) might be discouraged from replying.

At present, guidance is relatively limited. There is no parliamentary guidance about what issues it is appropriate for members to raise, and the only source of regulation is thus within the two executives with respect to how ministers should reply. At the UK end it is left to departmental discretion whether letters from MSPs on reserved matters receive a reply signed by a minister or an official (whereas responses to MPs' letters are always signed by ministers). Departments therefore employ different practices in this regard. In addition officials are advised in drafting such letters to point out to the member that enquiries on reserved matters should normally be directed through the local MP, and that constituents should be advised as such.¹² There is no

¹² Devolution Guidance Note 2, *Handling Correspondence Under Devolution* (Constitution and Parliamentary Secretariat, August 2003) even proposes a draft form of words for inclusion in such letters: "This issue relates to a matter which remains the responsibility of the Westminster Parliament and has not been devolved. I should be

suggestion that departments should withhold replies, however, and this sanction alone may prove ineffective. In contrast at the Scottish Executive end there is no distinction made between letters received from MPs and MSPs and all such correspondence will receive an equivalent ministerial reply.

We asked MPs and MSPs whether they felt that the current guidance regulating their relationships was adequate. As shown in Table 18 and Table 19, this question attracted a mixed response. Almost half the MPs responding believed that the current guidance was not adequate, whilst just over 40% believed that it was. Amongst MSPs views were similarly divided, though slightly more in this group thought the guidance was adequate than inadequate. But there was also a clear party split on this question in both institutions. A majority of Labour MPs, and a large majority of Labour MSPs, thought the current guidance inadequate. This appears to reflect concerns about the behaviour of list members, as discussed on page 51. In particular Table 46 shows that list MSPs tend to defend the guidance, whilst constituency MSPs (who are mostly Labour) think it inadequate. It is the view of the latter group that is shared by many Labour MPs.

Table 18: Are guidelines regulating MP-MSP relations adequate? MPs' responses 2004

	Strongly agree	Agree	Neither	Disagree	Strongly disagree	Total
Labour	1 (5.3%)	6 (31.6%)	2 (10.5%)	5 (26.3%)	5 (26.3%)	19 (100%)
Conservative		1 (100%)				1 (100%)
Lib Dem		1 (25%)		3 (75%)		4 (100%)
SNP		2 (66.7%)	1 (33.3%)			3 (100%)
Total	1 (3.7%)	10 (37%)	3 (11.1%)	8 (29.6%)	5 (18.5%)	27 (100%)

Table 19: Are guidelines regulating MP-MSP relations adequate? MSPs' responses 2004*

	Strongly agree	Agree	Neither	Disagree	Strongly disagree	Total
Labour		4 (20%)	1 (5%)	10 (50%)	5 (25%)	20 (100%)
Conservative	2 (18.2%)	6 (54.5%)	2 (18.2%)		1 (9.1%)	11 (100%)
Lib Dem	2 (33.3%)	1 (16.7%)		1 (16.7%)	2 (33.3%)	6 (100%)
SNP		5 (45.5%)	4 (36.4%)	1 (9.1%)	1 (9.1%)	11 (100%)
Other	1 (9.1%)	6 (54.5%)	3 (27.3%)	1 (9.1%)		11 (100%)
Total	5 (8.5%)	22 (37.3%)	10 (16.9%)	13 (22.0%)	9 (15.2%)	59 (100%)

* For a breakdown between constituency and list MSPs see Table 46 in Part 2.

In practice, members reported to us that they faced few difficulties if trying to take up matters outside the power of their own institutions. MPs noticed no reluctance by Scottish Executive ministers to reply to their letters, and MSPs had the same experience in dealings with Westminster. However, obviously members do not have the same level of access to ministers outside their own institutions. This was illustrated by the reports of some MSPs who, having written to ministers, were somewhat irritated to receive letters back from civil servants. One of the things that troubled members about their counterparts taking up matters outside of their formal powers was that they did not have the same level of informal contact (and thus, leverage) with ministers as those within

grateful if you would advise your constituent that any future correspondence on this issue (or any other non-devolved matter) should be addressed to his or her Westminster MP.”

the appropriate institution would do. Thus, for example, an MP could approach a minister in a corridor of the House of Commons to discuss a difficult constituency problem, in a way that an MSP could not. Thus a degree of accountability is lost, as ministers are ultimately responsible to members of their own institutions, and cannot ultimately be challenged in the same way through the parliamentary process by members from elsewhere.

MPs and MSPs expressed frustrations to us about their counterparts becoming involved in matters that fell within the remit of their own institutions. Various suggestions were made to us for rules of behaviour – of a more or less formal nature – which might limit this or render it less problematic. At the less punitive end of this scale was the suggestion that conventions should be established whereby the appropriate member was copied in on any relevant correspondence. Thus, for example, if an MP wrote to a Scottish Executive minister about a devolved matter, the expectation should be that they copied in the constituency MSP. Similarly (and more easily enforceable through civil service concordats), if a Scottish Executive minister replied to an MP on a constituency matter, or a UK minister replied to an MSP, the other constituency member could automatically be copied in. Such a rule would seem likely to improve clarity, without placing undue limits on members' behaviour. Those favouring even stricter rules suggested that UK ministers should simply refuse to reply to MSPs, and Scottish Executive ministers should refuse to reply to MPs – with correspondence instead redirected by ministerial offices to the relevant constituency representative. This also seems feasible in practice, although it could be argued that it would limit constituent choice.

It must be noted when considering possible guidance that there are always likely to be matters which are very difficult to regulate. For example, members explained to us that many of the issues they take up which fall outside the scope of their own institution are not actually pursued directly with ministers, but with agencies and other bodies. So, for example, an MP might write directly to a health authority about a local health matter, or an MSP might write to a social security or tax office. Whilst it might be possible to regulate ministerial correspondence, limiting correspondence with the other myriad bodies with which elected members can take up constituency matters would prove far more difficult. Although many members expressed frustration to us about the current level of guidance, many also were sceptical about whether a workable system of regulation could in fact be found.

Attitudes Towards Coterminosity

Before turning to the implications of our findings for the period after coterminosity has ended, we should first report our direct findings about members' views on this matter. These are then further explored in the section that follows.

Members were asked, in both our 2002 and 2004 surveys, whether they agreed or disagreed that there should continue to be identical constituency boundaries for MPs and MSPs. Their responses are shown in Table 20 and Table 21.

The responses to this question show strong opposition by MPs of all parties to the ending of coterminosity. In 2002 89.2% of MPs responding agreed or strongly agreed that boundaries should remain the same for Westminster and the Scottish Parliament. By 2004 there had been little change in attitudes and the equivalent figure was 81.5%. In both years a majority of members 'strongly disagreed' with the change, and only one member (of the 55 respondents in total) ever agreed. Although the boundary change was the policy of the Labour government, almost three-quarters of Labour respondents in both surveys said they opposed it.

Table 20: Should identical constituency boundaries be retained? MPs' responses

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
2002						
Lab	17 (70.8%)	4 (16.7%)	2 (8.3%)	1 (4.2%)		24 (100%)
Con						
LD	1 (33.3%)	2 (66.7%)				3 (100%)
SNP	1 (100.0%)					1 (100%)
Total	19 (67.8%)	6 (21.4%)	2 (7.1%)	1 (3.6%)		28 (100%)
2004						
Lab	14 (73.7%)	3 (15.8%)	2 (10.5%)			19 (100%)
Con	1 (100%)					1 (100%)
LD	1 (25%)	3 (75%)				4 (100%)
SNP			3 (100%)			3 (100%)
Total	16 (59.3%)	6 (22.2%)	5 (18.5%)			27 (100%)

When the equivalent question was asked of MSPs, there was also a relatively consistent response across the 2002 and 2004 surveys. However, here attitudes were more ambiguous. Whilst ending coterminosity was not strongly supported, neither was it strongly opposed. In 2002 48.9% of MSPs supported retaining coterminosity, and 31.1% thought that it should end. In 2004 the equivalent figures were 43.4% and 39% respectively. Conservative members were most in favour of retaining coterminous boundaries. Labour members, by 2004, narrowly supported their demise.

Table 21: Should identical constituency boundaries be retained? MSPs' responses

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
2002						
Lab	3 (23.1%)	3 (23.1%)	3 (23.1%)	4 (30.8%)		13 (100%)
Cons	7 (77.8%)	2 (22.2%)				9 (100%)
LD		2 (50%)		2 (50%)		4 (100%)
SNP	1 (5.8%)	3 (17.6%)	6 (35.3%)	4 (23.5%)	3 (17.7%)	17 (100%)
Other	1 (50%)			1 (50%)		2 (100%)
Total	12 (26.7%)	10 (22.2%)	9 (20%)	11 (24.4%)	3 (6.7%)	45 (100%)
2004						
Lab	2 (10%)	4 (20%)	3 (15%)	9 (45%)	2 (10%)	20 (100%)
Cons	5 (45.4%)	4 (36.4%)		2 (18.2%)		11 (100%)
LD	2 (28.6%)	1 (14.3%)	1 (14.3%)	2 (28.6%)	1 (14.3%)	7 (100%)
SNP	1 (9.1%)	1 (9.1%)	6 (54.5%)	2 (18.2%)	1 (9.1%)	11 (100%)
Other	3 (27.3%)	3 (27.3%)		4 (36.4%)	1 (9.1%)	11 (100%)
Total	13 (21.7%)	13 (21.7%)	10 (16.7%)	19 (31.7%)	5 (8.3%)	60 (100%)

The Likely Effects of Non-coterminosity

In interviews we explored members' attitudes to the ending of coterminosity further, including their reasons for supporting or opposing it, and their predictions for the future. These findings are

reported here, along with our own interpretation of the information gathered above, and what this suggests to us about how matters will develop once coterminosity is ended.

First, it is useful to review the practical effects of the ending of coterminosity. The Appendix includes full details of how the new Westminster constituencies relate to the established Scottish Parliament (and old Westminster) constituencies. A summary is given here, in Table 22. This shows that all but two Westminster constituencies will now include part of several Scottish Parliament constituencies. Most will comprise parts of two or three Scottish Parliament constituencies, but some will comprise parts of four, and one will comprise parts of five. From the other end the situation is slightly simpler (which is one contributory factor in MSPs' more relaxed attitude to change). In total 23 Scottish Parliament constituencies will comprise part of just one Westminster constituency, whilst most others will comprise parts of two, and 18 will comprise parts of three or four .

Table 22: Effect of ending coterminosity on number of overlapping constituencies

	Number
New Westminster constituency includes ...	
One Scottish Parliament constituency	2
Two Scottish Parliament constituencies	31
Three Scottish Parliament constituencies	22
Four Scottish Parliament constituencies	3
Five Scottish Parliament constituencies	1
Total	59
Scottish Parliament constituency includes ...	
One new Westminster constituency	23
Two new Westminster constituencies	32
Three new Westminster constituencies	13
Four new Westminster constituencies	5
Total	73

As already reported, the vast majority of Scottish MPs were opposed to the ending of coterminosity. They cited a number of reasons for their opposition, which related to different aspects of local work. Key amongst these were the following:

- **Organisation of local parties.** The ending of coterminosity means that political parties will need to organise on two different sets of boundaries. The constituency has traditionally been the key unit of local party organisation. Until now, devolution has left this untouched, and parties have been able to hold local constituency meetings to which both the MP and the MSP regularly report. Following the boundary changes, parties will need to organise two different forums, comprising different but overlapping sets of activists, with the MP and MSP reporting separately. The various political parties have responded differently to this change (for example, the Labour Party is switching to the new Westminster constituencies as the primary unit of organisation, whilst the SNP is continuing to organise primarily around the existing Scottish Parliament constituencies). But representatives of all parties expressed concerns that this will create confusion amongst activists, and require them to attend yet another meeting, at a time when activism is already on the decline.

- **Political party campaigning.** In particular, members expressed concern that two separate campaign organisations will be required for the purpose of Westminster and Scottish Parliament elections, with some activists being required to be part of different campaign teams depending on the election in question. This may cause confusion, damage the local team ethos, and even result in a decline in activism.
- **Lack of clarity for constituents.** With respect to the general public, there were concerns that the ending of coterminosity will worsen the confusion that already exists. Whilst the public have to grapple currently with the question of which member is appropriate to contact in terms of the policy responsibilities of the different institutions, they will now need also to work out which constituency representative applies in terms of boundaries. This may result in a greater number of misdirected queries.
- **Logistical difficulties for members in organising local constituency services.** At present, the local constituency organisation of MPs and MSPs in many cases counteracts the confusion that does exist in the public mind. This is particularly the case where members share offices and staff, and also where they conduct joint surgeries, and have established conventions of passing correspondence to each other. However, all of these arrangements will become more difficult once boundaries have changed, and confusion seems likely to creep in. Although some members may continue to share offices, in most cases their staff will need to pass correspondence and phone enquiries to other members' staff more often, and in more different locations (as presumably most MPs will continue to share space with at most one constituency MSP, and vice versa). Similarly members approached by constituents at surgeries will need to forward enquiries to various different MPs or MSPs, depending which part of their seat constituents live. It will become more difficult for members to co-ordinate the timings of surgeries, as this will require far more consultation than at present.
- **Logistical difficulties for local groups.** Similarly, it will be more difficult for members to co-ordinate relations with local groups. Such groups may need to build relationships with more members than at present to cover the same geographical area, and the number of members involved will make joint meetings more difficult to achieve.
- **Added risks of competition between elected members.** These practical difficulties are likely to be compounded by the personal and political factors which already cause friction between members. As demonstrated above, even where members are from the same political party there can be tensions and personality clashes that prevent fully co-operative working. The need for most members to liaise with more colleagues than at present means that the probability of conflict occurring is increased. This is particularly the case where members are drawn from different parties – an issue considered separately below.

We do not have data on all of these matters – in particular with respect to local party organisation. However, some of the issues raised by members about the need for party reorganisation are clearly objectively true. The extent to which these will cause problems is difficult to predict, given that the unprecedented nature of the current change. However, this does break a long tradition, and the impact seems likely to be significant.

The four other issues are all matters on which our data is useful. On these our findings would tend to back up the concerns raised by members. It does seem that there are significant gaps in public understanding of the devolution settlement, and that this has contributed to some tensions and confusion between local members which potentially create inefficiencies and lack of accountability. Such problems are mitigated where the elected members have a co-operative

relationship and have established systems for sharing local duties. However, the added complexity for members in organising such co-operation once coterminosity has ended, coupled with the greater likelihood of individual tensions, suggests that this will be more difficult to achieve in future.

