

'THE DEVOLUTION JOURNEY CONTINUES': TRAGEDY AND CHANGE CHARACTERISE LAST QUARTER OF 2000 IN SCOTLAND

Eberhard Bort

The Governance of Scotland forum at Edinburgh University runs an international internship programme, and when a new intake of students from the US and from Australia arrived in September to work with MSPs, we welcomed them by explaining that we lived in exciting times, at the start of the second year of devolution. Little did we know, or could we fathom, what lay ahead of us in the latter part of 2000.

After a well-recorded bumpy ride during the first year, the Scottish Executive tried to get back into working mode when Donald Dewar presented the legislative programme of nine Executive Bills for 2000/01, including a Graduate Endowment Bill, a Human Rights Bill to make Scots law compatible with the European Convention on Human Rights, a Housing Bill aiming at investing more in property to rent and enabling tenants to take control through community ownership, an International Criminal Court Bill, a Regulation of Care Bill aimed at strengthening the protection of children and vulnerable adults (establishing two new national bodies: The Scottish Commission for the Regulation of Care and The Scottish Social Services Council), a Bill to prevent the accused from cross-examining the victim in person in sex offence cases, and a Water Services Bill to increase competition in the water industry and ensure that new entrants pay a fair share of the cost of maintaining public networks.

But instead of sailing into calmer waters, tragedy struck when First Minister Donald Dewar died suddenly on 11 October. There was a week of mourning the 'father of the Scottish Parliament', but immediately after the funeral on 18 October, the focus turned on the question of succession, as the Scotland Act rules that a successor must be elected by the Scottish Parliament within 28 days of a vacancy. In a brief three-day campaign the two candidates, Henry

Eberhard Bort is the coordinator of the Governance of Scotland Forum at Edinburgh University.

Scottish Affairs

McLeish and his cabinet colleague Jack McConnell, competed for a majority among the Labour party's hastily summoned electoral college. Henry McLeish won the contest, but Jack McConnell scored a much higher percentage of the vote than expected. A few days later, Henry McLeish was confirmed as First Minister by Parliament. He received 68 votes, fending off challenges from John Swinney (SNP), 33 votes, David McLetchie (Conservative), 19 votes, and Dennis Canavan (Independent), 3 votes.

Henry McLeish's reshuffled Ministerial Team saw two new appointments: Jackie Baillie (Minister for Social Justice), and Angus MacKay (Minister for Finance and Local Government). Susan Deacon remained as Minister for Health and Community Care, and Tom McCabe as Business Manager. Sarah Boyack lost the environment remit, but remained as Minister for Transport; and Ross Finnie retained Rural Affairs. Jack McConnell was moved from his previous post as Minister for Finance to Minister for Education, Europe and External Affairs, Wendy Alexander from her previous post as Minister for Communities to Minister for Enterprise and Lifelong Learning, and Sam Galbraith from Minister for Children and Education to Minister for Environment, Sport and Culture. Four new Deputy Ministers were nominated: Malcolm Chisholm (Deputy Minister for Health and Community Care), Margaret Curran (Deputy Minister for Social Justice), Tavish Scott (Deputy Minister for Parliament), and Allan Wilson (Deputy Minister for Sport and Culture). Rhona Brankin was moved from her post as Deputy Minister for Culture and Sport to Deputy Minister for Rural Development, Ian Gray from his post as Deputy Minister for Community Care to Deputy Minister for Justice, Nicol Stephen from Deputy Minister for Enterprise and Lifelong Learning to Deputy Minister responsible for Education, Europe and External Affairs, Alasdair Morrison from Deputy Minister for Highlands and Islands and Gaelic to Deputy Minister for Enterprise, Lifelong Learning and Gaelic, and Peter Peacock from Deputy Minister for Children and Education to Deputy Minister for Finance and Local Government. Frank McAveety (Local Government), John Home Robertson (Fisheries) and Ian Smith (Parliament) lost their posts as Deputy Ministers.

