

THE NEGOTIATION DIARIES

During the negotiations in May which led to the formation of the Scottish coalition government, **The Sunday Times Scotland** asked Ross Finnie (of the Scottish Liberal Democrats) and Henry McLeish (of the Scottish Labour Party) to keep diaries. Short extracts were published in **The Sunday Times**; the full versions are given here. **Scottish Affairs** is grateful to Mr Finnie, Mr McLeish, **The Sunday Times**, and their Scottish Political Editor, Kenny Farquharson, for permission to publish this material. Mr McLeish is MSP for Central Fife, and is Minister for Enterprise and Lifelong Learning. Mr Finnie is an MSP for West of Scotland, and is Minister for Rural Affairs; both are in the Cabinet.

DIARY OF SCOTTISH LIBERAL DEMOCRAT NEGOTIATOR: ROSS FINNIE MSP

Friday 7th May

As one of a Group who had been supporting, briefing and advising [Scottish Liberal Democrat leader] Jim Wallace before and during the campaign I was invited to a meeting to review the result and consider what now? Got to the meeting to be told that [Scottish Labour leader] Donald Dewar had contacted Jim to express the wish to explore the possibility of entering into a full blown coalition (my sleep deprived body didn't need this). Following the [Scottish Liberal Democrat] Party's decision at the Aberdeen conference that, if approached, it would talk to the party with the largest number seats, Jim had commissioned a draft paper (by David Laws researcher to Malcolm Bruce who had assisted in drafting and costing the manifesto) outlining a possible partnership agreement. Agreed this was an excellent draft and should be put to the Parliamentary Party ('PP') and the Executive

Saturday 8th May

14.00 Meeting of the PP. The first moment to celebrate being elected and meet colleagues - it was a great moment (Photo call - of course we smiled we were happy) Down to business - we had been approached by Labour to talk - some reservations expressed but overwhelming support for entering into the

The Negotiation Diaries

process. The shape of the draft document was approved and a number of changes made prior to the meeting of the Party's Executive and Policy committee tomorrow. PP negotiators agreed as Jim, Nicol Stephen [MSP for Aberdeen South], Ian Smith [MSP for North East Fife] and myself (thoughts of making up this sleep deficiency are now receding).

Sunday 9th May

14.00 Meeting with the Party Executive and Policy Committee. Jim advised of the position and again reservations were expressed but an overwhelming majority was in favour of talks proceeding. Learned from Jim that matters had progressed and initial talks were now scheduled for 18.30. The meeting examined the draft document in great detail before giving its approval - some of the discussion was a bit worrying: we seemed to be rewriting the manifesto.

18.30 The PP negotiators go to meeting on the 5th Floor of the Parliament offices (not knowing that this was to be our almost permanent place of residence over the next few days) Labour were represented by Donald Dewar, Henry McLeish, Sam Galbraith [MSP for Strathkelvin and Bearsden], and Tom McCabe [MSP for Hamilton South]. The respective teams didn't know much about each other on a personal level. I hadn't met Donald for over five years, I'd met Henry during this and the '97 election, Sam was brought up in Greenock and so we had exchanged pleasantries from time to time and I didn't know Tom. Donald Dewar outlined his wish to discuss a full blown coalition based on principles and shaped by shared values and policy objectives. Jim stated that he also wished any agreement to be based on principles and saw the process leading to a formal agreement setting out the principles, and agreed policy platform, how the partnership agreement would work and finally the shape of the executive and Liberal Democrat participation in that.

Broad agreement was reached on the outline with Donald Dewar expressing a wish for a very short form of agreement and then moving on to tuition fees. There was no give or take on either side and we added that in addition to fees there was the whole question of access to further and higher education. We were offered access to civil servants to provide factual information on the whole question of student support. The prospects of an agreement looked slim but we agreed to reconvene: we hoped to persuade Labour on the arithmetic of the Parliament; we were in no doubt that Labour wished to persuade us otherwise.

We debriefed and agreed if we had to walk we would walk.

Scottish Affairs

Monday 10th May

10.00 We were joined by Ian Yuill, Dennis Robertson Sullivan and Andy Myles, the elected representatives of the [Scottish Liberal Democrat] Executive to the team. We split up some going to be briefed in detail on student funding whilst Ian, Andy and I worked on the draft paper if negotiations were to proceed.

12.00 Remembered to register as a new member

13.00 Reconvened the Labour team now included Sarah Boyack [MSP for Edinburgh Central] and we added Dennis Robertson Sullivan to the face to face team. No movement in tuition fees, and other 'hot spots' like P[ri]vate] F[inance] I[nitiative], Skye Bridge, PR for local government were aired. But it was agreed that some form of partnership agreement (perhaps longer than Labour had envisaged and shorter than the Liberal Democrat draft) was necessary and so both sides would put two each (David Laws and Andy Myles for us) to start drafting to bring papers forward to the negotiating team. The negotiations halted while this work commenced.

18.00 meeting of the Parliamentary Party to update on meetings

20.00 Negotiations reconvened and we moved on to such policy areas as enterprise and education. As with every area this was a difficult process but in every case with a number of exceptions real progress was made. In the final session however we returned to tuition fees and an offer of a very unspecific review was rejected and once again the prospects look gloomy

As we left the building a weary television crew enquired somewhat tetchily 'What time is this to be coming out at?' to which Ian Yuill replied calmly 11.35.

Tuesday 11th May

08.30 We gathered to prepare for the day. We requested and received from civil servants factual information on a number of issues including the procedures and timetable of moving to abolish student fees. More draft papers had been prepared and revisions to earlier papers had now appeared. The information we had requested from the civil servants appeared and all of this was digested before talks resumed.