In contrast, it is important to note that our interview evidence from MSPs suggested greater scepticism amongst both constituency and list members that non coterminosity would make a difference to constituents. Members thought that constituents were confused by the current system, but broadly were not bothered about this, and that there would be a similar reaction to the ending of coterminosity. However, it must be remembered that the impact on MSPs and individuals across their constituencies is likely to be less than that on MPs, as discussed above. In addition the interview evidence confirmed that both constituency and regional list MSPs were strongly aware of the organisational implications, particularly for their parties in working to non coterminous parliamentary boundaries. Such problems were exacerbated by what one list MSP described as the ‘nightmare’ of having local council, Parliament and Westminster boundaries that inevitably were not all related to each other if coterminosity of the latter two ended.

A special case of tensions, as discussed above, is that where the local MP and MSP are drawn from different political parties. It is in these cases that there is least likely to be co-operation, both over dealings with local groups and individual constituents. In these cases electoral competition combines with existing political animosities, with the result that members often do not pass cases to each other where this might be appropriate, and are less inclined to inform each other of their activities or conduct joint work.

The extent of such ‘competing’ political control of constituencies is greatly increased by the ending of coterminosity, as Table 23, and the more detailed tables in the Appendix, demonstrate. Before the 2005 general election there were 10 constituencies where political control in the two institutions differed. Following this election there are 29 Westminster constituencies where at least part of the constituency is controlled by members from different parties.¹³ These same areas form part of 28 Scottish Parliament constituencies. In total 21.7% of the Scottish electorate are now subject to this ‘shared’ political control, compared to 14.6% prior to May 2005.

Table 23: Effect of ending coterminosity in terms of competing party control

Party control of ... (post May 2005 general election)	Number of constituencies
Seats within new Westminster constituencies	
All MSPs are of same party as MP	30
One other party represented amongst MSPs	24
Two other parties represented amongst MSPs	5
Total	59
Seats within Scottish Parliament constituencies	
All MPs are of same party as MSP	45
One other party represented amongst MPs	25
Two other parties represented amongst MPs	3
Total	73

¹³ We have included the constituencies controlled by the Speaker in each institution within our definition of shared control, in both pre-2005 and post-2005 calculations.

This situation, considered in the light of the evidence that we have collected, means that competitive relations between members are likely to become far more widespread than was previously the case. This prediction was also confirmed to us by members that we interviewed. In our 2004-5 interviews we spoke to many members who were likely to face members from different parties in their seats post-May 2005. These members were remarkably frank with us about how they intended to proceed. Several who currently enjoyed perfectly co-operative relations with their counterparts of the same party – passing on correspondence and co-ordinating local work – stated openly that they did not intend to follow this pattern in future in the part of their constituency that was represented by an opposing party. Similarly, members who currently shared their constituency with a representative of an opposing party, but anticipated gaining at least one colleague from their own party once the boundaries had changed, looked forward to building a far more collaborative relationship in that part of the constituency. Members saw no contradiction in the fact that they would pass on correspondence from one part of the constituency, but pursue cases in another part of the constituency even where these did not fall within the responsibility of their own institution. The party political orientation of members is such that this seemed a quite natural arrangement (and indeed one which already often applies with respect to co-operation with councillors). Indeed some members told us that they would in future actively seek to campaign on local issues in the areas of their constituency that were opposition controlled, in order to undermine the representative of the other party.

Again, this could be argued to keep representatives on their toes, and increase the incentive to constituency service, with potentially beneficial effects for constituents. From other perspectives, however, it seems hard to interpret it as a positive development. What is likely to result is more members taking up matters that lie outside the control of their own institutions, with a resultant erosion of lines of accountability and public understanding of who is responsible for what. Meanwhile, regulation aimed at limiting this behaviour on the part of members seems unlikely to succeed except in limited ways. New conventions that members must copy correspondence to each other, or that ministers should limit their replies to those members within the relevant institution may have some impact. However, the imperative of electoral competition between members of opposing parties seems likely to be too strong to be confined in this way.

Part 2: List and Constituency Members – the Operation of the Additional Member System

We now turn to the operation of the additional member system in the Scottish Parliament in terms of its impact on local representation. First, we explore what roles regional list MSPs have developed and how these compare with those of constituency MSPs. Secondly, we question the nature of the relationships between list and constituency MSPs and what drives co-operation and competition. Thirdly, we address MSP views on the Scottish Parliament's guidance on the behaviour of constituency and regional list MSPs and perceptions regarding the urgency and nature of reform. Fourthly, we address MSP views on possible changes in the electoral system as a whole. Finally, we address perceived relationships between MPs and list MSPs and the further impact this has on views of the operation of AMS, Scottish Parliament guidance on the roles of constituency and list members, and possible further electoral reform.

Overall, we examine how MSPs in offering local representation have worked within a novel electoral system – to see what practices have been established, which of these remain problematic and what implications they have for the operation of electoral systems in Scotland.

Roles in Local Representation Under AMS

Research in Germany and New Zealand has suggested that list members in a multi-member electoral system place considerable importance on the role of local representation, although constituency members tend to be more constituent-focused and regional members more focused on organisational interests and sustaining support within the party for future party list selection purposes. The local representative roles of list members also varies more due to a variety of factors affecting the incentives, interest and capacity of list members to provide representation as well as the citizen demands upon them.¹⁴ In our research in Scotland we explored four principal indicators of orientation towards local representation by MSPs. Our data essentially bore out such expectations in relation to the roles performed by list members compared to constituency members in Scotland.

First, we asked MSPs to rate different aspects of their job. Table 24 suggests that clear majorities of list members indicated that helping to solve constituents' problems and having good contacts with local interest groups were 'very important', and a majority also thought the same about attending local meetings or functions. But there were also important differences between list and constituency members. Whilst list members were more likely to rate working on parliamentary committees as 'very important' than constituency members, it was the other way round when it came to various forms of local representation. Practically all constituency MSPs rated the task of helping to solve constituents' problems as very important, compared to around three quarters of list members.

¹⁴ Patzelt, W. (1997), 'German MPs and their roles' in W.Muller & T.Saalfeld (eds) *Members of Parliament in Western Europe: Roles and Behaviour* (London: Frank Cass); McLeay, E. & Vowles, J. (2005) 'Redefining constituency: the roles of New Zealand MPs' *Journal of Legislative Studies*, 11, 5 (forthcoming).

Table 24: Percentage of list and constituency MSPs ranking local and other roles as ‘very important’, 2004

	List MSPs	Constituency MSPs	All MSPs
Help solve constituents’ problems	77.4%	96.6%	86.7%
Hold government to account	75.9%	76.7%	76.3%
Have good contacts with local interest groups	66.7%	72.4%	69.5%
Attend local community meetings/functions	50.0%	65.5%	57.6%
Work on parliamentary committees	53.3%	42.9%	48.3%
Provide leadership to the local party	30.0%	31.0%	30.5%
Promote business and government funded projects in the constituency/electoral region	16.7%	37.9%	27.1%

List MSPs, N = 30-31; Constituency MSPs, N = 28-29; All MSPs, N = 58-60

A second test was to compare the amount of time spent on different parts of the job. Table 25 suggests that in 2004 the time commitment of regional list members to various aspects of local work was comparable to that of constituency members, and the level of time devoted to casework for individual constituents was considerable. Constituency members, nevertheless, devoted greater time to casework, amounting on average to an extra half-day a week (a difference that proves statistically significant¹⁵). It is also noteworthy that the data provides no evidence that constituency MSPs devote less time than list members to local interest groups and businesses.

Table 25: Mean number of hours per week spent on constituency duties by list and constituency MSPs, 2004

	Constituency MPs	List MSPs	All MSPs
Casework for individual constituents	13.6	8.8	11.0
Dealing with local interest groups/business	6.6	5.6	6.0
Attending local community (non-party) meetings	5.4	4.3	4.8
Attending local party meetings	1.8	2.2	2.0
Promoting business and public spending in constituency	3.2	3.9	3.6
Total on these five activities	30.6	24.8	27.4

List MSPs, N = 24-30; Constituency MSPs, N = 20-25; All MSPs, N = 44-55

Thirdly, we asked MSPs how many surgeries they held. Table 26 shows that our survey in 2002 suggested that constituency members held more surgeries but not by much. By 2004, however, while surgery holding remained constant for constituency members, it had fallen sharply for regional list members, and the difference between the two groups was highly statistically significant.¹⁶ These figures must be understood within the context that regional members’ geographic areas are far larger, so they are more likely to find it necessary (if they hold surgeries at all) to hold them in a number of locations.

¹⁵ Independent samples T-test, one-tailed. Significant at the 0.05 level.

¹⁶ Independent samples T-test, one-tailed. Significant at the 0.01 level.

Table 26: Mean number of constituency surgeries held by MSPs per month

	2002	2004
Constituency MSPs	5.4	5.3
Regional MSPs	4.4	3.0

2002: Constituency MSPs, N=17; List MSPs, N=27

2004: Constituency MSPs: N=29, List MSPs, N=27

Finally, in turning to look at the citizen demand placed upon MSPs we asked members how many communications they received from individual constituents during an average week, by mail, phone or email. As Table 27 shows, the mean averages suggested much higher levels of communications going to list members. However, the mean average for list members was boosted in 2002 by three members who claimed between 400 and 600 communications, and in 2004 by four list members who claimed between 400 and 800 communications, and in neither year was the difference statistically significant. The median average is much closer between the two types of member in both 2002 and 2004. This is in keeping with the general finding of a significant orientation towards local representation among list members. However, again it must be remembered that list members serve much larger areas than constituency members, covering a greater electorate and larger number of local organisations. Per head of population list members appear to be receiving far fewer enquiries than constituency members, although the net results may be that the workload generated is similar.

Further analysis of communications received also confirms expectations of the experience of list members having greater variety than constituency MSPs. If survey respondents are reclassified according to ranges of communications received it becomes clear that constituency MSPs shared a more common experience in constituency caseload. A clear majority in both 2002 and 2004 received between 50 and 149 communications per week. In contrast list members were more likely to have extreme experiences, with a majority receiving either less than 50 or, alternatively, 150 or more. Such figures lend some credence to the view expressed in interviews that the majority of constituency MSPs experienced a routine sizeable caseload that came with the constituency turf. In contrast, the list member caseload could be influenced by a number of factors shaped less by the pressures of constituent demand and more by choices by members over the supply of representation in their service.

This leads us to the question of whether different types of list members adopted different roles in relation to the supply and demand of local representation. Of particular interest is whether it matters if a list member is a 'pure' list member, who had only stood for election on the list at the previous election, unlike the majority of list members who had stood unsuccessfully for a constituency as well. One would expect such 'pure' list members to be relatively uninterested in individual constituent casework as they could not be perceived as trying to court a particular constituency for future electoral purposes. In contrast list members who stood for election as constituency members at the previous election, particularly for the party that came second, might consider it worth focusing on constituent representation as a means of preparing the ground for successful future election as a constituency candidate. These were the kind of allegations levelled against list members by constituency members.

Table 27: Number of communications (letters/emails/phone calls) per week received by MSPs from individual constituents

	2002	2004
Constituency MSPs		
0-49	3 (23.1%)	5 (18.5%)
50-99	5 (38.5%)	9 (33.3%)
100-149	3 (23.1%)	8 (29.6%)
150+	2 (15.4%)	5 (18.5%)
Total	13 (100.0%)	27 (100.0%)
Mean average	81.5	110.0
Median average	60.0	80.0
Regional MSPs		
0-49	10(40.0%)	13(46.4%)
50-99	4 (16.0%)	4 (14.3%)
100-149	6 (24.0%)	4 (14.3%)
150+	5 (20.0%)	7 (25.0%)
Total	25 (100.0%)	28 (100.0%)
Mean average	124.0	147.6
Median average	75.0	60.0

In exploring this issue we took two key indicators of supply and demand, namely surgery holding and communications received, and compared the experience of pure list members and those who had fought a constituency contest at the previous election Table 28 appears to suggest that the differences were quite stark in showing the relatively much smaller level of activity among 'pure' list members compared to that of other list members. However on closer examination only the difference in number of surgeries held proves to be statistically significant.¹⁷

Table 28: Levels of casework activity by different types of List MSPs, 2004

	Did not stand for constituency in 2003 election	Stood for constituency in 2003 election
Mean number of surgeries per month	1.1	3.6
Mean number of communications per month from constituents	103.7	158.3
Mean number of hours per week spent on casework	5.0	10.5

Did not stand for constituency N=7-9; stood for constituency N=20-21

There is however an important party dimension to this issue. As shown in Table 29, those respondents who did not stand in a constituency in 2003 were dominated by Green members, whilst all Conservative and SNP list members had, in contrast, fought a constituency. Any difference detectable between different types of list member therefore cannot be adequately separated from party effects. Although there were Labour, Liberal Democrat and Scottish

¹⁷ Independent samples T-test, one-tailed. Significant at the 0.05 level.

Socialist Party representatives in both groups, the numbers are too small to allow meaningful comparison.

Table 29: Party affiliation and type of list member amongst 2004 survey respondents

Party affiliation	Did not stand in constituency	Stood in constituency	Total
Labour	1	1	2
Liberal Democrat	1	1	2
Conservative		8	8
SNP		8	8
Green	6		6
Scottish Socialist Party	1	2	3
Other		1	1
Total	9	21	30

We thus become reliant on interview evidence in order to explore further how list members organise themselves to provide local representation. The answer to this question is contested. On the one hand, interviews with Labour constituency members revealed the widespread perception that list members generally did not provide region-wide services. Instead they targeted specific constituencies in their region and used local representative work as a campaigning tool for future electoral purposes. In so doing it was also felt that instead of offering a generic service, list members ‘cherry picked’ the local issues they would act on according to their political value, and frequently prioritised local media work over the concerns of individual constituents. As such list members acted as a ‘shadow’ constituency member, claiming all the rights to providing local representation without any of the obligations that came with a specific accountability to that constituency’s electorate.¹⁸ In interviews list members frequently acknowledged that they targeted individual constituencies in their local representative work and that this arose from a strong party imperative. In the Conservative Party selection on party regional lists required prior selection for a constituency, thus giving members an incentive to work a specific constituency to gain support of party members. Between 1999 and 2003, it was Conservative policy to link list members with the constituencies where they had stood in 1999 to focus representation ahead of the 2003 elections. Equally, SNP and Liberal Democrat list members acknowledged or were reported by other list members as targeting specific constituencies for the purpose of future electoral competition. It is no coincidence that four list members from the 1999 intake went on to be elected as constituency MSPs in 2003.

