

Devolution at 20



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Two decades into devolution, with Holyrood firmly established, Reform Scotland asked prominent Scottish politicians what they would change to make the Parliament work better.

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Foreword

The first days of devolution – that heady mix of optimism, anticipation and nervousness – belong today not just to a different decade, but to a different century. It was 1999 when the Scottish Parliament opened its doors, and an auld sang was once again heard throughout the land.

If it has at times been a bumpy ride, there is little doubt that Holyrood is now, 20 years on, firmly established as the focal point of Scottish democracy. It is where the nation debates, argues, disagrees and, in the end, decides policy in many of the areas that most affect our lives – our schools, our hospitals, our transport links, our environment and, increasingly, our economy.

A direct link between the money Holyrood raises and the money it spends was perhaps a missing part of the devolution jigsaw. Now, with control over income tax and some welfare powers, it might be argued that both the Scottish Government and the Parliament have come of age. Devolution, to quote Donald Dewar, remains a process rather than an event, a journey rather than a destination, but we are certainly much further along the path today than we were when MSPs first assembled two decades ago.

Anniversaries are an opportunity to draw breath, to stand back and look clearly at what has been achieved, at what has worked and what hasn't, at what we do well and what we might do better. To that end, Reform Scotland has commissioned a series of articles from senior politicians across the political spectrum on what they would change to improve the performance of Holyrood. In these pages you'll find the result – a thoughtful and practical set of proposals, ranging from greater autonomy for committee chairs, to cross-party working, to more time for speeches, to a novel form of second chamber. Finally, you'll find a speech given by First Minister Nicola Sturgeon to a Reform Scotland event in Edinburgh.

Much has been done over 20 years, but Scottish democracy is a living, breathing thing, and its future has yet to be written. Many of the big questions remain unresolved, and many new challenges present themselves. Whichever direction we eventually take, our devolved parliament will play a central role in getting us there.

Chris Deerin
Director
Reform Scotland

Why Holyrood has still to forge its own identity – David Mundell

Steven Camley, The Herald's devastatingly droll cartoonist, rarely misses.

He certainly didn't when I found myself in his sights after offering some thoughts on the 20th anniversary of the Scottish Parliament.

I'd let slip that I learned of my election, as a South of Scotland regional MSP, on the morning after the vote via the now long-extinct medium of Teletext.

Quick on the draw, Camley depicted a puzzled-looking teenager who, glimpsing life all of two decades ago, declares: "I'd love to know more about ancient times." In some ways, that first Scottish Parliament election of 1999 does feel like ancient times.

How young we all look in the photographs, for a start. And that feeling of hope and excitement – in the Parliament and right across Scotland – captured a moment that, however special, now seems quite distant.

In the scheme of things, though, 20 years is not a long time. Holyrood is a young institution. It is still growing, still evolving.

Twenty years on, I am as firm a believer in the Parliament, and its power to improve the lives of the people of Scotland, as I was the day I was elected.

Holyrood certainly has achievements to be proud of. The ban on smoking in public places was brave and bold, changing Scotland and improving people's health. Setting a minimum price for alcohol might, in time, also have a positive impact on public health. And MSPs have made a serious effort to reform Scotland's outdated land laws.

But for me, its huge potential has not yet been fulfilled. That's not the fault of Holyrood as an institution. Rather, it is down to the Scottish governments that have held the levers of devolved power.

Successive administrations have failed to live up to the founding idea of a Parliament with the tools and imagination to develop distinctive Scottish policy solutions to Scottish problems within the UK.

Instead, for more than a decade, our Parliament and politics have been dominated by a narrow constitutional agenda that the majority of Scots have never supported.

Issues like education, justice, transport, health – the things we all care about and that Holyrood was created to address – have played a very quiet second fiddle to an endless debate about independence.

That is a great disappointment.

It is particularly frustrating because Holyrood has gained substantial new powers down the years, greatly increasing its scope to act.

As a UK Government minister I'm pleased to have played a role in delivering extra powers following the Calman Commission and, more recently, the Smith Commission, the cross-party agreement on further devolution which came after the independence referendum in 2014.

Holyrood has become one of the most powerful devolved parliaments in the world and I'm heartened that control over much of income tax, for example, has already begun to change our politics. Scottish ministers must now account for how they raise money, not just how they spend it, and that has to be good news for voters.

Looking ahead, I'm hopeful that Holyrood's wide-ranging new welfare powers will not only be used creatively and effectively but that they will end the sterile Westminster 'blame game' that occupies too much time for too many MSPs.

There are other things that could make Holyrood more effective.

In the early days, we convinced ourselves that Holyrood's committee system was a 'jewel in the crown' – a reservoir of independent thinking and a robust challenge to government.