13.30 Talks resumed on policy areas and an obvious and understandable pattern emerged. We wished the document to reflect in whole or in part Liberal Democrat priorities across the range but especially in education,

The Negotiation Diaries

health, justice, environment transport and rural areas whilst Labour wished to preserve their own priorities. That said, the negotiations on policy were making real progress in reflecting both points of view. As trust was being built up on a personal level so the chemistry of the meetings altered to reflect that change but every decision was still rigorously debated.

18.00 meeting of the Parliamentary Party to update on progress or otherwise

20.00 talks reconvene and as progress continues the parties agree to end the evening at 23.00 in the interests of sanity (the phrase 'family friendly parliament' was not on the lips of the negotiators.) There was real movement on the principles of PFI and a compromise offer in relation to Skye Bridge to freeze the tolls but no movement on tuition fees

Wednesday 12th May

Much of the morning was taken up with taking the oath and - guess what - there are other MSP's and there are other offices in the buildings the Parliament doesn't just exist on the 5th floor!

14.00 The substance of the policy paper was reviewed. Ian Yuill was playing the key role of goal keeper assisted by Willie Rennie [Scottish Liberal Democrat chief executive] to ensure that nothing was being missed. Andy and David were battling away at drafting whilst Mike Moore [Westminster MP for Tweeddale, Ettrick and Lauderdale] fronted a press team with Tony Hutson and Rob Blevin being driven to distraction by a press corps not wanting facts to get in the way of a good story.

17.00 We broke and went out for a quick meal - and more importantly for fresh air. The architects of the temporary offices must have confused a brief to design a sauna with the brief to design a suite of offices!

19.00 We resume and Labour have tabled a revised position on student fees keeping the review and substantially increasing the amounts of support to improve student access. It still failed the test of being part of a Parliamentary process to end student fees. The review wasn't a stupid idea but its terms had to be approved by the parliament and in an era of pre-legislative review any proposal for abolition would need to be informed by expert advice and the people and organisations most affected.

Other matters are progressing including an acceptance that the agreement has to recognise that if two parties are to be in government then proper recognition has to be given to the leader of the smaller party in the partnership.

Scottish Affairs

23.00 Prospects of a breakthrough with discussions between Jim and Donald Dewar on the principles set out above (Nicol Stephen tells us the headline in the **Press and Journal** is a call from students for Stephen and the Liberal Democrats not to get hung up on student fees and open up the whole question of student funding.) More discussion and more movement towards Liberal Democrats proposing that the executive establish - subject to Parliament approving its terms - an inquiry into student fees and student funding with the Party being free to submit its case for abolition. Neither party could forecast the outcome of such an enquiry but we believe the weight of evidence is in favour of abolition. Both parties would have to agree on a position on receipt of the review and as Labour had no intention of instituting a review prior to the talks new politics was on the move.

Thursday 13th May

0.1.00 Agreement reached on wording to make clear that Liberal Democrats and Labour reserved their respective positions. The document as a whole had been thoroughly reviewed by our team and our position was that it contained substantial and sufficient Liberal Democrat input in key areas for us to recommend it to our PP. Labour were similarly minded and agreement subject to our respective processes was reached at 01.30.

09.30 Reconvened to tidy up the papers and correct the document

14.30 Election of Presiding Officer and Depute Presiding Officers [of the Parliament] - I am finding it difficult to concentrate on this historic moment.

18.30 Meeting of the PP. Everyone is given a chance to read through the document. We then discuss it section by section and we then go on to the key issue: are or are we not prepared to enter into a partnership on the basis of the document? It was a first class discussion with colleagues exchanging frank views and three expressing a disagreement in principle to entering to the agreement. Despite the lateness of the hour not one angry word was exchanged and no one lost their cool. At 20.30 the PP agreed to approve the terms of the agreement.

21.00 A meeting of the executive originally called for 14.00 was now under way and in a similar way to the PP it finally agreed to approve the agreement but also had before it the opinions of local chairs on their views on the principle of entering into a partnership

23.30 All stages of our democratic process for approval had been concluded - the Partnership [coalition agreement] had been approved.

The Negotiation Diaries

Friday 14th May

The Partnership Agreement is signed by Jim and Donald Dewar against a background of an awful morning's press claiming we have sold out on tuition fees. Annoyed and not a little depressed at this continuing misrepresentation we made our way the party HQ to find a delegation from the National Union of Students Scotland. We met them and they welcomed the setting up of an independent commission of inquiry into University student funding, their primary concern being that the commission abolishes student fees. Jim unhesitatingly signs their challenge reiterating the Party's commitment to the abolition of student fees.

Well, if the people most affected by this issue are supporting our position - it must be time for bed. Oh no! - the diary piece for Kenny Farquason ['expletive deleted']!

It had been an unbelievable experience. I had often negotiated complex commercial transactions and no doubt that stood me in good stead but this had been very different. Our team - well I would say it wouldn't I - were terrific to work with - supportive under pressure - rational in debate and thorough in pressing for a complete agreement and never wavering in their commitment to walk if we couldn't achieve our key objectives.

DIARY OF SCOTTISH LABOUR PARTY NEGOTIATOR: HENRY MCLEISH MSP

Friday 7th May

04.00 After leaving the count for my own election in Fife at around 03.00, I travel to Glasgow to do the 4 till 5 slot on Kirsty Wark's election special. I am sustained by the late results coming in from Edinburgh. It is now clear that Labour has won the first ever Scottish election and will be the largest Party by some way. I do media interviews until 09.00, paying tribute to all in the Labour Party who have worked on the campaign. It is their success. For the campaign team at Delta House and the organisers in the constituencies it is a supreme triumph. In the last year they have turned the polls, seen off the Nationalist threat and set the stage for a renewed Scotland within a