Interviews with list members, however, also suggested more varied forms of organisation and a more complex explanation of a focus on a specific constituency. Two key points emerged. First, regions were so big that individual list members could only conceive themselves as fully regional representatives if their service was highly interest group and organisation focused, and not individual constituent focused. This was a feature, for example, of Green MSPs. In contrast, list members who offered a service to individual constituents might take and act upon inquiries beyond a certain core area, but commonly they chose to specialise in their geographical coverage. Where the Conservatives and the SNP had more than one list member in a region they generally divided the region up among them, but officially covering at least three constituencies each. It was acknowledged that list members frequently had a focus in one particular constituency, and that

¹⁸ For more evidence see Bradbury, J., Gay, O., Hazell, R., & Mitchell, J. (2003), *Local Representation in a Devolved Scotland and Wales: Guidance for Constituency and Regional Members, Lessons from the First Term* (Swindon: ESRC Policy Papers).

sometimes this resulted from an explicit targeting of a marginal constituency for future election purposes. Often, however, list members claimed that it resulted from a less partisan-based mixture of forces of supply and demand. On the one hand some list members claimed that it was simply convenient to organise their local representation from an office – sometimes the local party office, and not the party regional list office – that was in the constituency in which they lived and which they may have contested before and probably would again. They had no particular expectations of gaining constituency victory through this, but simply considered it rather perverse to organise their local work as well as their parliamentary work from locations where they did not actually live. Thus the supply of constituency services could be geographically concentrated. But there were also demand factors, as many list members had council or other political experience in particular areas in their region, usually their ‘home’ constituencies, and with some name recognition in those areas would attract constituent casework.

Second, the majority of regional list members who were interviewed characterised their local representative service as smaller scale than that of constituency MSPs. Proportionately they felt that they received more contacts made by organisations and groups than by individual constituents than was the case with constituency MSPs. Equally, while e-mail generated organisational contacts, efforts to make personal contact with individual constituents was much less productive. One interviewee explicitly characterised his service as primarily reactive rather than proactive. A list member who had served between 1999 and 2003 reorganised his methods so as to waste less time in providing a constituency MSP-style service in which he conducted drop-in surgeries in various locations, which received comparatively few customers. In its place during the second term he instigated a more appointment-based system, arranged and administered through his local office, with travelling surgeries provided more infrequently. Another list member after 2003, who had previously served as a constituency member, essentially still provided the same service through an office in the constituency, but said he had ‘got his weekends back’, previously lost to catching up with constituency work. List members were also aware of having more specific types of constituents seeking them out than did constituency MSPs. In particular, a number of interviewees acknowledged that the inquiries of people who turned out to be party supporters and wished to go to them, rather than their constituency MSP who represented a different party, made up a noticeable part of their casework. One interviewee remarked on the fact that a lot of the individual constituent inquiries he received were from people who had already been to the constituency MSP and not received the result they wanted. These were difficult cases, often unsolvable by an MSP, and he often felt like a ‘court of appeal’ representative in these circumstances.

Overall, the data generally supports the expected finding that while both constituency and list members were committed to the constituency casework role it proved in practice to be generally a larger role for constituency members than list members. There was a greater variation in the approaches of regional members to providing local representation and in their experience of citizen demand. The role orientation of list members to local representation was undoubtedly partly a product of the cultural legacy of Westminster-style forms of constituency representation and was also strongly influenced by a range of institutional factors underpinning at least some role. This role orientation, nevertheless, was mediated by various personal and local contexts determining list member approaches in a manner less observable with constituency MSPs. The evidence in interviews gives further indication of the fact that list members commonly felt a responsibility to provide a local service but in having a different kind of constituency, and in receiving different levels of demand from the public, organised their services accordingly. In addressing specifically whether list member approaches to organising their local representation was determined most by the marginality of constituencies and whether it was worth conducting local representation for partisan electioneering purposes or by more complex factors one is

ultimately left to a contested debate. One should not under-estimate the conviction with which both Labour constituency members and list members of other parties respectively held their views on how list members organised themselves.

Relations between MSPs over Local Representation

It follows from this discussion that the obvious immediate context to bear in mind in exploring relations between list and constituency members is party representation. Table 30 shows that the election results of both 1999 and 2003 created a strong inter-meshing of party interest with the different types of MSP. Party groups were made up of either predominantly constituency or list members, with constituency MSP views in particular being strongly related to Labour Party interests. Thus, in analysing the views and behaviour of MSPs it must be borne in mind that the views of Labour members are particularly influenced by the experience of being a constituency MSP, and vice versa, whilst the views of members of other parties are far more influenced by the experience of representing regions, and vice versa. This means that arguments about the behaviour of list and constituency MSPs have taken on a distinctly partisan tone.

Table 30: Results of elections to the Scottish Parliament, 1999 and 2003

	Constituency	Regional List	Total
1999 Elections			
Conservative		18	18
Labour	53	3	56
Liberal Democrat	12	5	17
Scottish National Party	7	28	35
Scottish Socialist Party		1	1
Green		1	1
Others	1		1
Total	73	56	129
2003 Elections			
Conservative	3	15	18
Labour	46	4	50
Liberal Democrat	13	4	17
Scottish National Party	9	18	27
Scottish Socialist Party		6	6
Green		7	7
Others	2	2	4
Total	73	56	129

In looking at relations between constituency and list members we first addressed member perceptions of relations where they were of the same party. It should be noted that due to the split in party representation between constituency and list members, many MSPs did not have direct experience of members from the same party of a different type to themselves. As a result the numbers here are small. Nevertheless, Table 31 indicates that relations were almost entirely seen as positive by respondents among both types of member. Table 32 provides some further data on the nature of that co-operation. From this it can be tentatively suggested that whilst experience is varied, co-operation has principally focused on the sharing of resources and liaison over dealing with groups, attendance at meetings and discussion of policy development as it affects both the region/constituency and Scotland as a whole. The data suggests that list and constituency

members tend to go their separate ways in providing surgeries and dealing with constituency cases. This does not in itself denote a lack of co-operation. As noted earlier in the discussion of MP-MSP same-party relationships, many members offered different surgeries but on a co-ordinated basis so as to maximise party representative coverage. Dealing with individual constituents by its very nature generally does not lend itself to representatives working together.

Table 31: Perceptions of co-operation and competition in relationships between constituency and list MSPs of the same party in the same electoral region, 2004

	Constituency MSP Perceptions	List MSP Perceptions
Very co-operative	7 (63.6%)	8 (66.6%)
Fairly co-operative	3 (27.3%)	4 (33.3%)
Sometimes co-operative/ sometimes competitive	1 (9.1%)	
Fairly competitive		
Very competitive		
Total	11 (100.0%)	12 (100.0%)

Table 32: Specific forms of co-operation between list and constituency MSPs of the same party in the same electoral region, list member responses 2004

	A great deal	Quite a lot	Some	Not very much	Not at all	Total
Share office resources	3 (50.0%)		2 (33.3%)	1 (16.7%)		6 (100%)
Share staff resources		1 (16.7%)	2 (33.3%)	2 (33.3%)	1 (16.7%)	6 (100%)
Conduct joint constituency surgeries			2 (33.3%)	2 (33.3%)	2 (33.3%)	6 (100%)
Conduct joint constituency work			2 (33.3%)	3 (50.0%)	1 (16.7%)	6 (100%)
Liaise in dealings with local interest groups	1 (16.7%)	3 (50.0%)	2 (33.3%)			6 (100%)
Jointly attend local community (non-party) meetings	1 (16.7%)	1 (16.7%)	3 (50.0%)		1 (16.7%)	6 (100%)
Liaise in promoting local business & public spending projects	1 (16.7%)	2 (33.3%)	1 (16.7%)	2 (33.3%)		6 (100%)

We also asked constituency and list MSPs of different parties in the same electoral region how they perceived their relations with each other. This produced rather different results. Table 33 indicates that a majority of constituency MSPs said they had competitive relationships with list members of opposing parties both in 2002 and 2004. There were party dimensions to these figures. Labour constituency members overwhelmingly accounted for the perceptions of competitive relationships with list members of other parties. In contrast all the SNP members who replied indicated that relations with list members from other parties were fairly co-operative. Conservative constituency members in 2004 plumped for the equivocal sometimes co-operative/sometimes competitive option, and Liberal Democrat members varied between equivocation and perceptions of competitiveness. Given the perceptions by Labour constituency

members of the targeting activities of list members considered in the previous section it will come as no surprise that perceptions of relations among Labour constituency members remained so high.

Table 33: Constituency MSPs’ perceptions of co-operation and competition in relationships with list MSPs from other parties

	2002 N (%)	2004 N (%)
Very co-operative		
Fairly co-operative	2 (12.5%)	3 (11.5%)
Sometimes co-operative/ sometimes competitive	4 (25.0%)	8 (30.8%)
Fairly competitive	4 (25.0%)	10 (38.5%)
Very competitive	6 (37.5%)	5 (19.2%)
Total	16 (100%)	26 (100%)

Table 34 conveys a slightly more mixed picture of the perception by list members of relationships with constituency members from other parties. This was principally explained by the general experience of list members having constituency MSPs in their region from at least two different parties compared to the experience of many Labour MSPs facing a complete set of non-Labour list members. Nevertheless, it also provides considerable evidence of competition in local relations. Table 35 puts more flesh on the practicalities of these relationships. Approximately a half or more of list members record that they have had at least some communication with some constituency members from other parties on matters to do with individual casework, local interest groups, issues raised at local meetings or on matters regarding business projects or public policy. A third to a half of our respondents, nevertheless, recorded that they had no or hardly any communication with constituency members on any of these issues.

Table 34: List MSPs’ perceptions of co-operation and competition in relationships with constituency MSPs of other parties, 2004

	N (%)
Very co-operative	
Fairly co-operative	8 (27.6%)
Sometimes co-operative/ sometimes competitive	12 (41.4%)
Fairly competitive	6 (20.7%)
Very competitive	3 (13.3%)
Total	29 (100%)

Given the party context to constituency and list representation such findings were not that surprising. The question is, do they suggest problems in the operation of local representation under AMS? The Labour constituency member view suggests that list members rarely offer genuine ‘value-added’ to local representation, either by offering a genuine regional constituency service, providing a specialised representative link with regional organisations, or providing a constituency-focused service that is principally concerned with the well-being of all constituents on any issue. The list member view refutes this as a distortion. But, particularly given the distribution of seats under AMS in Scotland, there are clearly political interests for list members in offering local representation, and in targeting particular parts of the region where electoral support is likely to be greatest. However, list members would point out that this can cut both ways: constituency members too may exercise some selection over local issues to act upon, though this

would be less visible. And whilst there may be variations in what regional members offer, they are potentially as competent on council or Scottish Parliament issues as constituency members. The competition that they provide to constituency MSPs in local representation could also be seen as healthy, both for offering constituents more choice and in gingering up constituency MSPs who might otherwise occupy monopoly positions and have less incentive as time went on to offer proactive services to constituents.

Table 35: Specific co-operation between list and constituency MSPs of different parties in the same electoral region, list member responses 2004

	A great deal	Quite a lot	Some	Not very much	Not at all	Total
On issues raised by individual constituents		1 (3.5%)	13 (44.8%)	10 (34.5%)	5 (17.2%)	29 (100%)
On issues raised by local interest groups		2 (6.9%)	17 (58.6%)	5 (17.2%)	5 (17.2%)	29 (100%)
On issues raised at local community (non-party) meetings		2 (6.9%)	15 (51.7%)	8 (27.6%)	4 (13.8%)	29 (100%)
On the promotion of local business & public spending projects		2 (6.9%)	12 (41.4%)	6 (20.7%)	9 (31.0%)	29 (100%)

It is extremely difficult to offer objective analysis of the validity of these two images of the contribution of list members in relations with constituency members. What we can be sure of is that the way in which types of member are linked to different patterns of party representation has created particular tensions in the provision of local representation by MSPs. This has given rise to two kinds of complaint that have a wide resonance. First, constituency members complain that the competition in local constituency representation which the role taken by list members has introduced is unfair, as the constituency member has earned the right to represent his or her constituents by winning an election specifically in that constituency. But second, list members complain that the attitude taken by constituency members is unreasonable, as they are criticised either for doing too much local representative work, or too little. According to them there is therefore no form of behaviour which will avoid incurring the resentments of constituency members.

Views on Guidance about Members' Behaviour

Such tensions have made the issue of how the roles of MSPs are defined an important one. One of the working assumptions of the Scotland Act was that list members could provide local representation on the same terms as constituency members. However, as is well known, this became the focus of an argument in 1999 between principally Labour constituency members on the one hand and SNP regional members on the other. It resulted in Parliament guidance that asserted formal and legal equality of status between constituency and list members, but added a number of caveats – of which several were key to how list members approached local representation. First, list members received diminished office allowances where a party had more than one such member in a region. This was intended to discourage the opening of multiple regional constituency offices by a party's list members spread across selected targeted constituencies. Second, members were required to term themselves appropriately as the 'constituency' or 'regional list' member and never to call themselves the 'local member'. This was aimed at preventing list members from posing as the constituency representative, but also

prevent constituency members from attempting to diminish the status of list members in the eyes of the electorate. Third, list members were required to provide evidence of conducting constituency work in more than two constituencies – through an appropriate activity such as holding a surgery or dealing with a constituent inquiry. List members were obliged under the guidance to ask constituents who made an inquiry with them whether they would rather take the matter to the appropriate constituency MSP. They were also then obliged to inform constituency members of any constituent inquiries that they dealt with, subject to the constraints of the data protection act.¹⁹ Such rules placed special constraints on list members not seen in the operation of AMS in Germany or New Zealand, or even nearer at hand in Wales.

Clearly there were strong frictions primarily between Labour constituency MSPs and non-Labour regional MSPs, evidenced by views over the competitiveness of relations and opinion over each other's roles in providing local representation. Did such frictions matter to how the operation of the guidance was perceived? To explore this, MSPs were asked their view on the adequacy of the Parliament's guidance on the roles of constituency and list members. Table 36 and Table 37 show that support for the adequacy of the guidance was stronger among list than constituency members, and became stronger among the latter group over time. In 2002 constituency MSPs overwhelmingly did not believe the guidance to be adequate, a view predominantly of Labour and Liberal Democrat members. In 2004, although there was a larger minority of constituency members who accepted the adequacy of the guidance, a majority of constituency MSPs remained opposed, a number largely accounted for by Labour members.