There was some justification for that at the time. By and large, the newly created parliament was populated by a more independently-minded cadre of MSPs than now. I'm thinking about people like Donald Gorrie, John McAllion and Margo MacDonald. And, at the time, Westminster's committee system lacked the teeth it bares today.

Sadly, things have changed for the worse. Newer intakes of MSP seem less clear about their duty to distinguish between their twin roles as parliamentarian and party politician.

Stories of ultra-loyal backbenchers turning up to question a Scottish Government minister armed with a list of questions drafted by the minister's SpAd are all too common and a shocking indictment of the system.

Improvements at Westminster followed the introduction of elected committee conveners. I'd advocate the same for Holyrood. It is a great shame, in my view, that Tricia Marwick – a good Presiding Officer – saw her attempts at reform blocked.

But it is an idea whose time has not only come, it's overdue. When the committee system fails, ministers are let off the hook, legislation is not properly stress-tested and the Parliament as an institution is diminished.

Twenty years after its inception, the Scottish Parliament still needs to forge a clearer identity. It needs to foster much greater public understanding of its role and not allow itself to be confused with the Scottish Government quite so readily. For many people the idea of 'Holyrood' encompasses a hazy world of Scottish Parliament and Scottish Government. It's all just a blur of politicians trying to run the country.

Westminster, the 'Mother of Parliaments', and an enduring, historic institution, stands distinct from the governments that come and go. Holyrood, however, still needs to explain its role. Politicians haven't helped – even the Scottish Government's constitution minister, Michael Russell, is wont to conflate the two institutions.

As Scotland has reflected on its 20th anniversary, there has been widespread agreement that one of Holyrood's most important achievements to date has been to embed itself in the life of the nation. I go along with that conclusion but there is still more to do.

There remains a real danger that Holyrood is routinely mistaken for an arm of the executive. If people are not to lose faith in their Parliament, they must see it as a place where governments are held to account, not where decisions are meekly rubber-stamped.

A third area I'd like to see explored is the possibility of joint working between Holyrood and Westminster.

Could committees conduct joint inquiries in future? Often there is an overlap between the work of Westminster's Scottish Affairs Committee and committees at the Scottish Parliament.

I believe collaboration between the parliaments could strengthen the way UK and Scottish government ministers are held to account. I also hope it would lead to greater understanding of devolution.

We should not forget that the Smith Commission, in addition to agreeing further powers for Holyrood, said efforts should be made to ensure people understood the roles of their two parliaments and governments.

I accept we need to do more to achieve that, but it could only help if Holyrood and Westminster stopped acting like strangers to each other.

I'm sure the problems I see are teething troubles. Two decades on from taking my seat in the old Kirk General Assembly building, I remain as positive as ever about the parliament, its role in our national life and the great things it is capable of achieving.

Of course, I'm incredibly proud that Oliver, my son, who attended the opening ceremony as a little boy, now sits at Holyrood as an MSP himself.

I know he and his colleagues are as determined to make a difference to people's lives as we were in the 'class of '99'.

David Mundell is the Secretary of State for Scotland. He served as an MSP for the South of Scotland from 1999 to 2005, and is the Conservative MP for Dumfriesshire, Clydesdale and Tweeddale

MSPs should forget the party politics and work together

– Kate Forbes

There is no guidebook for new MSPs – whether it is the legislative process, how to engage across and within parties or managing constituency business. So, you learn on the job, adopting habits and practices without always asking why. Now that I live, eat and breathe parliamentary politics and accept the status quo as relatively normal, it is good to remember that not everybody else does.

I'm regularly asked questions about process, structure and purpose, but the most frequent question I hear is why politicians are so poor at working together. A primary school boy visiting the Parliament told me that if he spoke to fellow pupils in the same way as some MSPs spoke to each other then he would get detention and so, he asked, why didn't MSPs? Fair question. Non-party-political members of the public wonder why politicians can't collectively see the problem and find a solution. That's surely how most of the population who are not party political feel about the sorry mess of Brexit. It's true that, at a national level, our politics is only as strong and robust as the debate between parties and politicians. That requires disagreement, challenge and opposition. But, if all politics is local, then it is difficult to see how working at cross-purposes leads to better results on a community or regional basis.

Last week, a constituent was amazed when I told him that he was represented by a minimum of 12 elected members. Like everybody else in Scotland, he has at least 12 advocates and champions – one MP, one constituency MSP, seven regional MSPs and three or four councillors. Imagine how powerful it would be to have 12 people at every political level working together to deliver meaningful change in a particular region. We have Scottish Parliament committees which run on portfolio or statutory lines, scrutinising healthcare or justice services, taking first-hand evidence from witnesses and acting as a forum of debate and deliberation. But we don't have any formalised structures that enable cross-party MSPs to work together on a regional basis. There is no regional caucus, no internal voice for the regions. At a local authority level there are usually area committees, but there is no equivalent for the Parliament. The list system is often commended for how it balances the parliament and moves us away from an entrenched, two-party system. It should also be celebrated for the way it brings regional voices into the Parliament, but I'm not sure we make the most of it.

