

A COMMITTEE AGAIN: THE FIRST YEAR OF THE REVIVED SELECT COMMITTEE ON SCOTTISH AFFAIRS

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The impending revival of the House of Commons Scottish Affairs Select Committee in the summer of 1992 brought a mixed reaction from politicians and political commentators. The opposition parties in Scotland welcomed the resurrection of this organ of parliamentary scrutiny while stressing that it was no substitute for broad constitutional reform in Scotland. The Conservatives generally expressed satisfaction that the Scottish Office was to be placed once again on the same footing as other departments of state. Nonetheless, two Tory backbenchers (Bill Walker and Sir Nicholas Fairbairn) reiterated their refusal to have any truck with the committee, on the grounds that it was likely to be used as a political vehicle by the opposition, particularly if William McKelvey assumed the chair. Fairbairn subsequently relented, and agreed to join the committee. The Scottish media gave two cheers, but withheld the third on the grounds that the committee's predecessor was, in the words of **The Scotsman**,

too partisan, its members unable to set aside party loyalties, and too parochial; they, in turn, chose subjects for investigation that had marginal

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interest for the wider public; their examinations caused little stir amongst ministers and their officials because they did not make the maximum use of specialist advisers and sometimes appeared to lack knowledge of the subject under scrutiny.
(**The Scotsman** 1992)

It is the purpose of this article to review the operation of the Scottish Affairs Select Committee during the 1992-93 parliamentary session, drawing upon a range of primary and secondary source material, including interviews with most members of the committee.

ERRATIC HISTORY OF SCOTTISH AFFAIRS SELECT COMMITTEES

In order to reach a proper understanding of the new committee, it must be located in its recent historical context. There have been three distinct chronological phases in the development of the Scottish Affairs Committee.

The first was between 1968 and 1972. The establishment of a Commons select committee with a specifically Scottish remit stemmed from a confluence of two factors. The Labour Government, in the person of Richard Crossman, Leader of the House of Commons, had launched an experiment in 1966 with a range of new 'departmental' and 'specialist' investigatory select committees, ostensibly in order to enhance parliamentary scrutiny of the executive. Added to this Westminster factor was a Scottish political factor. The emergence of a newly assertive nationalism in the form of the SNP revival of the mid 60s helped to prod the Labour Government towards giving some overt recognition to the Scottish dimension in Parliament, above and beyond the existing mechanisms for scrutiny of Scottish business.

Like the other select committees which were set up during this experimental period, the Scottish Affairs Committee could choose topics for investigation, send for 'persons, papers and records' (without having the power to compel ministers and civil servants to attend), and issue reports. The life of each committee was renewed (or not, as the case may be!) at the start of each parliamentary session, rather than at the commencement of the full Parliament. In this sense, an air of uncertainty and insecurity tended to permeate the committees.

Between 1968 and 1972, the Scottish Affairs Committee issued only two substantive reports, covering 'Economic Planning in Scotland' (Scottish Affairs Committee 1970) and 'Land Resource Use' (Scottish Affairs

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Committee 1972). Numerous volumes of evidence were also published, but two reports seemed a meagre harvest for work straddling four parliamentary sessions.

The first phase ended in 1972. The Conservative Government was pursuing new permutations of Commons select committees, and no place was found for a specifically Scottish committee. Subsequently, with the post-1974 Labour Government actively pursuing the matter of devolution, the need for a Scottish select committee did not seem to be particularly pressing.

It took another confluence of Westminster and Scottish political factors to bring about the inauguration of the second chronological phase in the development of the committee. The House of Commons Select Committee on Procedure 1977-78, had recommended the establishment of a rationalised system of departmentally-based select committees as a means of improving parliamentary scrutiny of the executive. In 1979, Norman St John Stevas, Leader of the House of Commons in the new Conservative Government, set about implementing many of the Procedure Committee's proposals. These had not made any allowance for a Scottish Affairs Committee, simply because the devolution proposals current at the time of the Procedure Committee's Report would have negated the need for such an organ. However, in 1979, with devolution dead and buried, St John Stevas succumbed to pressure from Scottish MPs, and a committee was set up, one of fourteen monitoring the work of government departments. The new committees enjoyed greater security of tenure than their predecessors, being established for the duration of a full Parliament at a time, although, in other respects, their powers remained fundamentally unaltered.

Between 1979 and 1987, the Scottish Affairs Committee functioned with a built-in majority of Conservative MPs (as is the case with all select committees), but was chaired by Labour back-benchers (successively; Donald Dewar, Robert Hughes and David Lambie). On average, two substantive reports were published each year, in addition to special reports containing the government's replies, and the minutes of evidence gathered. The topics were varied, ranging from an examination of 'The Proposed Increase in the White Fish Authority General Levy' (Scottish Affairs Committee 1980), to 'Prestwick Airport' (Scottish Affairs Committee 1982), 'Dampness in Housing' (Scottish Affairs Committee 1983), and 'The Proposed Closure of BSC Gartcosh' (Scottish Affairs Committee 1986).