Table 36: MSPs' views on whether the guidelines relating to responsibilities of list and constituency MSPs are adequate, 2002

	Strongly agree N (%)	Agree N (%)	Neither agree nor disagree N (%)	Disagree N (%)	Strongly Disagree N (%)	Total
All members	1 (2.2%)	13 (28.3%)	8 (17.4%)	13 (28.3%)	11 (23.9%)	46 (100%)
Constituency		2 (11.8%)	2 (11.8%)	7 (41.2%)	6 (35.2%)	17 (100%)
Regional	1 (3.4%)	11 (37.9%)	6 (20.7%)	6 (20.7%)	5 (17.2%)	29 (100%)
Conservative		5 (55.5%)	1 (11.1%)		3 (33.3%)	9 (100%)
Labour		2 (14.3%)	2 (14.3%)	7 (50.0%)	3 (21.4%)	14 (100%)
Lib Democrat		1 (25.0%)		1 (25.0%)	2 (50.0%)	4 (100%)
SNP	1 (5.9%)	4 (23.5%)	5 (29.4%)	4 (23.5%)	3 (17.6%)	17 (100%)
Others		1 (50.0%)		1 (50.0%)		2 (100%)

In 2004 we introduced more detailed questions, asking members whether they agreed or not with a series of statements that corresponded to some of the individual components of the guidance. Table 38 reveals that list members strongly supported the assertion of equal status, but disagreed with key aspects of the guidance. They disagreed strongly with unequal allowances and, five years into devolution, a majority still disagreed with the requirement that they work in more than two constituencies. This suggested that the data on list members' views of the adequacy of the guidance did not reflect support *per se* but a position of defence for fear of anything worse. Meanwhile, constituency MSPs remained divided over the question of equal status, largely along party lines. Labour and Liberal Democrat constituency members strongly agreed with the components of the guidance that prescribed unequal allowances and list members being required

¹⁹ Scottish Parliament (1999), *Code of Conduct*; Winetrobe, B. (2001), *Realising the Vision: A Parliament with a Purpose – an Audit of the First Year of the Scottish Parliament* (London: Constitution Unit)

to work in more than two constituencies. The fact of such a large minority of constituency MSPs not agreeing with equal formal and legal status between constituency and list MSPs confirmed their desire for a stiffer form of guidance constraining list members. The one area of possible consensus between constituency and list members was over the rule that members should term themselves as the ‘constituency’ or ‘regional list’ member.

Table 37 : MSPs’ views on whether the guidelines relating to responsibilities of list and constituency MSPs are adequate, 2004

	Strongly agree N (%)	Agree N (%)	Neither agree nor disagree N (%)	Disagree N (%)	Strongly Disagree N (%)	Total
All members	5 (8.5%)	22 (37.3%)	10 (16.9%)	13 (22.0%)	9 (15.3%)	59 (100%)
Constituency	2 (6.9%)	7 (24.1%)		12 (41.4%)	8 (27.6%)	29 (100%)
Regional	3 (10.0%)	15 (50.0%)	10 (33.3%)	1 (3.3%)	1 (3.3%)	30 (100%)
Conservative	1 (9.1%)	6 (54.6%)	2 (18.2%)	1 (9.1%)	1 (9.1%)	11 (100%)
Labour	1 (5.0%)	4 (20.0%)	1 (5.0%)	9 (45.0%)	5 (25.0%)	20 (100%)
Lib Democrats	2 (33.3%)	1 (18.7%)		1 (18.7%)	2 (33.3%)	6 (100%)
SNP		5 (45.5%)	4 (36.4%)	1 (9.1%)	1 (9.1%)	11 (100%)
Others	1 (9.1%)	6 (54.6%)	3 (27.3%)	1 (9.1%)		11 (100%)

Interview evidence from Labour and Liberal Democrat constituency MSPs elaborated upon criticism of existing guidance and how it might be changed. Interviews in 2002 suggested a number of specific problems. First, it was suggested that the office allowances for list members still seemed sufficiently generous to allow them to open multiple offices across a region. Second, the requirement to work in more than two constituencies was easily complied with by simply holding token surgeries during the year in second or third constituencies. Third, the Presiding Officer during the first term had failed to show a readiness to enforce the guidance, or indeed to penalise the three MSPs found guilty of breaches where it was proven. Fourth, the requirement on list MSPs to inform constituency MSPs of work that they were doing with individual constituents was unenforceable – as constituency MSPs had no independent evidence to base complaints upon as to whether list members were complying. List members also could defend themselves over not informing a constituency MSP on the grounds that the local work they were doing was on an issue that might have been raised by an individual constituent but related to an issue of generic importance, such as Post Office closures, rather than something specific to the constituent.

A common view among Labour MSPs was that the 1999 guidance had been produced in a vacuum, had not been effectively enforced by the Presiding Officer and needed to be tightened on the basis of experience. The lack of practical significance given to it by parliamentary authorities was also perceived by some members as creating a climate in which it was seen as petty to raise complaints. Some constituency MSPs found it practically difficult to conceive of how to tighten the guidance, but one common idea was that list MSPs should be required to demonstrate periodically the casework that they had conducted across a region to Parliamentary authorities. Others suggested that on the one issue where members were broadly agreed – that members should call themselves the ‘constituency’ or ‘regional list’ member but not the ‘local’ member – attention should actually be given to the practices of the media, particularly the local media’s readiness to refer to the ‘local member’, irrespective of whether they were constituency or list members. Whilst it would be impossible to police the media on this it could be very beneficial to the public’s clear understanding of the status of different members to seek to educate the media to use the appropriate terms.

Table 38: MSPs' views on status, allowances and activities of list and constituency members, 2004

- (i) *Constituency and regional list members should have equal formal and legal status*
(ii) *Members' allowances for constituency and regional list members should be the same*
(iii) *MSPs should always call themselves 'constituency' or 'regional member' as appropriate but never the 'local' member*
(iv) *Regional list members should be required to work in more than two constituencies*

	(i) Equal status N (%)	(ii) Equal allowances N (%)	(iii) Specific Member titles N (%)	(iv) Regional MSPs in 2+ constituencies N (%)
All MSPs				
Strongly agree	25 (42.4%)	20 (33.3%)	18 (30.5%)	20 (33.9%)
Agree	20 (33.9%)	13 (21.7%)	15 (25.4%)	15 (25.4%)
Neither agree or disagree	2 (3.4%)	3 (5.0%)	9 (15.3%)	6 (10.2%)
Disagree	7 (11.9%)	11 (18.3%)	13 (22.0%)	11 (18.6%)
Strongly disagree	5 (8.5%)	13 (21.7%)	4 (6.8 %)	7 (11.9%)
Total	59 (100%)	60 (100%)	59 (100%)	59 (100%)
Constituency MSPs				
Strongly agree	2 (7.1%)		9 (31.0%)	18 (62.1%)
Agree	12 (42.9%)	3 (10.3%)	9 (31.0%)	6 (20.7%)
Neither agree or disagree	2 (7.1%)	3 (10.3%)	2 (6.9%)	3 (10.3%)
Disagree	7 (25.0%)	10 (34.5%)	7 (24.1%)	1 (3.4%)
Strongly disagree	5 (17.9%)	13 (44.8%)	2 (6.9%)	1 (3.4%)
Total	28 (100%)	29 (100%)	29 (100%)	29 (100%)
Regional MSPs				
Strongly agree	23 (74.2%)	20 (64.5%)	9 (30.0%)	2 (6.7%)
Agree	8 (25.8%)	10 (32.3%)	6 (20.0%)	9 (30.0%)
Neither agree or disagree			7 (23.3%)	3 (10.0%)
Disagree		1 (3.2%)	6 (20.0%)	10 (33.3%)
Strongly disagree			2 (6.7%)	6 (20.0%)
Total	31 (100%)	31 (100%)	30 (100%)	30 (100%)

Other constituency MSPs, particularly SNP members and members with previous parliamentary experience, were more sanguine about the role of guidance, and how one might expect politicians to always behave as such whatever the formal rules directed. List members in interviews generally saw the guidance as rather meaningless. A common theme was that they were irritated by having to observe it, especially as constituents who came to them were little interested in the alternative of the constituency MSP. Equally, it was acknowledged that this was easily circumvented. These members believed that the guidance in effect did not define different roles for constituency and regional members and provided merely a palliative for Labour constituency MSP sensitivities. Further, that it was very difficult in practice anyway to statutorily define different roles for the two types of member, and if this was the aim it should have done at the beginning, with guidance being much stiffer. List members stated that it would now be very divisive to raise the idea of

different roles for each type of member, or debate new Parliament guidance that in effect gave substance to that idea.

Interviews in late 2004 and early 2005 did not indicate that the substance in the critiques of the guidance and its enforcement had changed. Constituency members continued to suggest that the issue of what list members were supposed to do had not been properly addressed, and that this was something the Parliament could usefully re-discuss after the experience of several years of devolution in action. Nevertheless, some of the urgency of the issue among constituency members may have dissipated. The matter had not been discussed in the Parliament after the 2003 elections, and interviewees indicated that such matters became overwhelmed by the sheer volume of work that MSPs had to get through. Meanwhile list members demonstrated substantial continuity with earlier views. The guidance could be viewed as an irritant, but where list members wanted to be particularly active at the local level – and by no means all of them did – it was easily met or ignored without constraining their intentions, particularly in the context of targeting a specific seat. Guidelines caused them few practical problems and, particularly given that the majority of constituencies where control changed hands in 2003 fell to a former list member, there was some recognition that to change the guidance would raise the issue of the role of list members up the agenda again. Overall, therefore, resentments remained on both sides. Constituency members resented the practice of the list member acting as a ‘shadow’ constituency member, not informing the constituency member of their exact activities. List members resented the prevailing sense of them not being treated as equals. Nevertheless, such resentments were not as raw as they had been in the first Parliament or among members principal concerns compared to other issues.

MSP Views on Reform of the Electoral System

It is inevitable that MSPs, in reflecting upon the operation of local representation under AMS, would have opinions on reform of the electoral system. We have not explored this fully, but some of our data is of relevance.

A key issue for the simple revision of AMS is that of the possibility of moving to a national list as opposed to regional lists. Table 39 suggests that this was an unpopular idea with list members, and that opinion among constituency members had converged with this by 2004. One thing that may have given some constituency members reason to support national lists is the notion that it might reduce list member activity in local representation. But interviews suggested that it was not expected that having a national list would reduce the phenomenon of list members targeting marginal constituency seats. Both types of members felt national lists would be dominated by central belt candidates to the detriment of appropriate candidates from other parts of Scotland. List members favoured regional lists for giving them territorial ties, although there was recognition of the fact that the electoral regions were already too large as a basis for effectively serving all constituents.

Debates about a more root and branch reform of the electoral system for the Scottish Parliament throw up other questions. A key one is that of the desired size of the Parliament. Table 40 shows that there was a clear majority among members both in 2002 and 2004 wanting to see the size of the Parliament stay the same. This reflects strong support for the existing size among Labour constituency members and a range of list members from different parties. However, Conservative list members were notable for favouring a reduction, and SNP list members an increase, in the size of the Parliament.

Table 39: MSPs' views on whether list members should be elected from a single national list, rather than regional lists

	2002 N (%)	2004 N (%)
All MSPs		
Strongly agree	5 (10.9%)	4 (6.9%)
Agree	5 (10.9%)	4 (6.9%)
Neither agree nor disagree	10 (21.7%)	5 (8.6%)
Disagree	12 (26.1%)	27 (46.6%)
Strongly disagree	14 (30.4%)	18 (31.0%)
Total	46 (100%)	58 (100%)
Constituency MSPs		
Strongly agree	4 (23.5%)	4 (14.8%)
Agree	2 (11.8%)	1 (3.7%)
Neither agree nor disagree	5 (29.4%)	2 (7.4%)
Disagree	4 (23.5%)	13 (48.1%)
Strongly disagree	2 (11.8%)	7 (25.9%)
Total	17 (100%)	27 (100%)
Regional MSPs		
Strongly agree	1 (3.4%)	
Agree	3 (10.3%)	3 (9.7%)
Neither agree nor disagree	5 (17.2%)	3 (9.7%)
Disagree	8 (27.6%)	14 (45.2%)
Strongly disagree	12 (41.4%)	11 (35.5%)
Total	29 (100%)	31 (100%)

How did such views relate to broader approaches to the future of the electoral system? Interview evidence suggested that the principal alternative canvassed was that of STV. The basis for introducing this by members across a range of parties was assumed to be by pairing the new Westminster constituencies and using these as a basis for multi-member STV elections. Members suggested that such an approach had several possible advantages in terms of local representation. One was that STV would in itself ensure equal formal status between members and underpin equal rights to act as local representatives. Further, while not returning to exact coterminosity the relationship with Westminster boundaries would be retained. Members suggested that both of these components were likely to render the method and boundaries of the electoral system less confusing to the public than the continuing election of two types of member, using constituency and regional boundaries, neither of which had any relationship at all with Westminster boundaries. In addition it was suggested that members elected under STV would be equally accountable to the public, and the opportunity could be taken to abandon the electoral regions that were too large to be practical bases of local representation. STV elections on such a basis were argued for by SNP members as part of a process of increasing the size of the Parliament, and by Liberal Democrats who generally supported keeping the size of the Parliament the same. Whilst Conservative MSPs remained in principle wedded to the simple plurality voting system, if they were pushed to address the complexities caused by having a multiplicity of voting systems they also favoured STV, but as part of an approach which reduced the size of the Parliament as a whole. List members frequently

cited the point that the complexities of having different electoral systems at council, Parliament and Westminster levels once STV elections were introduced for local government in 2007, was an added stimulus to moving towards STV.