All that is to say that if I could change one thing it would be to better organise and harness the collective weight of regional MSPs – constituency and list MSPs working together. I've seen it work well on an ad hoc basis. There is already some good cross-party working amongst Highland and Island MSPs in terms of

education and healthcare, where an MSP from one party has invited others to take part in formal discussions about recruiting and retaining professionals in remote areas. We discussed the challenges with some of the public bodies in attendance, agreed on a set of actions and decided to meet again to take these forward. No politicking, no public disagreement and no calls on the Government to do anything specific. In fact, the solutions are there already, but it takes cross-party leadership on a regional basis to find them. Most recently, the Islands Bill saw all of the Island MSPs support new legislation for the Western and Northern Isles because, obviously, the islands share a very similar set of challenges so it makes sense for the relevant MSPs to get together, figure it out and work collaboratively.

In my home patch, representing the constituency of Skye, Lochaber and Badenoch there has been more consensus than disagreement amongst politicians of different hues since the election in May 2016. Sure, there is competition, public disagreement and the inevitable electioneering. List MSPs have one eye on a constituency they rather fancy and the constituency MSP has got one eye on them. Opposition MSPs make hay out of difficult situations and MSPs of the administration try to resolve them and take credit. But all of us doubtless hear the same gripes about distance and costs, remoteness and rurality. If the problems were easy to resolve, then they would have been solved years ago. I use the Highlands as an example because I know it well, but the same will be true of every region or area. Deep-seated challenges of social injustice, economic potential and community cohesion don't always need a national plan – sometimes it just takes local leaders pooling ideas and experience and taking the long-term view. Without a mayoral system, it is the local politicians that need to show local leadership and nearly always the solutions are already there.

Having a formalised group sitting somewhere between a Cross-Party Group and a Parliament Committee that requires regional MSPs to work together, could be a vehicle to tackle age-old problems and be a single voice for an area. It could be backed up by standards and scrutinised by constituents. The whole regional, cross-party concept might fly in the face of empty political mischief making, but with so many representatives working at cross-purposes the public could be forgiven for thinking that the sum of the pieces is considerably less than the whole.

Of the electoral regions, none are so impossibly large as the Highlands and Islands. Stretching from Shetland to Helensburgh, it encompasses a land mass that is bigger than the state of Belgium. Aside from the obvious difficulties of travelling across land and sea, there is the additional challenge of ensuring every community gets its fair share of surgeries and visits. This region, like others in Scotland, is unique in terms of geography, social challenges and economic opportunities. Scotland might be small, but there are significant regional variation

sand it's the local MSPs that understand them best. Additional bureaucracy won't make any difference, but encouraging MSPs of a region to meaningfully collaborate could.

Kate Forbes is the SNP MSP for Skye, Lochaber and Badenoch and Minister for Public Finance and Digital Economy

How to fix Holyrood's 'boring speech' problem – Murdo Fraser

I fear that even the most enthusiastic admirers of the Holyrood Parliament would struggle to remember any truly outstanding debates in the Chamber. To be sure, there have been some great speeches, from Donald Dewar's famous words at the Parliament's opening, to the Aberdeenshire SNP MSP Dennis Robertson's tribute to his late daughter, delivered while opening a Member's Debate on Eating Disorders. But too few of such fine contributions have been followed with equally high-quality debates.

The Parliament does have set-piece occasions which provide the perfect opportunity for quality debate, with MSPs from all political persuasions arguing their case, among them the Annual Programme for Government, and the Budget debates. In these, frontbenchers have the chance to shine. But after the opening exchanges, there can often be too little to engage the observer. The overall quality of debate has undoubtedly got better as the Parliament has matured over its 20-year lifespan, but there is still substantial room for improvement.

Too many debates consist of a series of backbench contributions, sticking rigidly to the party line, and often (one suspects) written by a parliamentary researcher from a politically partisan viewpoint. Such contributions do not lend themselves to interventions from members of other parties, and indeed often those delivering them will refuse to take any interventions at all.

The best debates I can remember have been on issues where there has been no set party line, for example the Bills on Same-Sex Marriage or Assisted Suicide, with MSPs having to think for themselves and come up with their own arguments, rather than simply regurgitate those spoon-fed to them by the political hierarchy.

A significant issue in all this are the time limits set upon debates at Holyrood. With the exception of frontbenchers who make opening speeches, most contributors will have a maximum of six minutes in which to make their points. For shorter debates, the time limit can be as low as four minutes. This is barely sufficient time to make more than a couple of points, and if a speaker takes one or two interventions that can substantially eat into their available time. Taking more than two interventions effectively means that the opportunity to say anything substantive in the time allocated is lost altogether. With some speakers refusing to take interventions altogether, it hardly adds up to a debate worthy of the name.