Although the committee's functioning was perhaps hampered by its very broad remit (it monitored a multi-functional department of state), and the

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Scottish press tended to become impatient with its limitations as a source of hot news, academic analysis of the committee was broadly favourable:

As part of the 'Scottish Lobby' ... the Committee seems to have an assured place in Scottish politics. It can transcend party divides on many of these issues, as there are also strong constituency interests involved ... There is also a natural alliance between the Committee and its department ...in such inquiries.
(Drucker and Kellas 1985, p.235)

However, the place of the committee turned out not to be 'assured' after all. A major dispute arose about the composition of the Scottish Affairs Select Committee in the wake of the 1987 General Election. This was fuelled by:

- The reduced number of Scottish Conservative MPs.
- The refusal of some Conservatives to serve on the committee on the grounds that it would be hijacked by the opposition for political ends.
- Labour's demand for a majority of the members on the committee, on the grounds that it was the majority party in Scotland by some margin.
- Labour's unwillingness to accept committee members from non-Scottish constituencies.

The committee did not appear during the 1987-92 Parliament, although an unofficial, 'alternative' committee composed of opposition Scottish MPs was formed in December 1988 and produced one report the following summer (Alternative Select Committee for Scottish Affairs 1989).

It was against this background that the third, and most recent phase of the committee's development began, with its revival after the 1992 General Election.

MEMBERSHIP, REMIT AND SUPPORT

A number of factors combined to facilitate the re-establishment of the committee in the summer of 1992. The reduction of select committee membership from 13 to 11 backbenchers per committee lowered the threshold and reduced the risk of a minor Conservative boycott derailing the committee. In any case, most Scottish Conservative backbenchers agreed to serve, and the Labour Party accepted the principle of membership for non-Scottish backbenchers.

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As the party of government, the Conservatives enjoy a majority on the committee, while, in accordance with the convention for this committee, Labour have the chairmanship. The Conservative members were initially Sir Nicholas Fairbairn, George Kynoch, Phil Gallie, Raymond Robertson, Liam Fox and Peter Atkinson. Fox and Atkinson represent English constituencies, although the former is a Scot by birth. Fox stopped attending the committee's meetings on being appointed Parliamentary Private Secretary to the Home Secretary, Michael Howard, in May 1993, although he retained nominal membership, and has yet to be replaced at the time of writing.

The Labour members are William McKelvey, Eric Clarke and Robert Hughes. McKelvey was nominated as Chairman by the Scottish Labour Group, and this was confirmed by the committee, although only after an abortive attempt by Phil Gallie to nominate Robert Hughes (the latter refused the nomination). Gallie was concerned about McKelvey's connections with 'Scotland United', the home rule pressure group. The Liberal Democrats and the SNP are represented by Ray Michie and Andrew Welsh respectively.

The committee's remit and powers remain as they were in 1987: to scrutinise the broad field of Scottish affairs by sending for persons, papers and records, and publishing reports. Although the Scottish Office is the committee's primary concern, it also has a legitimate interest in the operations of an array of public bodies, including health boards, quangos of various descriptions, and any government department taking a policy initiative which has specifically Scottish implications. In carrying out this role, members of the committee receive basic support from a clerk, an assistant clerk and a secretary, while specialist advisers (usually, although not invariably, academics) are appointed from approved panels on a part-time basis according to the particular nature of the topic under investigation.

It should be noted that the Scottish Affairs Committee does not have the field entirely to itself. Other departmental select committees may occasionally conduct investigations into the Scottish dimension of matters which have implications for the whole of the United Kingdom. In these cases, scrutiny of the Scottish Office may be conducted by, for example, the Home Affairs Committee if it investigates prison regimes, the National Heritage Committee if it compares policies for subsidising the arts throughout the country, and so on. More significantly, the entire sphere of financial audit comes within the jurisdiction of the Committee of Public Accounts, which examines the financial management of the Scottish Office and its associated quangos.

AIMS, OBJECTIVES AND MEASUREMENTS OF EFFECTIVENESS

For any select committee, there exists a range of possible aims and objectives, some, or all, of which might be pursued simultaneously. For example, a committee might see its primary role as being to air issues which might otherwise have been neglected, contribute towards a better informed and more effective House of Commons, stimulate and inform public opinion, have a direct impact on the policies and actions of the department which is being scrutinised, or enhance the accountability of the departmental ministers and civil servants. In addition, individual members of a committee might have their own specific aims and objectives, perhaps centred on political tactics or personal advancement.