Table 40: MSPs' views on whether the size of the Scottish Parliament should be increased, decreased or stay the same

	2002 N (%)	2004 N (%)
All MSPs		
Increased	8 (17.0%)	7 (11.9%)
Decreased	8 (17.0%)	12 (20.3%)
Stay the same	31 (66.0%)	40 (67.8%)
Total	47 (100%)	59 (100%)
Constituency MSPs		
Increased	3 (17.6%)	3 (10.3%)
Decreased		3 (10.3%)
Stay the same	14 (82.4%)	23 (79.3%)
Total	17 (100%)	29 (100%)
Regional MSPs		
Increased	5 (16.7%)	4 (13.3%)
Decreased	8 (26.7%)	9 (30.0%)
Stay the same	17 (56.7%)	17 (56.7%)
Total	30 (100%)	30 (100%)

In contrast Labour members who were interviewed were sceptical of the list component of the electoral system but were also sceptical of change. Even those who considered themselves to have been principled advocates of proportional representation before devolution had trimmed in their opinions as a result of experience. This related variously to party interest, the problems of local representation and the problems of getting difficult decisions taken in the context of coalition government. Whilst some advocated ideally going back to the simple plurality principle there was support for the status quo, with the size of the Parliament remaining the same. Some of the possible advantages of STV were appreciated but interviewees identified what they saw as a key problem for local representation, namely that STV would create an even greater battleground for constituency work, where members would engage in a wasteful and ultimately unhelpful populist politics. Such reflections upon the problems of STV appeared to place perceived problems in the operation of the current AMS system in a fresh light and confirmed the impression that some of the urgency over the need for stiffer guidance or some reform had receded for Labour members. Whilst it was possible to see a change in the electoral system as a solution to the problems of the current system, it was appreciated by many that rather than making the situation better this might actually make it worse. Labour members also expressed some scepticism as to whether having different types of electoral system for different levels of government was really a relevant consideration in reviewing whether electoral reform was required for the Scottish Parliament. As one Labour constituency MSP (interviewed 4/11/2004) put it 'I think the electorate is quite sophisticated....the whole Arbutnott Enquiry is predicated on the assumption that there is a problem which may not exist'.

The effects of STV on local representation in the Scottish Parliament would most likely provide a combination of the expectations of both list and constituency members. On the one hand, it would largely solve the current problem of a lack of parity of esteem between constituency and list members as all members would be elected on the same basis. (There is always the possibility of a different hierarchy of members being perceived, based on the votes cast for particular candidates – however, this is not as institutionalised a difference as one finds with AMS, and nowhere near as significant in structuring relationships between members.) On the other hand, given the general orientation of list members to provide constituency representation under AMS one could expect that the deep political culture of local representation which this suggests would be very strongly manifest in the context of STV. This could be seen as advantageous to constituents in creating even sharper competition among members to represent them. Yet, as with AMS there are potential problems of duplication of service and the ineffective use of MSP time in such competition. Indeed, if one took a wider view of what should MSPs be doing with their time, and viewed time spent on constituency representation as important but a potential distraction, STV becomes problematic. In this respect there may be key differences in using STV for local elections, where councillors do not have parliamentary and legislative roles, and in the Scottish Parliament, where they do.

MPs' Relations with List MSPs

Although the main impact of the Additional Member System is within the Scottish Parliament itself, and relationships between constituency and list members, there is also some contact between MPs and list members. In many ways these mirror the relationships outlined above with respect to relationships between different kinds of MSPs.

Like constituency MSPs, Scottish MPs also each exist within a region that is represented in the Parliament by a number of list MSPs. Until May 2005 this was uniformly seven members. Now that coterminosity has ended, there are 14 MPs who have seats spanning not only different Scottish Parliament constituencies, but also different electoral regions. Therefore all MPs have either seven or 14 list MSPs representing their area, as well as between one and five constituency MSPs. Examination of our evidence about relationships between MPs and list MSPs can therefore throw further light on the operation of the AMS system in terms of constituency/list member relations. In addition it has relevance to the ending of coterminosity.

Like constituency MSPs, Scottish MPs generally have co-operative relationships with list MSPs from their own party (where these exist) and far more competitive relationships with those representing other parties. This is demonstrated by Table 41, which summarises MPs' perceptions of these relationships, and Table 42, which summarises perceptions of the same relationships from list MSPs' point of view. This shows that almost all MPs consider that their relationships with list members from their own party are co-operative, but a majority think relations with list members from other parties are competitive. List members are rather less likely to see relationships within their own party as co-operative, but again they are more likely to see competition in relationships with MPs from opposing parties.

Table 41: MPs' perceptions of co-operation and competition in relationships with list MSPs, 2004

	List MSPs of same party N (%)	List MSPs of different parties N (%)
Very co-operative	5 (62.5%)	
Fairly co-operative	2 (25%)	2 (8.3%)
Sometimes co-operative, sometimes competitive	1 (12.5%)	5 (20.8%)
Fairly competitive		8 (33.3%)
Very competitive		9 (37.5%)
Total	8 (100%)	24 (100%)

Table 42: List MSPs' perceptions of co-operation and competition in relationships with MPs of same and different parties, 2004

	MPs of same party N (%)	MPs of different parties N (%)
Very co-operative	2 (10.0%)	
Fairly co-operative	5 (25.0%)	2 (8.7%)
Sometimes co-operative, sometimes competitive	8 (40.0%)	10 (43.5%)
Fairly competitive	4 (20.0%)	7 (30.4%)
Very competitive	1 (5.0%)	4 (17.4%)
Total	20 (100%)	23 (100%)

We also asked MPs about specific forms of co-operation with list members. Here a similar pattern is seen. Relatively few MPs, even where they have list members in their region from their own party, conduct local work jointly with them, as shown in Table 43. However, there is virtually no co-operation at all with list members from other political parties, as shown in Table 44 and Table 45.

Table 43: Specific forms of co-operation between MPs and list MSPs from same party, MP responses 2004

	A great deal	Quite a lot	Some	Not very much	Not at all	Total
Hold joint constituency surgeries	2 (22.2%)			1 (11.1%)	6 (66.7%)	9 (100%)
Conduct joint constituency work	1 (11.1%)	1 (11.1%)	1 (11.1%)		6 (66.7%)	9 (100%)
Share office resources	2 (22.2%)		2 (22.2%)		5 (55.6%)	9 (100%)
Share staff resources	1 (11.1%)			2 (22.2%)	6 (66.7%)	9 (100%)
Liaise in dealings with local interest groups	3 (33.3%)	1 (11.1%)		1 (11.1%)	4 (44.4%)	9 (100%)
Jointly attend local community (non-party) meetings	2 (22.2%)	1 (11.1%)	1 (11.1%)	1 (11.1%)	4 (44.4%)	9 (100%)
Liaise in promoting loc. business & public spending projects	4 (44.4%)		1 (11.1%)		4 (44.4%)	9 (100%)

Table 44: Specific forms of co-operation between MPs and list MSPs from opposing parties, MP responses 2004*

	A great deal	Quite a lot	Some	Not very much	Not at all	Total
Issues raised by individual constituents				5 (20%)	20 (80%)	25 (100%)
Issues raised by local interest groups			1 (4.0%)	8 (32.0%)	16 (64.0%)	25 (100%)
Issues raised at local community (non-party) meetings			2 (8.3%)	8 (33.3%)	14 (58.3%)	24 (100%)
The promotion of local business & public spending projects			4 (16%)	4 (16%)	17 (68%)	25 (100%)

* Here the wording of the question was different to that presented in Table 43. Members were only asked whether they ever had 'meetings or correspondence' on these matters.

Table 45: Specific forms of co-operation between MPs and list MSPs from opposing parties, list MSP responses, 2004

	A great deal	Quite a lot	Some	Not very much	Not at all	Total
On issues raised by individual constituents		1 (3.5%)	6 (20.7%)	9 (31.0%)	13 (44.8%)	29 (100%)
On issues raised by local interest groups		1 (3.5%)	10 (34.5%)	10 (34.5%)	8 (27.6%)	29 (100%)
On issues raised at local community (non-party) meetings	1 (3.5%)		10 (34.5%)	10 (34.5%)	8 (27.6%)	29 (100%)
On the promotion of local business & public spending projects		1 (3.5%)	5 (17.2%)	12 (41.4%)	11 (37.9%)	29 (100%)

MPs' experience of co-operation and specific forms of joint working with list MSPs was therefore broadly similar to that of constituency MSPs. Where members are from the same party there is a general pattern of co-operation, but where members are of opposing parties co-operation is far more limited and feelings of competitiveness are found.

In interview discussions it was also clear that MPs shared many of the same feelings as constituency MSPs with respect to list members, although they tended to encounter them less. In some areas MPs were very aggravated by the behaviour of list members over local work, saying that they came and 'cherry picked' issues – trying to raise their profile in the local press, claim credit for campaigns, and take up constituency casework. In some cases MPs told us that list members tried to get involved in reserved policy matters, whilst others simply shared the frustrations of their constituency colleagues in the Scottish Parliament about list members' involvement in local devolved matters. MPs commonly complained that meetings with local organisations (such as health authorities) could be too crowded and confrontational to be productive once list members as well as all affected constituency members were involved. This situation will worsen now coterminosity has ended.

As with constituency MSPs, there were some clear patterns to which MPs complained of these kinds of local activity. First, such views were strongly expressed by many Labour and Liberal Democrat MPs, but were not shared by SNP members who were more supportive of list members taking an interventionist role. Second, it was MPs in more marginal seats who were most likely to

see list member activity locally. In these cases it was often only the list member from the second ranked political party in the constituency who had any real presence. In some cases, as with constituency MSPs, list members were direct electoral rivals. Thus, for example, several Conservative list members fought seats in the 2005 Westminster election and one (David Mundell) was successfully elected. List members were therefore likely to have a presence in the area as the election approached, using their position as a regional MSP as a platform. MPs were relatively relaxed about such activity where their majorities were comfortable, but less so when they felt their seat might actually be under threat.

Finally, it is interesting to consider members' views about the guidelines regulating relations between MPs and MSPs through separate lenses with respect to list and constituency members. Our survey question on this did not distinguish between the two types of MSP. Thus the figures shown earlier in Table 18 – which showed that Labour and Liberal Democrat MPs were on balance unhappy with the guidance, whilst SNP members were on balance happy – presumably relates in part to MPs' experience of list members. When the same question was asked of MSPs, it could however be broken down by different types of member. The responses are shown in Table 46. This shows that the majority of list members claim that they are happy with the guidelines governing MP-MSP relations, whilst a majority of constituency members are not. This again suggests that the issue of relations between constituency and list members, not only within the Scottish Parliament but also in terms of local relations with MPs, is a difficult and tense one which is strongly connected to party competition.

Table 46: Are guidelines regulating MP-MSP relations adequate? Constituency and list MSPs' responses 2004

	Constituency members	List members	All members
Strongly agree	2 (6.9%)	3 (10%)	5 (8.5%)
Agree	7 (24.1%)	15 (50%)	22 (37.3%)
Neither agree or disagree		10 (33.3%)	10 (16.9%)
Disagree	12 (41.4%)	1 (3.3%)	13 (22.0%)
Strongly disagree	8 (27.6%)	1 (3.3%)	9 (15.2%)
Total	29 (100%)	30 (100%)	59 (100%)

It is clearly difficult to predict how these matters will be affected by the ending of coterminosity. However, it seems likely that the complex and sometimes fractious relationships that have existed locally since 1999 will worsen, as MPs deal with a greater number of list, as well as constituency, MSPs.

The Operation of AMS and Multiple Electoral Systems

The idea of the additional member or multi-member electoral system has become popular worldwide principally for two reasons. First, there are many possible criteria for judging the value of an electoral system, including party representativeness, social representativeness, the provision of stable government, voter choice and ease of understanding to the public. Such criteria are potentially contradictory and while AMS does not come out as ideal under any one criteria its value lies in not being open to major objection under any of them either. AMS as a hybrid electoral system seeks to provide a balance between competing criteria. Secondly, for countries used to the simple plurality principle who wish to inject more party representativeness into their electoral system but at the same time not break the single member constituency link, AMS offers a cautious reformist way forward. The use of AMS in the Scottish Parliament has origins in both

of these considerations. In considering its performance, therefore, it is not surprising that an analysis should find both advantages and disadvantages, and critiques that both seek more radical reform or indeed still hark back to a return to simple plurality traditions. Unsurprisingly, an analysis of how AMS has specifically impacted upon local representation follows similar lines. Here we would emphasise two key related areas for debate in the early operation of AMS in Scotland.

1. The roles of regional list members under AMS

AMS is basically a compensatory system for party representation. Whilst simple plurality distorts the representation of parties who have concentrated and efficiently distributed electoral support in single member constituencies, the top-up list member component ensures compensatory representation for those parties who suffer as a consequence. The system of itself stipulates no different roles for the two types of member once they have been elected and the Scotland Act was entirely consistent with other countries which have implemented AMS in not prescribing different roles. The roles that members play, therefore, conventionally arise out of the development of custom and practice. A powerful line of argument is that list members may in practice differentiate themselves from constituency members by creating a division of labour in which the latter have a strong hold over local representation and list members focus more on work within parliament itself. In practice, however, such a neat division of labour does not occur. The Scottish Parliament is no exception. This has had implications for the roles that list members play and the on-going debates that have resulted.

As we have seen list members commonly offer a local representative role. Overall, it is not as extensive as that offered by constituency members and whilst the demand placed on list members by organisations and interest lobbies can be considerable, the demand made by individual constituents (certainly per head of population) is markedly lower. It also varies more. Whilst constituency members are accustomed to a steady and significant local caseload, the pressure on list members will depend significantly on their orientation to provide a service - which is itself governed by a range of factors. Nevertheless, the experience of constituents and members on the ground is that constituency and list members are both available as different types of local member. Where these members are of the same party we found evidence of co-operation over resources and liaison over relationships with local groups and attendance at meetings. The co-operation within party does not appear, however, to be of the same order as that seen between MPs and constituency MSPs. Where members were of different party we found some co-operation, but generally relations were competitive.

Two different views of this competition have arisen. First, many list members have seen this system of local representation as a healthy move towards competition in providing services to the public. Gone is the old monopolistic power of the single MP in his/her constituency. Now both the constituency MP and MSP are gingered up by the presence of list members from the Scottish parliament, who potentially provide a future electoral challenge to the MP as well as the constituency MSP. Incentives to treat local representation for the Scottish parliament seriously have been given from the start. Some constituency MSPs are also sanguine about the presence of competition. The alternative view of many constituency members, predominantly Labour, has been that such competition is unfair. They believe that as constituency members they have a specific accountability to their constituents, whilst list members indulge in representation without accountability. The rights of list members to engage in the same roles as constituency members therefore remains questioned. This is in turn resented by list members. Three views from different perspectives sum up the perceived need by constituency MSPs to sort out what roles list members should perform, and the conventional responses of list members.