While we should not always be contrasting Holyrood with Westminster, this is an area where the House of Commons does much better. A competent speaker in the Commons can take as many as seven or eight interventions in succession, dealing with each point before moving on, and yet still make his or her own substantive points. Such a speech might last 15 minutes or more. A balanced, in-depth contribution of this nature is simply impossible at Holyrood.

So what might be done to improve the quality of debate in the Scottish Parliament? Instead of having sessions with a long list of speakers, many of whom may have little interest in the subject at hand, we could use the same allocated time to have fewer contributors but each with more minutes allocated. This would encourage those genuinely interested in a subject to speak, expanding in detail on their points. Crucially, it would allow much more time for interventions, thus encouraging a genuine exchange of views, rather than the stultified one-sided conversation that presently occurs.

Such a change would improve the quality of debate in the Chamber, it would encourage interested MSPs to expand their knowledge of particular subjects, and it would promote greater expertise amongst politicians. It is an approach that would be welcomed by those with a genuine interest in debating a topic, while being equally popular with those backbenchers currently dragooned into speaking on subject in which they have no particular interest, but where their political party has a number of short slots that have to be filled.

This is a reform that would cost nothing, there would be no additional burden on parliamentary resources, and the overall length of debates would not need to be extended. But it would, I believe, encourage debates of greater quality, and perhaps lead to a situation in future where we are not struggling to recall the highlights of the last 20 years of parliamentary oration.

Murdo Fraser is a Conservative MSP for Mid Scotland and Fife and Shadow Finance Spokesman

Free Holyrood's committees from party control – Alex Neil

It is now two years since the Commission on Parliamentary Reform published its report on how the Scottish Parliament should be reformed, to make it more open and accountable to the Scottish people.

Although the Commission made a number of useful suggestions, it was far too timid in dealing with the crunch issue of how the parliament's work is overly dominated by the diktats of the party bosses.

Prior to the establishment of the Scottish Parliament Donald Dewar, then Secretary of State for Scotland, set up a Consultative Steering Group (CSG) to make recommendations on how the new institution should operate. The CSG set down five founding principles, namely power sharing, accountability, openness, participation and equal opportunities.

From the beginning, the new parliament far excelled Westminster by implementing these founding principles. The Scottish Parliament would never become the kind of incestuous "gentlemen's club" that Westminster had always been. It would genuinely operate as a people's parliament.

Twenty years on, we need to adhere to both the letter and the spirit of these founding principles.

That means reforming some aspects of how the parliament currently conducts its business.

A priority for action is the election of committee conveners.

This reform is important for two reasons. Firstly, it removes the power of appointment from party leaders and transfers it to the parliament. Elected committee conveners are much more independent of party than those who rely on the patronage of the party leader for their position.

The role of the legislature in scrutinising the work and policies of the executive will be strengthened by having elected conveners who are then accountable to parliament, not the party. That is good for democracy. It would also enhance further the reputation of the Scottish Parliament.

Secondly, providing a more powerful role for parliament will encourage more

MSPs to pursue a career as a parliamentarian and to exercise more independence of mind than is currently the case. If the only career progression open to MSPs is that of climbing the greasy pole as a government minister then obedience and deference to the party hierarchy will be the order of the day. If members are able to think aloud and speak much more openly without the spectre of disciplinary action by the party whips hanging over them that helps make a reality of the five key principles identified by the CSG.

It is now two years since the Commission on Parliamentary Reform recommended that the Scottish Parliament follow the example of Westminster by introducing a system of election for committee conveners.

The party leaderships have been successful in delaying the implementation of this proposal. They should desist. This proposal should be implemented with immediate effect, so that any time a vacancy arises for a convener, the new person should be elected, not anointed.

Another reform which would enhance the power and effectiveness of the Parliament is giving committees the power to vet ministerial nominees for senior public appointments.

While the public appointments system has been opened up and modernised by the Scottish Parliament, it is still by no means perfect. The parliament and its committees should have a much more pro-active role. The system itself needs updated and modernised to ensure that public appointees are more reflective of the make-up of today's Scotland than is currently the case.

Individual appointments for the most senior positions need to be subject to powerful scrutiny, with the committees having the power of veto if they think a particular nominee is not the right person for the job.

These reforms would further strengthen the Parliament's ability to properly hold the government to account.

Another overdue reform is the abolition of the very bad practice started by the first Presiding Officer, Sir David Steel, whereby the whips from each party provide speaker lists for every debate.

These lists, which include the pecking order for calling speakers, are sometimes used by party whips to "punish" certain MSPs and to promote others. This means that MSPs who do not rigidly follow the party line can find it very difficult to get an opportunity to speak in the chamber.