As the Scottish National Party had also elected a new leader in September, following the surprise announcement in July of the resignation of Alex Salmond, there was now a completely new constellation between the main governing and the main opposition parties. John Swinney had seen off the challenge of Alex Neil and become leader of the SNP on 67% of the party vote. Besides himself as Shadow First Minister, Swinney's new Shadow Executive comprises Roseanna Cunningham (Deputy Leader and Justice), Kenny MacAskill (Enterprise and Lifelong Learning), Michael Russell (Children and Education), Fiona Hyslop (Housing and Social Justice), Nicola

Events in the Scottish Parliament

Sturgeon (Health and Community Care), Fergus Ewing (Rural Affairs), Andrew Wilson (Finance), Kenny Gibson (Local Government), Bruce Crawford (Transport and Environment), Colin Campbell (Defence), Christine Grahame (Social Security), and Tricia Marwick (Business Manager).

As if all of this was not change enough, there had to be the Glasgow-Annie'sland by-elections for Westminster and Holyrood for the seats left vacant by Donald Dewar's death. On 23 November, despite SNP gains, Labour held on to both seats, John Robertson being returned as an MP, Bill Butler as an MSP. To add a bit of diversion, Dennis Canavan zigzagged through the autumn, first announcing in September that he would give up his Westminster seat, forcing an unwelcome by-election for Labour at Falkirk-West, then apparently coming to terms with Henry McLeish in early November about being readmitted to the Labour Party and thus cancelling the pending by-election, only to finally resign after another U-turn in late November, triggering the dreaded by-election, which was eventually held on the shortest day of the year, 21 December, in the midst of the final Christmas shopping rush. Little surprise then, that the turn-out was, at 36.2 %, the lowest of any Commons election in Scotland since the Second World War. Labour's Eric Joyce narrowly won, despite a swing of 16.5 % to the SNP.

Astonishingly unperturbed by all these developments, the Executive and the Parliament went about their business. Henry McLeish ordered a comprehensive review of polices, and some contours of this 'pragmatic approach' are already visible. The first shift in policy has been the scrapping of plans to levy charges for workplace parking in cities. Then, the First Minister announced his intention to investigate and review the work carried out by all of Scotland's 'quangos' which comprise 120 public bodies that spend £6 billion of public money every year. Among the first to be looked at are the Scottish Forestry Commission, the Scottish Tourist Board, the Scottish Qualifications Authority and Scottish Health Boards and Trusts. A quango watchdog is to be set up within the Scottish Executive to carry out the review with the objective of reducing the number of quangos, ensuring that those remaining work better, and creating public confidence in the public bodies that are needed. In what he described as a 'progressive programme' for change, Henry McLeish indicated his desire to find a way to take forward the recommendations of the Kerley Report and the issue of proportional representation for local government elections. He also noted his intention to take a fresh look at the recommendations of the Sutherland Commission on care for the elderly.

After nine weeks of scrutiny, the Parliament's Education Committee came up with a condemning Report on the Scottish Qualifications Authority exams

Scottish Affairs

fiasco, putting the blame squarely on both Board and Management level of the SQA, but also asking questions why ministries had not done enough to prevent the disaster happening. The Justice Committee proposed the first ever committee bill, a Bill to combat domestic abuse. And the Health Committee published a report on Community Care stating that personal care services for the elderly, incapacitated and infirm should be free at the point of delivery, supporting thus the indicated change of thinking in the Scottish Executive about fully implementing the recommendations of the Sutherland Commission on care for the elderly, which apparently has the overwhelming support of Labour MSPs (87% of Labour MSPs in favour, according to a **Scotland on Sunday** poll published on 31 December 2000).

That the Scottish political institutions have been able not just to cope with that amount of change, but at the same time to produce work and further the political discourse, is in itself a refutation of allegations that devolution is inherently instable. If, of course, those critics mean that devolution is, as Ron Davies famously put it, a process rather than an event, then they, and we, and our interns, have witnessed a tremendously dynamic phase of Scottish devolution, characterised by unprecedented tragedy and change, over the last quarter of 2000.

'The devolution journey continues,' as John Reid, Secretary of State for Scotland, recently put it (**The Scotsman** 18 December 2000). The new batch of interns arrived at the beginning of January. Again, we have told them to expect exciting times in the Parliament. But we could do with less tragedy this time round.

January 2001