‘List MSPs certainly have more time than us...so what should they be doing with that time? More time on the committees? Perhaps some work needs to be done on what the official role of the list MSP is?’ (Labour constituency MSP, interviewed 4/11/2004)

‘I don’t think anybody has ever resolved this issue of what list members are for. I’m not convinced that members actually have ever resolved this issue and I suspect that many list members do what I do and pretend that they are constituency members.’ (Conservative list MSP, interviewed 13/1/2005)

‘You do not have the same status as constituency MSPs. I don’t know what constituency members have to complain about. If they are doing the job properly they will dominate the local press and they are the official recognised members for the area. They get all the invitations to the high profile events.’ (SNP list MSP, interviewed 4/11/2004)

2. Guidance on member relationships and electoral reform

The tensions produced in the operation of the electoral system mean that two specific issues have emerged for continued debate. First, views on the guidance governing the roles of constituency and regional list members have not settled down. Our data suggests that list members generally do not support any of the specific constraints imposed by the guidance, except for the issue of how members term themselves. Nevertheless, they accept the guidance as a package largely, it seems from interviews, because they view it as either easily ignored or easily conformed to without hindering their chosen activities. It may be that acceptance has come with experience and possibly the fear of guidance that may be more constricting. Some constituency members are sanguine about the need for or utility of guidance but a majority of Labour constituency members still see it as inadequate.

Secondly, tensions in the operation of AMS have spilled over into creating debates about the future of the electoral system and the possibility of introducing an alternative. Revision of AMS is supported only by a minority, with few favouring the use of a national list or the expansion or contraction of numbers in the Scottish parliament on the basis of a revised form of AMS. Instead, the focus has moved to a debate between AMS as it is currently operated or a completely different electoral system, namely STV. List members in particular link their resentments at not being seen as equal members under AMS with a perceived key advantage in STV of having all members elected on the same basis. Arguments regarding the complexities of having multiple electoral systems operating in Scotland at the same time have also been made by these members. However others disagree – seeing STV as equally or more problematic to the current system.

Both of these issues could continue to provoke much debate in the years to come. However, we should be cautious in considering their importance. Views regarding the operation of AMS and the utility of the current guidance have not changed much among Labour constituency MSPs between the first and second terms of the Parliament. Nevertheless, the urgency with which such views are promoted appear to have subsided over time (contrasting sharply with the increase in the intensity of Labour backbench and party member feeling over the regulation of list members in Wales). Similarly, list members resentments at individual components of the guidance is still present but opposition appears to have subsided, as evidenced by the fact that a majority of list members have accepted the guidance as a whole as ‘adequate’. Equally, advocates of a complete change in the electoral system put forward their arguments with an awareness of different viewpoints in the Labour Party that make change unlikely. Overall, there is a recognition of the fact that the operation of AMS or the move to a new system are closely intertwined with party interests and debates thereon cannot be extracted from that context.

Ultimately, how important the perceived problems of the current working of AMS is judged to be also needs to be considered in the light of the performance of AMS in other respects – not just in respect of local representation, and against the background of the full range of criteria originally considered when the system was first introduced. At the same time any consideration of the possible advantages of STV need to be clear on the criteria being used to judge its potential effectiveness. In this part of the report we have provided some discussion of MSP views on STV and the likely consequences of its introduction for the constituency role of MSPs. The evaluation of such effects nevertheless needs to be seen in the context of how it meets other criteria for evaluating electoral systems deemed relevant by the Commission.

Part 3: Policy Options

The issue of elected members' local representative roles has been key to the bedding down of the new devolution settlement in Scotland. It has affected significantly the views of policy makers, at Westminster and in Holyrood, and also has important implications for the quality of representation enjoyed by the citizens of Scotland. Given the traditional centrality of the local representative role in British politics, and the configuration of political parties in constituency and list seats in the new Parliament, there have been significant tensions over these matters at the elite level. The purpose of this report has been to explain elected members' experiences of what has worked well and what has been more difficult with respect to local representative roles, and to offer some objective judgements upon this. In this final section we review our conclusions about the operation of multi-level democracy and the additional member system in Scotland, and outline some policy options for the future.

At the outset, there were high hopes amongst policy makers that devolution would lead to better representation at the local level. Before turning to our own conclusions it is worth summarising these views, and how they changed during the five years after 1999. Table 47 shows the responses by Scottish MPs in 2000 when asked whether or not they agreed that 'devolution will result in more effective resolution of constituents' problems'. At this time all but one of the MPs responding agreed with this statement. In 2004 a similar question was asked again, and the answers are shown in Table 48. This time MPs were asked to look back and reflect on whether devolution 'has led' to more effective resolution of constituents' problems. By this point members' views were very different. Fewer than a third of Labour MPs agreed with this statement, as did only one in five Liberal Democrat MPs. The only party whose members on balance viewed developments positively was the SNP.

Table 47: MPs' views on whether devolution will result in more effective constituency representation, 2000

	Agree	Disagree	Total
Labour	7 (87.5%)	1 (12.5%)	8 (100.0%)
Liberal Democrat	2 (100.0%)		2 (100.0%)
SNP	3 (100.0%)		3 (100.0%)
Total	12 (92.3%)	1 (7.7%)	13 (100.0%)

Table 48: MPs' views on whether devolution has resulted in more effective constituency representation, 2004

	Agree	Disagree	Neither	Total
Labour	6 (31.6%)	9 (47.4%)	4 (21.1%)	19 (100%)
Conservative			1 (100%)	1 (100%)
Liberal Democrat	1 (20%)		4 (80%)	5 (100%)
SNP	2 (66.7%)		1 (33.3%)	3 (100%)
Total	9 (32.1%)	9 (32.1%)	10 (35.7%)	28 (100%)

This demonstrates a significant change of heart on the part of Labour members, in particular. Responses to our other questions to MPs and MSPs, and discussions in our interviews, indicated

that many of these members are very unhappy with aspects of the current system, and even more so with the ending of coterminosity.

As with so much of the detail that we have reported here, views on this matter have been coloured by partisan interests, which cannot be adequately separated from genuine constitutional concerns. The fact is that most Scottish MPs, and most holders of constituency seats in the Scottish Parliament, represent the Labour Party. These members have been aggravated, in particular, by the behaviour of list members from opposing political parties, and by competitive relations in seats where local MSPs are drawn from such parties. Likewise members of other parties have been influenced by the experiences of their members elected on the lists, many of whom see electoral imperatives in competing with constituency members. The fact that concerns about the system tend to split on partisan lines does not necessarily, however, make them invalid. But this general situation means that the Commission faces a major challenge in producing conclusions that are seen as objective, and recommendations that will be widely accepted.

Coterminosity and MP/MSP relations

Our research shows that on the whole relations between MPs and constituency MSPs have been relatively positive. Members of the public do not fully understand the division of responsibilities between Westminster and the Scottish Parliament, and indeed on some matters there is no clear dividing line. Thus the MP and MSP in a local area will inevitably deal with some overlapping issues, and there can be good reason to conduct some joint local work. Where the two members act co-operatively these matters can be dealt with relatively efficiently, without generating undue confusion. However, in areas where there is electoral competition (particularly where the two members represent different parties, and also in other marginal seats), or where there are personal animosities between members for other reasons, this co-operation can break down.

As detailed above, there are a number of concerns about the ending of coterminosity with relation to local members' representative roles. After the 2005 general election the electoral map of Scotland is far more complex, with overlapping constituencies and many more areas subject to 'split' political control between competing parties. In addition some Westminster constituencies straddle more than one electoral ('list') region. This makes it likely that local relations will become more competitive than they already are, and generally more difficult to manage. This is particularly true from the perspective of Westminster, where only two MPs now share their constituencies with a single MSP. Quite how these relations will develop is obviously unpredictable, but it seems likely that existing co-operative relations will break down in many areas, to the potential detriment of members, local groups, and the public that they serve.

Recommendations with respect to MP/MSP relations therefore include the following:

- The development of relationships at local level now that coterminosity has ended should be carefully monitored. Our questionnaire and interview data provides a baseline, against which future results can be compared. Given that boundaries will continue to be non-coterminous at least in the short term, we would recommend a programme of interviews with members some time after late 2005, to ascertain how local relationships have developed.
- However, it already seems clear to us that the ending of coterminosity will be problematic, creating many more difficulties at the local level than currently exist. These may lead to more members raising issues which are outwith the remit of their institutions, thus damaging accountability as well as potentially offering a worse level of local service. Although there are

other important considerations when designing future electoral systems, from the perspective of the local representative role a re-establishment of coterminosity seems desirable. This is further discussed under ‘Possible new voting systems’, below.

- Information from elected members and from public opinion surveys alike demonstrates that public understanding of the distinct responsibilities of the two parliaments could be improved. Many members believed the information currently available to the public on such matters was inadequate. Greater availability of public information, explaining with which representative individuals and groups should raise different policy issues could therefore have some positive effect. However, this effect is always likely to be limited. First, citizens and groups are likely to approach the representative that they see as most effective, even if they know that this representative does not actually have formal responsibility for the matter in question. Second, where there is electoral competition, members are likely to compete to attract this kind of work, even across formal boundaries of responsibility, thus obscuring any public information messages that may be available.
- One possible solution to this difficulty that has been mooted is stricter guidance on member behaviour. Conventions have long existed at Westminster that MPs do not take up cases from outside their own constituencies, and should let other colleagues know if they are visiting their area. Similar conventions do not seem to have become established with respect to MSPs taking up reserved policy matters locally or MPs taking up devolved matters. This is not wholly surprising, given the mixed responsibility for some issues, and the electoral competition that exists (in contrast, there was never any direct electoral advantage for MPs seeking a profile in constituencies other than their own). Stricter guidance, aimed at establishing strong conventions, may be worth pursuing. Where a member is approached about a local matter outside the responsibility of their institution they might be required either to pass it directly on to the other elected member, or to copy that member into any relevant correspondence. Likewise, where a minister is approached by a member of the other institution, the expectation could be established that a reply is sent either direct to the local member within the minister’s own institution, or at least that this member is copied in. However, whilst guidance to this effect may be an option, rigid rules seem unlikely to be fully enforceable. In particular, if a citizen seeks to approach a particular local member (for example because they are seen as efficient, or sympathetic in partisan terms), it is difficult to prevent them from doing so, and probably undesirable. Any set of rigid rules would need an enforcement mechanism, and this is likely to prove difficult in practice.
- Particular problems occur between MPs and MSPs who are drawn from different parties, in seats which are electorally vulnerable. Such tensions apply not only between constituency members, but perhaps even more so between MPs and list MSPs. Just as within the Scottish Parliament itself, there are many examples of list members fighting seats at Westminster, which they have been accused of ‘nursing’ in their role as a regional member. This has led some to suggest that list members should be barred from standing for election to Westminster. However, such a ban would be difficult to operate in practice. Although there is now little traffic between constituency seats in the two institutions, it would seem unjust to apply restrictions to list members, or indeed to MSPs, only. Yet an arrangement which stated that MPs could not stand for the Scottish Parliament and no MSPs could in future stand for Westminster, would seem unduly restrictive. In addition, it would not fully deal with the kinds of problems that were reported to us. These included the partner of a sitting (constituency) MSP running against the local MP, and the researcher to a sitting (list) MSP running against an MP in one of the seats in that member’s region – in both cases with the explicit support of

the relevant MSP. It is difficult to envisage a regulatory system that could prevent these kinds of problems.

Managing the Additional Member System

Our research shows that on the whole relations between constituency and regional list members of the Scottish Parliament have been characterised by tensions over the perceived roles taken by list members. On the one hand, (primarily Labour) constituency MSPs allege unfair shadowing activities by list members, largely for party political purposes. List members specifically resent this characterisation and generally resent the questioning of their right to conduct local representative work. Perceived problems in the operation of the Additional Member System as it impacts upon local representation focus policy debate on two different aspects of how the current system could be managed better: first, the possibility of changes to the Scottish Parliament guidance on the roles of MSPs, and second, the possibility of introducing limitations on ‘dual candidacy’.

With respect to the Scottish Parliament guidance there are essentially three options:

- First, the Parliament might to a lesser or greater extent abandon the current guidance. It might continue conventions that appear to gain wide support, such as the one that determines that constituency and regional list members should name themselves as such and never as simply the ‘local’ member. Beyond that, however, the Parliament could be influenced by the lack of broad acceptance of certain rules of engagement, such as list members informing constituency members of their work, and the difficulties of enforcing them. It could also be acknowledged that certain rules are easily circumvented, notably the rule requiring local work in more than two constituencies.
- Second, the Parliament might pursue a more discriminatory and regulatory approach. This could include some or all of the following: an assertion of unequal status of constituency and list members, with the presumption that list members do not do local work; a lowering of allowances for all list members to take account of this fact; parliamentary auditing if list members continue to do local representative work; clarification of punishments for contravention of any of the rules of guidance; and greater commitment to the enforceability of rules of guidance.
- Third, the Parliament could broadly retain the guidance as it is, hoping to cement list member acceptance of the guidance and seek over time a complementary constituency member acceptance of list member roles. Under this option there would also remain the possibility of another systematic review at a later date, depending on the changing views of members and the urgency of those views.

In reviewing these policy options our data would suggest that there are potentially major problems in advancing on the basis of either of the first two. It is true that the first option would remove the perceived institutionalisation of partisan interest in directing how list members should behave in local work, and clarify (particularly to those Labour members who most complain about list members) that the AMS electoral system can be interpreted in other ways. It would acknowledge that in any system one must expect politicians to be driven by consideration of party interest. It might thus dissolve some of the resentments of being treated as second class members that list members can feel. However, such a downgrading of guidance would almost certainly inflame

constituency member resentments at the roles pursued by list members, which currently appear to have become less urgent between the first and second terms.

The second option would have a similar effect in potentially significantly inflaming opinion among list members. In considering more extensive guidance as a regulatory approach, it is also interesting to place the Scottish parliament approach to guidance into some comparative perspective. In the classic German version of AMS there is no such guidance – an approach followed by Wales, where the presiding officer has simply asserted the principle that all members are equal. In New Zealand, similarly, there is no attempt to regulate the roles of members, except that the expected lesser role of list members (elected on a national basis) in providing local representation is reflected in lower allowances. In the electoral reform projects in Canada which have considered the usage of AMS, Scottish-style guidance is also not (yet) to be found. Such comparison highlights the highly partisan context in which the Scottish approach to the roles of constituency and regional members was debated and adopted in the early days of the 1999-2003 Parliament, thus giving a very distinctive approach. Going down the road of more discrimination and regulation would obviously find supporters among constituency members in the current Scottish Parliament, but it would make Scotland's representative arrangements under AMS even more unusual internationally.