Although the current Presiding Officer, Ken McIntosh, has been more prepared than his predecessors to call people who are not on a party list, this practice is alien to the founding principles of the Parliament and should be stopped. MSPs wishing to speak in debates should put their own names forward to the Presiding Officer. The Presiding Officer can then ensure that all get a fair chance of being called.

The Scottish Parliament has a good reputation but, like all institutions, it occasionally has to evolve and reform to keep up to date with best democratic practice. Implementing these reforms will help achieve that objective.

Alex Neil is SNP MSP for Airdrie and Shotts, and a former Cabinet Secretary for Health and Wellbeing, and for Social Justice, Communities and Pensioners' Rights

The good, the bad & the ugly – Holyrood Committees. – Jackie Baillie

When the constitutional convention discussed the creation of the Scottish Parliament, over twenty years ago, they envisaged that parliamentary committees would be powerhouses, holding the Scottish Government and ministers to account in their scrutiny of legislation and policy.

Innovations like the petitions committee, amongst the very first such committees in the world and the envy of other parliaments, has since been widely copied. There is something very powerful about members of the public being able to directly address a committee of MSPs in support of their petition, where their views are not moderated or re-interpreted by someone else, but where they have direct access.

And then there is the Public Audit & Post Legislative Scrutiny Committee, leaving no stone unturned in pursuit of value for money for the public pound and where Committee members work collaboratively across party boundaries to shine a light on areas where the government is arguably failing.

In my experience the very best Committees hunt as a pack – you can't tell which party the member is from. They care about the detail of the policy and will challenge witnesses without fear or favour. I recall the Health Committee in a previous parliament with an equal measure of fondness and trepidation. The members were all of a certain vintage and had a wealth of experience and minds of their own. Richard Simpson, Ross Finnie, Mary Scanlon, Christine Grahame – a formidable bunch of MSPs who were virtually unwhippable. They were more interested in following the evidence than they were the party line. Woe betide you if you came unprepared.

It is in this robust scrutiny by Committees that government policy can come undone or, more importantly, be improved. However, in circumstances where the Committee is faced with intransigence by government, they have the power to initiate legislation themselves.

Regretfully, this is a power that has not been much used by subject committees over the last two decades. There are however two notable exceptions – the Protection from Abuse (Scotland) Act 2001, brought forward by the Justice Committee; and the Commissioner for Children and Young People (Scotland) Act 2003 by the Education, Culture and Sport Committee. Just this month, the Economy, Energy and Fair Work Committee has indicated its intention to bring forward a Committee bill to remove pre-release access for economic statistics

from Scottish Ministers. Perhaps not something that sets the heather alight, but is important for the transparency and integrity of our statistics, and something which the UK Treasury, the Bank of England and the Office of National Statistics do as best practice. It is surprising that the Scottish Government has not embraced this themselves but instead will have to be dragged kicking and screaming into doing the right thing.

The ability to initiate legislation can be a very useful tool for Committees and one that has so far been under-utilised. It would certainly make Ministers pay attention to Committee reports, particularly in a situation where there is minority government. I hope that in the next twenty years we will see more confident committees making much greater use of their power to legislate.

I think the Scottish Government has too much power over their own committee members. There are examples of positions reached on committees in direct contrast to the evidence taken, and members seeking to delete or revise evidence received when drafting Committee reports. This is not good for confidence and trust in the body politic. The most striking illustration of the Scottish Government exercising power over their own members was the establishment of the Scottish Fiscal Commission.

In February 2014, the Finance Committee, led by SNP MSP Kenny Gibson, agreed a report that called for the establishment of a Scottish Fiscal Commission. The Parliament was to gain substantial new financial powers as a result of the Smith Commission, and it was necessary to have better analysis and scrutiny. It is no more than you would expect from a grown up parliament.

The evidence taken across civic Scotland supported the move; committee members agreed, and then SNP members had to vote against their own proposal in a Government whipped vote. As if that was not embarrassing enough, John Swinney, the then Finance Secretary, agreed a deal with the U.K. Treasury and as a result the Scottish Fiscal Commission was back on the table. SNP Committee members had to change their position all over again.

We should jealously guard the independence of Committees and their ability to speak truth to power. The voices of those with expertise as well as those with lived experience must be valued and we do that by listening and then acting on what we are told.

Overall I am a fan of the Parliament's Committees. But they can and should be made more powerful. Just look at the authority of committees in the House of Commons and the influence of Committee Chairs like Hilary Benn, Yvette Cooper, Sarah Wollaston and Norman Lamb. I think there is much to commend

the notion that Conveners should be elected by parliament as a whole. It would make them accountable to all members and would not be subject to the patronage of party leaders.

Whilst the D'Hondt system of allocating members to Committees should be reviewed, it has served us reasonably well so far. I do however believe that in the interests of good governance, the party of Government should not have a majority on any Committee which might be the case if there was a majority government.

A Convener elected by parliament as a whole has a strong mandate. With dedicated support for their role by enhancing the capacity of Committee Clerks and Spice you have the key ingredients for more powerful Committees. Couple that with the greater use of legislative powers and you can see the potential.

Jackie Baillie is the Scottish Labour MSP for Dumbarton

A Citizens Chamber would hold Holyrood to account – Jack McConnell

It was such an honour to be a member of the first-ever elected Scottish Parliament in 1999. Twenty years ago we arrived at its temporary home, excited and a little nervous, but ready for action. In the years since, no one can reasonably deny that Home Rule has changed Scotland for the better.

From the land reforms of the first session through the criminal Justice reforms of the second, to new rights in education and health, Scotland's Parliament has modernised our laws and reflected our national will. Through all the ups and downs of the past 20 years, Scotland is a much betterplace today than it was then.

The early years might have been, at times, controversial, but in March 2006, when Scots the length and breadth of our country accepted the controversial smoking ban in public places, the Parliament had finally come of age and was here to stay. The success of the institution should never be measured by the policies or spending decisions of individual ministers or administrations, or indeed by any scandals as happen everywhere, often. It should be measured by the body of legislation and the way in which the institution speaks for Scotland when the need arises.

However, even successful parliaments should never become complacent. There is a clear need to refresh the debating style in the parliament and sharpen up the independence of its committee structure. The electoral system needs a review – for example, the regional lists encourage far too much loyalty to party ahead of constituents – and in London the UK Government must soon refresh and renew its approach to working with the governments of the devolved nations in Edinburgh, Cardiff and Belfast. It is surely time to abolish the territorial Secretaries of State and replace them with something more in keeping with the new UK.

The Scottish Parliament has taken on many new powers, including new financial powers, over these 20 years and these extended powers – and the experience of devolution in practice – should ask questions about the accountability (or lack of it) practised in the single chamber at Holyrood. I am not in favour of an elected Second Chamber for the Scottish Parliament, and I am certainly not in favour of more elected politicians – we have more than enough already. But I do feel that some additional accountability needs to be built into the system as a check on ministers' decision-making and the largely partisan way that backbenchers have loyally followed administrations.

Local government has a less dynamic voice now in Scotland than in the pre-devolution days. That has also been a challenge for many in wider Scottish society, including the trade unions, businesses, faiths and voluntary organisations.

So one option might be the creation of a part-time consultative Citizen's Chamber that could include a representative of every local council in Scotland and representatives from different walks of life. Not professional lobbyists, but local people active in their organisations and communities and chosen by some form of representative selection to serve for a couple of years at a time.

Such an assembly could review the budget, comment on significant legislation and the programme for government, and be used as a consultative mechanism where difficult controversies and challenges demand a wider level of participation and involvement. The original principles have been good guide for Scotland's Parliament in these first two decades, but no-one can honestly say hand on heart that they have been implemented consistently and effectively all the time. There is room for refreshing the way we seek to govern, and inviting more voices into the discussion might just be a good start.

Rt Hon Lord Jack McConnell was MSP for Motherwell & Wishaw 1999-2011 and First Minister of Scotland 2001-2007

Devolution at 20 – First Minister’s speech

The following speech from the First Minister Nicola Sturgeon was given at a Reform Scotland event on 18 June 2019 to an invited audience in Edinburgh.

Thank you, Chris.

And thanks to Reform Scotland for organising this event.

The contributions you have encouraging in recent weeks from a range of individuals and parties have been genuinely interesting and thought provoking and I hope tonight’s event can add something to that. What I want to do tonight before we get into some discussion is really three things.

Firstly, reflect on some of the successes of devolution – as I see them of the last two decades of devolution then look at some of the key challenges Scotland will face over the next 20 years and beyond.

And finally, look at the current predicament of the UK, and what that might mean for devolution and Scotland in the future as well.

But firstly a look back. I was early in the first days which makes me feel old as I’m sure as it does for everybody that was there with me. But inevitably, like many of my colleagues, I’ve spent quite a bit of time recently thinking about the early days of devolution.

There’s no doubt that taking my place in a new institution, as a new MSP, alongside 128 others, is one of the highlights of my life. And I remember too the mood of optimism that was around not just within the parliament, but the mood of optimism that prevailed in the country.

That mood was captured on the very first day the parliament sat, very well in my view by Winnie Ewing who was the oldest elected member then and as such, she convened proceedings and gave a speech which ended with these words.

“It was said that 1707 was the end of an auld sang. All of us here can begin to write together a new Scottish song, and I urge all of you to sing it in harmony-fortissimo.”

And in my view – for all the inevitable ups and downs – that note of optimism Winnie Ewing struck that day has largely been vindicated.