The lack of guidance in the Welsh setting has not resulted in a harmonious arrangement. Indeed anger amongst Labour constituency AMs has led to a more radical option being proposed for the Welsh Assembly additional member electoral system. This has now been formally adopted by the Wales Labour Party, and illustrates another potential route which the Scottish Parliament could follow. These plans would prevent candidates standing both for constituency and list elections at the same time, and therefore seek to encourage list members to behave more as 'pure' list members. This idea was dismissed by list members in Scotland in interviews as outrageous for its partisan bias and profound disregard for rights to democratic participation. However, disallowing dual candidacy should not be viewed per se as a bizarre idea. Although the idea was not seriously considered in Germany, in New Zealand, it was considered but dropped during debates in the early 1990s ahead of AMS being introduced. Experience since has shown that not many candidates now successfully make the leap from being a list member to being a constituency member. In New Brunswick in Canada, current electoral reform proposals do rule out dual candidacy for the reason that both fellow representatives and constituents will consider it unfair that a member judged unpopular and voted out by constituents might still be elected as a list member at the behest of party. This provides a different reasoning to that of preventing dual candidacy to that of protecting sitting constituency members from perceived unfair competition, and gives some further support to the fact that it is not a totally outrageous idea. Such considerations suggest that even if the disallowal of dual candidacy might be rejected on the grounds of inflaming list member opinion, there is value in the Scottish debate keeping a watching brief on whether the reform is introduced in Wales, and if so how matters develop.

In this context, the third option with respect to guidance is perhaps the most appropriate at the present time. Moves to either strengthen or weaken the guidance would both have deeply polarising effects. Whilst list members still resent specific aspects of the guidance and Labour constituency members believe it should be harsher, since the first term of the Parliament there has been some evidence of the partisan heat of the debate over guidance being reduced. List members have come to accept the overall guidance package as adequate, some constituency members agree, and those who continue to view it as inadequate do not appear to view its problematic implications as a first order issue. This may be a debate that politicians feel that they must have, but as time has gone on they have generally become preoccupied with more pressing matters. Hence, while the development of member opinion on guidance still appears dynamic it seems

sensible to allow such ‘bedding in’ of opinion on member roles and the rules that guide it to continue. A more pragmatic approach would therefore focus on sustaining guidance as it is, whilst possibly considering issues of enforceability and sustaining a watching brief on the Welsh Labour policy of legislating against dual candidacy.

Possible New Voting Systems

The perceived difficulties with the Additional Member System have led some to suggest that there should be a change to the voting system for the Scottish Parliament. Arguments in favour of change include dealing with the ‘problem’ of list members, avoiding confusion with the changed Westminster boundaries, and bringing the system into line with the that being introduced for Scottish local government – i.e. the Single Transferable Vote (STV).

Any of the available systems have implications for members’ local work, and links between them, citizens and outside groups. Our data can throw some light on the possible options.

- The **Single Transferable Vote** has been seen by some as a potential solution to the problems with AMS, and would bring practice for Scottish Parliament elections into line with that in future for Scottish local government. This system would end the problem of ‘two classes’ of member, as all would be elected on an identical representative basis. The size of constituencies constructed would probably result in members dealing with a smaller geographic area than regional members currently do, and could also reintroduce partial coterminosity with Westminster boundaries. However, with respect to local work it is clear that STV is not a panacea. In Ireland it is strongly associated with competition over local constituency work, of a similar kind to that which has dogged the AMS system. Under STV, where members need to compete for individual recognition (with colleagues of the same as well as different parties) there would be competition on the ground in all local areas, not just in the current marginal seats. Members would be unlikely to target particular parts of their area (as list members are currently accused of doing) but would seek support from all localities within it. In addition, in any one area members of several political parties (rather than just two, as generally occurs now) would tend to compete. The imperative to pursue local work would be likely not only to result in greater competition between MSPs, but also greater competition between them and members of the Westminster parliament. With respect to local work, at least, the problems generated by STV seem greater than the problems that it might seek to solve.
- **A single national list rather than regional lists under AMS** has also been proposed as a more limited amendment to the current system. As discussed on page 44 we asked MSPs about their views on this option and found relatively little enthusiasm for it. From the point of view of local representative work there is also no strong reason to support it. On the one hand it could be argued that it is likely to give list members a less parochial focus, and might result in their pursuing more parliamentary rather than local work. On the other hand, it would also increase the freedom for list members to roam, and could result in even greater targeting of marginal constituencies than happens at present.
- **A rebalancing of list and constituency seats** is another solution that has been mooted. Such an arrangement could allow the Scottish Parliament to stay at (or near) its current size, whilst realigning its constituencies with those at Westminster. As discussed above, re-establishing coterminosity seems, in itself, to be a worthwhile objective, as the current change is liable to lead to increased problems at the local level. As there are now 59 Scottish MPs, a realignment

on the basis of the present numbers would require an increase from 56 to 70 list members – that is, a relatively modest change from the current seven to eight or nine per electoral region. This would have the effect of making results rather more proportional than at present, which would tend to disadvantage Labour, in particular, and advantage smaller parties such as the Greens. A change of this kind would not alleviate the perceived problems with list members, and indeed might exacerbate them slightly. However, neither of the previous two options would tackle these difficulties either. This solution would at least deal decisively with the problems of ending coterminosity.

- **A shift from a proportional to a plurality/majority system** could of course potentially end both the ‘problems’ of list members and of non-coterminosity. If ‘first past the post’ were adopted (perhaps in two member constituencies) this would also bring the Scottish Parliament into line with current Westminster practice. However, we have assumed that this solution is infeasible, and indeed undesirable, as it would see proportionality decline radically and end the traditions of power-sharing and pluralism that have become hallmarks of the new Scottish settlement.

In concluding on the advisability of electoral system reform, based on the data that we have presented, two points need to be stressed. First that the operation of local representation under AMS exhibits problems, but not ones that make the system unworkable. Second, it seems clear that the perceived problems with the current system cannot be easily changed by switching to another. The difficulties encountered over local representative roles will be a feature of any electoral system that seeks to be proportional – be it AMS, STV or a pure list system. Indeed one of the reasons for selecting AMS in the first place was to balance the desire for proportionality with some of the benefits of a single member constituency link. To abandon this compromise in favour of a system such as STV would simply exacerbate the problems of local competition over representative work, just as abandoning it in favour of first past the post would sacrifice the benefits of proportionality. If a proportional system is to be retained, therefore, the most realistic option appears to be continuing attempts to make AMS work. This might include a rebalancing of numbers in the Parliament between list and constituency members to recreate coterminosity with Westminster, and a reaffirmation of the guidance roughly as it currently exists. In other words, a recommitment to the original system as conceived in 1999. Although this may have had its problems, a search for a different and better system seems to us to be doomed to fail.

Appendices

Appendix 1: Methods and Survey response rates

This research draws primarily from two sources: questionnaire surveys and interviews.

Three postal surveys were conducted of MPs and three of MSPs, in 2000, 2002 and 2004 respectively. These were based largely on closed multiple choice questions, with some open questions and opportunities for members to write in comments. Many identical questions were asked of MPs and MSPs, and many questions were repeated in surveys in more than one year. The MP survey was also sent to English and Welsh MPs (with English MPs sent a shorter version omitting the questions that did not apply) and the same questionnaire sent to MSPs was also sent to Welsh Assembly Members.

The response rates for the questionnaire surveys are shown in the following tables. In both cases the percentage given shows the response rate within each group (e.g. response rate amongst Labour members in Scotland).

Table 49: Response rates to MP surveys

	2000		2002		2004	
	N	% rate	N	% rate	N	% rate
Scotland	17	23.6	29	40.3	29	40.3
Labour	12	21.4	24	43.6	19	34.5
Conservative	-	-	1	100.0	1	100.0
Lib Dem	2	20.0	3	30.0	6	60.0
SNP	3	50.0	1	16.7	3	50.0
England	111	21.0	144	27.2	151	28.6
Labour	58	17.7	69	21.4	76	23.5
Conservative	39	23.6	53	32.1	56	33.9
Lib Dem	14	41.2	22	55.0	19	47.5
Wales	13	32.5	21	52.5	16	40.0
Labour	9	26.5	15	44.1	12	35.3
Conservative	-	-	-	-	-	-
Lib Dem	2	100.0	2	100.0	2	100.0
Plaid Cymru	2	50.0	4	100.0	2	50.0
Britain total	141	22.0	194	30.3	196	30.6
Labour	79	18.9	108	26.2	107	26.0
Conservative	39	23.6	54	32.7	57	34.5
Lib Dem	18	39.1	27	51.9	27	51.9
Other	5	50.0	5	50.0	5	50.0

Table 50: Response rates to MSP surveys

	2000 N (%)	2002 N (%)	2004 N (%)
Constituency MSPs	27 (37.0 %)	17 (23.3 %)	29 (39.7 %)
Labour	18 (32.7 %)	13 (25.0 %)	18 (39.1 %)
Conservative	1 (100 %)		2 (66.7 %)
Liberal Democrat	5 (41.7 %)	2 (16.7 %)	5 (38.5 %)
SNP	3 (42.9 %)	2 (28.6 %)	3 (33.3 %)
Others			1 (50.0 %)
Regional List MSPs	36 (64.3 %)	30 (53.6 %)	31 (55.4 %)
Labour	2 (66.7 %)	1 (33.3 %)	2 (50.0 %)
Conservative	12 (66.7%)	9 (67.9 %)	9 (60.0 %)
Liberal Democrat	2 (40.0 %)	2 (40.0 %)	2 (50.0 %)
SNP	19 (67.9 %)	18 (57.1 %)	8 (44.4 %)
Others	1 (50.0 %)	2 (100 %)	10 (66.7 %)
All MSPs	63 (48.9 %)	47 (36.4 %)	60 (46.5 %)
Labour	20 (36.4 %)	14 (25.5 %)	20 (40.0 %)
Conservative	13 (68.4 %)	9 (47.4 %)	11 (61.1 %)
Liberal Democrat	7 (41.2 %)	4 (23.5 %)	7 (41.2 %)
SNP	22 (62.9 %)	18 (51.4 %)	11 (40.7 %)
Others	1 (33.3 %)	2 (66.7 %)	11 (64.7 %)

Additionally, a number of interviews were conducted with MSPs and Scottish MPs (and indeed with AMs and English and Welsh MPs) in each round. The exception was 2000, when we interviewed only MPs. In each case we sought to select a cross section of members, based on party, length of service, location of constituency, and whether the MP/MSP sharing the seat was from a different or the same party. We also based our choice of interviewees on responses to the survey, seeking to ensure that we spoke to people with different attitudes to constituency work, to their relations with other members, and with different patterns of work.

The number of interviews conducted was as follows:

Table 51: Number of interviews conducted

	2000/1	2002/3	2004/5
Scottish MPs	10	14	12
MSPs	none*	8	10

* Although two MPs interviewed also held a dual mandate as MSPs

Appendix 2: Party control of Scottish seats in Westminster and Scottish Parliament

The information in this appendix is drawn from D. Denver, C. Rallings and M. Thrasher, *Media Guide to the New Scottish Westminster Parliamentary Constituencies*, Plymouth: Local Government Chronicle Elections Centre, University of Plymouth (2004).

A. Westminster constituencies

Seats where all MSPs are of the same party as the MP

1. Airdrie and Shotts: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Airdrie and Shotts	Lab	55519
Coatbridge and Chryston	Lab	410
Hamilton North and Bellshill	Lab	7380

2. Angus: SNP

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Angus	SNP	35969
North Tayside	SNP	28622

3. Ayrshire North and Arran: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Cunninghame North	Lab	55548
Cunninghame South	Lab	17634

4. Berwickshire, Roxburgh and Selkirk: Lib Dem

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Roxburgh and Berwickshire	Lib Dem	44846
Tweeddale, Ettrick and Lauderdale	Lib Dem	27584

5. Caithness, Sutherland and Easter Ross: Lib Dem

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Caithness, Sutherland and Easter Ross	Lib Dem	40731
Ross, Skye and Inverness West	Lib Dem	5802

6. Coatbridge, Chryston and Bellshill: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Coatbridge and Chryston	Lab	47990
Cumbernauld and Kilsyth	Lab	553
Hamilton North and Bellshill	Lab	19124

7. Dunbartonshire West: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Clydebank and Milngavie	Lab	35186
Dumbarton	Lab	36524

8. Dunfermline and West Fife: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dunfermline East	Lab	16374
Dunfermline West	Lab	53999

9. East Kilbride, Strathaven and Lesmahagow: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Clydesdale	Lab	10028
East Kilbride	Lab	67229

10. East Lothian: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
East Lothian	Lab	59410
Edinburgh East and Musselburgh	Lab	11878
11. Glasgow Central: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Govan	Lab	18172
Glasgow Kelvin	Lab	18732
Glasgow Rutherglen	Lab	4998
Glasgow Shettleston	Lab	28476
12. Glasgow East: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Bellieston	Lab	48821
Glasgow Shettleston	Lab	21346
13. Glasgow North: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Anniesland	Lab	5939
Glasgow Kelvin	Lab	19820
Glasgow Maryhill	Lab	37970
14. Glasgow North West: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Anniesland	Lab	46718
Glasgow Kelvin	Lab	20369
15. Glasgow South: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Cathcart	Lab	51547
Glasgow Govan	Lab	18477
Glasgow Pollok	Lab	106
Glasgow Rutherglen	Lab	3367
Glasgow Shettleston	Lab	985
16. Glasgow South West: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Cathcart	Lab	252
Glasgow Govan	Lab	17040
Glasgow Pollok	Lab	49043
17. Glenrothes: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dumfermline East	Lab	5654
Fife Central	Lab	55666
Kirkcaldy	Lab	8179
18. Inverclyde: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Greenock and Inverclyde	Lab	48408
Renfrewshire West	Lab	17077
19. Kilmarnock and Loudoun: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Carrick, Cumnock and Doon Valley	Lab	11223
Kilmarnock and Loudoun	Lab	61699

20. Kirkcaldy and Cowdenbeath: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dumfermline East	Lab	30901
Kirkcaldy	Lab	43262
21. Lanark and Hamilton East: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Clydesdale	Lab	44968
Hamilton North and Bellshill	Lab	15576
Hamilton South	Lab	15629
22. Linlithgow and Falkirk East: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Falkirk East	Lab	34482
Linlithgow	Lab	44139
Livingston	Lab	54
23. Livingstone: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Linlithgow	Lab	11095
Livingston	Lab	65204
24. Motherwell and Wishaw: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Airdrie and Shotts	Lab	2957
Hamilton North and Bellshill	Lab	11713
Motherwell and Wishaw	Lab	52829
25. Orkney and Shetland: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Orkney	Lib Dem	15487
Shetland	Lib Dem	16677
26. Paisley and Renfrewshire North: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Paisley North	Lab	39953
Paisley South	Lab	192
Renfrewshire West	Lab	28497
27. Paisley and Renfrewshire South: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Paisley North	Lab	7896
Paisley South	Lab	52954
Renfrewshire West	Lab	7188
28. Perth and North Perthshire: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Angus	SNP	2376
North Tayside	SNP	30790
Perth	SNP	37552
29. Renfrewshire East: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Eastwood	Lab	69249
30. Rutherglan and Hamilton West: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Rutherglen	Lab	43898
Hamilton South	Lab	31472