Of course, that wasn't universally predicted at the time. Before the 1997 referendum, one William Hague argued that "*The tartan tax would lead to foreign investors saying no to Scotland.*"

And a young little-known journalist called Michael Gove (whatever happened to him?) said that devolution would lead to "*a brain drain, a flight of finance as well as skilled labour,*" and "*add to the burden of business taxation*".

Now those warnings were of course comprehensively wrong. Devolution didn't deter foreign investors – Scotland for the last few years has actually been the top location in the UK for attracting inward investment outside of London.

Devolution didn't create a brain drain – we have benefited hugely from being able to attract workers and students from across the UK and overseas.

And it didn't add to the burden of business taxation – it enabled this Scottish Government to create a small business bonus, which of course the UK Government later emulated.

And none of that really should be surprising. There was always something bizarre about the assumption that a Scottish Parliament would consistently act in ways that were harmful to Scotland.

Of course, we now hear many of the same arguments used against independence. And in both cases they are, in my view, ill-founded.

Throughout the last 20 years – and this is to the credit of all the parties in the parliament – that institution has worked to make a difference to the lives of people across Scotland.

In doing so, yes it has made mistakes. All parliaments do. And some areas some people will think with justification that it hasn't made as much progress as they would have wanted it to do. And certainly in the early years – particularly before the parliament building was completed and I remember this very well – those were rocky ones. But overall in the round I strongly believe the record of achievement is a significant one.

The parliament might not always have sung in harmony, as Winnie Ewing hoped and perhaps in a democracy we should never want a democracy to sing in harmony. But in our debates we have sought – and often sometimes even managed to reach – consensus. We have shown that a proportionally elected chamber can do things differently from Westminster – and actually do them well.

Land reform; the ban on smoking in public places; PR in council elections; the most ambitious climate change legislation anywhere in the world; equal marriage; minimum unit pricing for alcohol – all of these and many more initiatives have helped, or are helping, to make this country a better and fairer one.

Along the way we have gained new powers, and we have built, or we are building, new institutions – for example a new tax agency and a social security agency – that were never envisaged or not envisaged by all of us in 1999. And that process is continuing. Two weeks ago, the parliament voted unanimously to create an enterprise agency to help with economic growth in the South of Scotland. Work to establish the new Scottish National Investment Bank is underway – and in my view has the potential to be one of the most transformative steps that the Parliament has taken.

And, while this sometimes and legitimately provokes different views, the Scottish Parliament has also, where appropriate, maintained, enhanced or created universal services – tuition fees and personal care for older people as examples. The baby box is a more recent example – and of course we have a substantial expansion of childcare underway right now.

And by doing all of that, and this is important, we have supported the idea of a social contract at a time when it has been threatened elsewhere.

We recognise that everyone contributes to our society – at different times and in different ways – and so everyone should receive a level of support in return. And these universal services don't just make people's lives better – although I think they do. But they also help to build the solidarity and cohesion which are essential to a good society.

And I think the Parliament can be genuinely proud of these achievements, and many more besides. And it is perhaps telling that the most recent Scottish Social Attitudes Survey found that more than 60% of people trust the Scottish Parliament to act in the country's best interests. For the UK the corresponding score is 21%.

Let me say this very clearly here, that contrast with the UK Parliament can't and shouldn't be a source of complacency – not least because doing better than Westminster is not a particularly high bar to pass these days.

But it is also the case that attitudes can and do change – to retain and grow trust, Holyrood must continue to make a tangibly positive difference to people's lives. We've got to continue to improve our schools – a key focus of my government. We've got a big job to do to ensure our health service can adapt to an ageing

population. We must focus on our productivity as a country our growth rates, and do so in a way that is sustainable. We need also to live up to the focus on wellbeing which we set out very explicitly in the latest iteration of the national performance framework. Growth cannot be an end in itself; it has to be the means by which we enable people to live happy and healthy and fulfilling lives.

And of course, we need to do all of this while we adapt to the big challenges, the profound challenges, that we, in common with other countries, face in the years ahead.

Now I can't go into all of those today – a speech of this nature is never going to do justice to issues like artificial intelligence, the impact of automation, and adapting to an ageing population, but it is clear they will require detailed and focused attention by the parliament in the years ahead. But I do want to touch briefly on a couple of interlinked issues.

The first and most important is the climate crisis. It will be the defining challenge of the next 20 years – not simply for Scotland, but for the world.

As a country we've made significant progress over the past two decades. We are – and are seen to be – a world leader in cutting emissions. But we need to do far, far more. In fact, by the time our Parliament marks its 40th anniversary, Scotland will need to be on the very verge of becoming a carbon-neutral economy. And in just a few years after that, we will require to be a net-zero emitter of all greenhouse gases if we are live up to our international obligations.