Seats where one other party is represented amongst MSPs

1. Aberdeen South: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Aberdeen Central	Lab	10770
Aberdeen South	Lib Dem	58562

2. Aberdeenshire West and Kincardine: Lib Dem

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Aberdeen North	SNP	47
Aberdeenshire West and Kincardine	Lib Dem	60896
Gordon	Lib Dem	1271

3. Argyll and Bute: Lib Dem

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Argyle and Bute	Lib Dem	49839
Dumbarton	Lab	19732

4. Ayr, Carrick and Cumnock: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Ayr	Con	22655
Carrick, Cumnock and Doon Valley	Lab	51504

5. Ayrshire Central: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Ayr	Con	33544
Carrick, Cumnock and Doon Valley	Lab	2857
Cunninghame South	Lab	32760

6. Banff and Buchan: SNP

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Banff and Buchan	SNP	57113
Gordon	Lib Dem	8857

7. Cumberland, Kilsyth and Kirkintilloch East: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Coatbridge and Chryston	Lab	735
Cumbernauld and Kilsyth	Lab	49902
Strathkelvin and Bearsden	Ind	17165

8. Dumfries and Galloway: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dumfries	Lab	28768
Galloway and Upper Nithsdale	Con	46548

9. Dundee East: SNP

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Angus	SNP	18169
Dundee East	SNP	45395
Dundee West	Lab	1495

10. Dundee West: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Angus	SNP	3382
Dundee East	SNP	11440
Dundee West	Lab	52929

11. Edinburgh East: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Edinburgh Central	Lab	19726
Edinburgh East and Musselburgh	Lab	47970
Edinburgh North and Leith	Lab	498
Edinburgh South	Lib Dem	6311
12. Edinburgh North and Leith: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Edinburgh Central	Lab	7525
Edinburgh North and Leith	Lab	62213
Edinburgh West	Lib Dem	5024
13. Edinburgh West: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Edinburgh Central	Lab	12996
Edinburgh West	Lib Dem	57607
14. Falkirk: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Falkirk East	Lab	24050
Falkirk West	Ind	54231
15. Fife North East: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Fife Central	Lab	3565
North East Fife	Lib Dem	61248
16. Glasgow North East: Speaker		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Maryhill	Lab	16372
Glasgow Springburn	Lab	54527
17. Gordon: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Aberdeen North	SNP	24155
Aberdeenshire West and Kincardine	Lib Dem	1119
Gordon	Lib Dem	44357
18. Inverness, Nairn, Badenoch and Strathspey: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Inverness East, Nairn and Lochaber	SNP	51860
Ross, Skye and Inverness West	Lib Dem	15930
19. Midlothian: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Midlothian	Lab	49286
Tweeddale, Ettrick and Lauderdale	Lib Dem	13501
20. Moray: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Gordon	Lib Dem	6011
Moray	SNP	57948
21. Na h-Eileanan an Iar: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Western Isles	Lab	21884

22. Ochil and South Perthshire: Lab*comprises:*

	<i>party control</i>	<i>shared population</i>
North Tayside	SNP	2315
Ochil	SNP	45303
Perth	SNP	24120

23. Ross, Skye and Lochaber: Lib Dem*comprises:*

	<i>party control</i>	<i>shared population</i>
Inverness East, Nairn and Lochaber	SNP	14977
Ross, Skye and Inverness West	Lib Dem	34567

24. Stirling: Lab*comprises:*

	<i>party control</i>	<i>shared population</i>
Ochil	SNP	12477
Stirling	Lab	53916

Seats where two other parties are represented amongst MSPs**1. Aberdeen North: Lab***comprises:*

	<i>party control</i>	<i>shared population</i>
Aberdeen Central	Lab	39639
Aberdeen North	SNP	29225
Aberdeen South	Lib Dem	728

2. Dumfriesshire, Clydesdale and Tweeddale: Con*comprises:*

	<i>party control</i>	<i>shared population</i>
Clydesdale	Lab	10067
Dumfries	Lab	34747
Galloway and Upper Nithsdale	Con	6589
Tweeddale, Ettrick and Lauderdale	Lib Dem	13734

3. Dunbartonshire East: Lib Dem*comprises:*

	<i>party control</i>	<i>shared population</i>
Clydebank and Milngavie	Lab	17347
Coatbridge and Chryston	Lab	3070
Strathkelvin and Bearsden	Ind	46307

4. Edinburgh South: Lab*comprises:*

	<i>party control</i>	<i>shared population</i>
Edinburgh Pentlands	Con	11298
Edinburgh South	Lib Dem	57586

5. Edinburgh South West: Lab*comprises:*

	<i>party control</i>	<i>shared population</i>
Edinburgh Central	Lab	25971
Edinburgh Pentlands	Con	49264
Edinburgh South	Lib Dem	552

B. Scottish Parliament constituencies

Seats where all MPs are of same party as MSP

1. Aberdeen Central: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Aberdeen North	Lab	39639
Aberdeen South	Lab	10770

2. Aberdeenshire West and Kincardine: Lib Dem

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Aberdeenshire West and Kincardine	Lib Dem	60896
Gordon	Lib Dem	1119

3. Airdrie and Shotts: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Airdrie and Shotts	Lab	55519
Motherwell and Wishaw	Lab	2957

4. Argyle and Bute: Lib Dem

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Argyll and Bute	Lib Dem	49839

5. Banff and Buchan: SNP

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Banff and Buchan	SNP	57113

6. Caithness, Sutherland and Easter Ross: Lib Dem

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Caithness, Sutherland and Easter Ross	Lib Dem	40731

7. Carrick, Cumnock and Doon Valley: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Ayr, Carrick and Cumnock	Lab	51504
Ayrshire Central	Lab	2857
Kilmarnock and Loudoun	Lab	11223

8. Cumbernauld and Kilsyth: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Coatbridge, Chryston and Bellshill	Lab	553
Cumberland, Kilsyth and Kirkintilloch East	Lab	49902

9. Cunninghame North: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Ayrshire North and Arran	Lab	55548

10. Cunninghame South: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Ayrshire Central	Lab	32760
Ayrshire North and Arran	Lab	17634

11. Dumfermline East: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dumfermline and West Fife	Lab	16374
Glenrothes	Lab	5654
Kirkcaldy and Cowdenbeath	Lab	30901

12. Dumfermline West: Lab

<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dumfermline and West Fife	Lab	53999

13. East Kilbride: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
East Kilbride, Strathaven and Lesmahagow	Lab	67229
14. East Lothian: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
East Lothian	Lab	59410
15. Eastwood: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Renfrewshire East	Lab	69249
16. Edinburgh East and Musselburgh: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
East Lothian	Lab	11878
Edinburgh East	Lab	47970
17. Edinburgh North and Leith: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Edinburgh East	Lab	498
Edinburgh North and Leith	Lab	62213
18. Falkirk East: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Falkirk	Lab	24050
Linlithgow and Falkirk East	Lab	34482
19. Glasgow Anniesland: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow North	Lab	5939
Glasgow North West	Lab	46718
20. Glasgow Bellieston: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow East	Lab	48821
21. Glasgow Cathcart: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow South	Lab	51547
Glasgow South West	Lab	252
22. Glasgow Govan: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Central	Lab	18172
Glasgow South	Lab	18477
Glasgow South West	Lab	17040
23. Glasgow Kelvin: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Central	Lab	18732
Glasgow North	Lab	19820
Glasgow North West	Lab	20369
24. Glasgow Pollok: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow South	Lab	106
Glasgow South West	Lab	49043
25. Glasgow Rutherglen: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Central	Lab	4998
Glasgow South	Lab	3367
Rutherglen and Hamilton West	Lab	43898

26. Glasgow Shettleston: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow Central	Lab	28476
Glasgow East	Lab	21346
Glasgow South	Lab	985
27. Greenock and Inverclyde: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Inverclyde	Lab	48408
28. Hamilton North and Bellshill: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Airdrie and Shotts	Lab	7380
Coatbridge, Chryston and Bellshill	Lab	19124
Lanark and Hamilton East	Lab	15576
Motherwell and Wishaw	Lab	11713
29. Hamilton South: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Lanark and Hamilton East	Lab	15629
Rutherglan and Hamilton West	Lab	31472
30. Kilmarnock and Loudoun: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Kilmarnock and Loudoun	Lab	61699
31. Kirkcaldy: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glenrothes	Lab	8179
Kirkcaldy and Cowdenbeath	Lab	43262
32. Linlithgow: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Linlithgow and Falkirk East	Lab	44139
Livingstone	Lab	11095
33. Livingston: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Linlithgow and Falkirk East	Lab	54
Livingstone	Lab	65204
34. Midlothian: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Midlothian	Lab	49286
35. Moray: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Moray	SNP	57948
36. Motherwell and Wishaw: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Motherwell and Wishaw	Lab	52829
37. North East Fife: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Fife North East	Lib Dem	61248
38. Orkney: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Orkney and Shetland	Lib Dem	15487

39. Paisley North: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Paisley and Renfrewshire North	Lab	39953
Paisley and Renfrewshire South	Lab	7896
40. Paisley South: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Paisley and Renfrewshire North	Lab	192
Paisley and Renfrewshire South	Lab	52954
41. Renfrewshire West: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Inverclyde	Lab	17077
Paisley and Renfrewshire North	Lab	28497
Paisley and Renfrewshire South	Lab	7188
42. Ross, Skye and Inverness West: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Caithness, Sutherland and Easter Ross	Lib Dem	5802
Inverness, Nairn, Badenoch and Strathspey	Lib Dem	15930
Ross, Skye and Lochaber	Lib Dem	34567
43. Roxburgh and Berwickshire: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Berwickshire, Roxburgh and Selkirk	Lib Dem	44846
44. Shetland: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Orkney and Shetland	Lib Dem	16677
45. Stirling: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Stirling	Lab	53916

Seats where one other party is represented amongst MPs

1. Aberdeen South: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Aberdeen North	Lab	728
Aberdeen South	Lab	58562
2. Angus: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Angus	SNP	35969
Dundee East	SNP	18169
Dundee West	Lab	3382
Perth and North Perthshire	SNP	2376
3. Ayr: Con		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Ayr, Carrick and Cumnock	Lab	22655
Ayrshire Central	Lab	33544
4. Clydebank and Milngavie: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dunbartonshire East	Lib Dem	17347
Dunbartonshire West	Lab	35186

5. Clydesdale: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dumfriesshire, Clydesdale and Tweeddale	Con	10067
East Kilbride, Strathaven and Lesmahagow	Lab	10028
Lanark and Hamilton East	Lab	44968
6. Coatbridge and Chryston: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Airdrie and Shotts	Lab	410
Coatbridge, Chryston and Bellshill	Lab	47990
Cumberland, Kilsyth and Kirkintilloch East	Lab	735
Dunbartonshire East	Lib Dem	3070
7. Dumbarton: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Argyll and Bute	Lib Dem	19732
Dunbartonshire West	Lab	36524
8. Dumfries: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dumfries and Galloway	Lab	28768
Dumfriesshire, Clydesdale and Tweeddale	Con	34747
9. Dundee East: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dundee East	SNP	45395
Dundee West	Lab	11440
10. Dundee West: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dundee East	SNP	1495
Dundee West	Lab	52929
11. Edinburgh Central: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Edinburgh East	Lab	19726
Edinburgh North and Leith	Lab	7525
Edinburgh South West	Lab	25971
Edinburgh West	Lib Dem	12996
12. Edinburgh Pentlands: Con		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Edinburgh South	Lab	11298
Edinburgh South West	Lab	49264
13. Edinburgh South: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Edinburgh East	Lab	6311
Edinburgh South	Lab	57586
Edinburgh South West	Lab	552
14. Edinburgh West: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Edinburgh North and Leith	Lab	5024
Edinburgh West	Lib Dem	57607
15. Falkirk West: Ind		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Falkirk	Lab	54231

16. Fife Central: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Fife North East	Lib Dem	3565
Glenrothes	Lab	55666
17. Galloway and Upper Nithsdale: Con		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Dumfries and Galloway	Lab	46548
Dumfriesshire, Clydesdale and Tweeddale	Con	6589
18. Glasgow Maryhill: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow North	Lab	37970
Glasgow North East	Speaker	16372
19. Glasgow Springburn: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Glasgow North East	Speaker	54527
20. Gordon: Lib Dem		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Aberdeenshire West and Kincardine	Lib Dem	1271
Banff and Buchan	SNP	8857
Gordon	Lib Dem	44357
Moray	SNP	6011
21. Inverness East, Nairn and Lochaber: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Inverness, Nairn, Badenoch and Strathspey	Lib Dem	51860
Ross, Skye and Lochaber	Lib Dem	14977
22. North Tayside: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Angus	SNP	28622
Ochil and South Perthshire	Lab	2315
Perth and North Perthshire	SNP	30790
23. Ochil: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Ochil and South Perthshire	Lab	45303
Stirling	Lab	12477
24. Perth: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Ochil and South Perthshire	Lab	24120
Perth and North Perthshire	SNP	37552
25. Western Isles: Lab		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Na h-Eileanan an Iar	SNP	21884

Seats where two other parties are represented amongst MPs

1. Aberdeen North: SNP		
<i>comprises:</i>	<i>party control</i>	<i>shared population</i>
Aberdeen North	Lab	29225
Aberdeenshire West and Kincardine	Lib Dem	47
Gordon	Lib Dem	24155

2. Strathkelvin and Bearsden: Ind

comprises:

Cumberland, Kilsyth and Kirkintilloch East

Dunbartonshire East

party control

Lab

Lib Dem

shared population

17165

46307

3. Tweeddale, Ettrick and Lauderdale: Lib Dem

comprises:

Berwickshire, Roxburgh and Selkirk

Dumfriesshire, Clydesdale and Tweeddale

Midlothian

party control

Lib Dem

Con

Lab

shared population

27584

13734

13501