Now the change required to achieve that will be profound.

The change will affect the design of our cities, the way we travel, and the heating of our homes. It requires an end to the throwaway culture, a more circular economy. It will involve tree planting, peat restoration, alongside the development of entirely new technologies.

Our challenge here is not just to do all of that, but to aim to lead the world as we do it.

There is of course a moral imperative here – Scotland after all led the world into the carbon age. But there's also a massive opportunity if we get this right. Many of the changes we need to make will help our environment and, we if we do get it right, it will create jobs and grow our economy as well.

However, we've seen in previous economic transformations that it is too easy for people and communities to be left behind.

I grew up in Ayrshire in the 70s and 80s and I remember vividly the impact of deindustrialization as I was growing up. The fear of unemployment was pervasive. Lasting scars were left on many communities. And elements of that legacy are still with us today.

We can't let that happen again and that's a big challenge. Instead we must now position ourselves to maximise the domestic economic potential of the renewables and low carbon revolution.

That's of course why we appointed a Just Transition Commission last year, to help ensure that economic and technological change that lies ahead of us will create a fairer and happier society as well as a wealthier one.

Promoting equality and tackling poverty is very linked to what I've been talking about, has been a consistent priority for the Scottish Parliament.

We are the only part of the UK to have statutory targets for reducing and ultimately eradicating child poverty.

That said setting targets in itself doesn't deliver the change we need to see.

And while poverty and child poverty rates in Scotland are lower than in other parts of the UK they are still far too high. And we've got to recognise, perhaps more than we have done previously as a society, poverty and inequality damages all of us – all of lose out when economic disadvantage stops people from contributing fully to society.

That's why as a Government now we're continuing to promote policies like the living wage. It's why we will shortly set out plans for a targeted income supplement to help us deliver those targets on child poverty. And it's why we put so much focus on closing the education attainment gap and ensure equal access to higher and further education.

It is a hard fact, of course, that right now we do tackle poverty with one hand tied behind our back. UK measures like the bedroom tax or the benefits freeze run counter to what we seek to achieve.

And of course, every penny we spend trying to mitigate these policies is money that we are not able to invest more strategically and proactively – something that the UN Special Rapporteur on poverty recently described as outrageous and unsustainable.

And it begs the question – the question for the future – why should we spend hundreds of millions of pounds mitigating the impact of policies from elsewhere, rather than taking the powers we need to take different decisions in the first place. And there are I think some echoes here of the years before devolution. Social justice was so central to the campaigns of the 80s and 90s which helped to create the Scottish Parliament.

That was linked to concern about a democratic deficit.

People disliked policies being imposed on Scotland against the will of the majority who lived here. And of course, the poll tax became the totemic example of that.

But it was just one example.

Immense damage to Scottish communities, like the one I grew up in, was caused by an out of touch Conservative Party that was unelected in Scotland over a period of 18 years.

But now I fear a similarly out of touch Tory Government, led by perhaps an even more reckless leader, could cause as much damage as Mrs Thatcher and John Major did.

And while they took 18 year to do it, the new leader, whoever he may be, could do as much – or more – damage in just 18 weeks.

Because by the end of October this year, Scotland could be heading, not just for a damaging Brexit that we didn't vote for, but for a catastrophic No Deal Brexit. Indeed, the person who seems almost certain, although you never know, but the person right now who appears almost certain to be the next Conservative leader and Prime Minister seems to relish that prospect.

I have to say at this stage as an aside, it is surely deeply concerning that the Conservative Party is even contemplating putting into the office of Prime Minister someone whose tenure as Foreign Secretary was risible, lacking in any seriousness of purpose or basic competence and who, over the years, has gratuitously offended so many, from gay people, to Africans, Muslim women and many others.

But while that, for now, is a matter for the Tories it does further illustrate the different political trajectories of Scotland and other parts of the UK.

And it raises the more fundamental question of whether the UK in its current form, and therefore devolution in its current form, is capable of properly accommodating those differences.

Now I have to be candid at this stage and admit that I am not a neutral observer of these matters but it does seem to me that these days, the unionist offer to Scotland amounts to not much more than ‘your views don’t matter, do as you’re told and, if you don’t like it, tough, we will do it anyway’.

And Brexit starkly illustrates that point.

The votes of people here have been ignored. The Scottish Government’s attempts at compromise were rejected. And votes in the Scottish Parliament opposing Brexit and a subsequent power grab were disregarded.

And no-one on the unionist side of this debate seems willing, or able, to articulate a vision for the union that comes anywhere close to the 2014 promise of an ‘equal partnership’.

Of course, for those of us who support independence, as the next stage of Parliament’s journey, there is still an onus, a responsibility on us, to make the positive case and not simply rely on the disintegration of the case for the union.

Nicola Sturgeon is First Minister of Scotland