The extent to which a committee is effective in achieving its aims and objectives might be determined by a number of variables, some of which are 'internal' in the sense that the committee itself has some control over them, and some of which are 'external' in the sense that the committee has, at best, little control over them (Pyper 1987: 127-131). The main examples of 'internal' determinants of committee effectiveness would be the calibre of the chair-person (in theory, committees choose their own once the Whips have agreed which party is to have the chair, but the power of the party managers ensures that committees do not have a completely free hand in this matter), attendance by members, membership turnover, partisanship, and relations with the department being monitored. In general terms, a committee will stand a better chance of achieving its basic aims and objectives if it has an energetic and highly motivated chair, good attendance, low membership turnover, few displays of partisanship, and enjoys a constructive working relationship with the department. 'External' determinants of effectiveness would include the constitutional powers of select committees, staffing and support, the size and nature of the department being monitored, and the relative importance of the Secretary of State and his or her department to the overall strategy of the government at any given time.

It is not possible to offer definitive comments on the overall effectiveness or otherwise of the Scottish Affairs Committee, after only one session of the new Parliament, but as we proceed with our review of the first year, some remarks can be made about the correlation between this committee's key features and characteristics, and at least some of the aforementioned determinants of effectiveness.

The topics selected for investigation by the committee were: the future of Scotland's transport links with Europe, abuse of drugs, legal aid eligibility

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changes, and the government's public expenditure plans for Scotland. The first two topics were to be the subject of substantive reports (one of which was published during the 1992-93 session), while the committee simply held hearings on the other two topics, and published the resulting evidence. What can we say about the committee's broad aims and objectives when selecting topics and pursuing inquiries? Members of the Scottish Affairs Committee offered a range of responses when questioned by us about aims and objectives, but two broad, interlinked themes emerged.

The first was the desire, expressed mainly but not exclusively by the opposition members, to make Scottish Office ministers and officials answerable for their departmental responsibilities in a detailed fashion not possible with other mechanisms of parliamentary scrutiny. Andrew Welsh saw the committee's remit quite clearly:

Since we have no parliament, and the Scottish Grand Committee is something of a joke, there is no real means of scrutinising the daily work of Scottish ministers. The Scottish Select Committee ... has an important task to perform in bringing the Scottish Office to account, especially given the wide range of Scottish Office work, and the inability of normal parliamentary mechanisms to gain (sic) accountability.
(Welsh 1993)

The second theme concerned the raising and examining of particular issues. Some of the Conservative members saw this in terms of providing practical proposals which might be picked up by the Scottish Office ('... making recommendations to the Scottish Office as to where they might act or where they might change whatever they are already doing' (Kynoch 1993)). Opposition members tended to speak of the need to focus on issues which they perceived to be of public concern ('... to do in-depth investigations on subjects which are of concern to the Scottish people' (Michie 1993)).

Beyond these stated aims, however, it is possible to detect a hidden, or inadequately masked, agenda. For at least some Conservatives, the main function of service on the committee is to ensure that it is not utilised by the opposition as a device to embarrass the Scottish Office, and, consequently, their aim is to protect 'their' ministers. On the other hand, some opposition members recognise that pressure would mount on them (from within their own parties, and beyond) to turn the committee into a sharp political instrument, focusing on constitutional objectives as the next General Election approaches.

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In order to place these aims and objectives in context, it is appropriate to offer some comments on the special nature of this select committee. In comparison with most other select committees, the Scottish model is confronted with a rather daunting challenge in the form of a multi-functional department which is allied to a narrow territorial remit. This can be related to one of the 'external' determinants of effectiveness mentioned above. In broad terms, it is more difficult for a select committee to achieve its objectives if it faces a large or organisationally diverse department. Furthermore, the daily operating context of this committee is that of a Conservative majority within a 'non-Conservative' Scotland. These characteristics have been true of virtually all Scottish Affairs Committees. Is there anything distinctive about the current version? Apart from the obvious fact that it has been reconstituted following a five year gap, three factors spring to mind.

First, to an even more marked degree than in 1979 and 1983, the new committee has become a repository for opposition hopes (vague though they may be) on the constitutional issue. The cumulative effect of four successive defeats in UK elections for the cause of devolution has placed an additional weight of expectation upon the 1992-93 committee. The expectation is not that the committee will miraculously convert Scottish Office ministers into devolutionists, but that it will perhaps help to address what the massed ranks of the opposition in Scotland would see as a democratic deficit stemming from the concomitance of Conservative control of the Scottish Office and an electoral majority for the opposition parties.

The second distinguishing factor is the sheer inexperience of the members, six of whom were new to the House of Commons, and only three of whom (Robert Hughes, Nicholas Fairbairn and William McKelvey) had served on a departmental select committee in the past. The inexperience is especially marked on the Conservative side, where five out of six members came from the 1992 intake.

Third, there is the inherently unstable nature of the committee's membership, due to the lingering possibility that one or other of the Conservative members will be promoted to the ministerial ranks (or, as happened in the case of Liam Fox, merely to the PPS' ranks). While this is true of all select committees, it has a particular bearing in this case because of the small pool of potential replacements.

If we consider all the factors which contribute to the distinctiveness of the committee, alongside the aims and objectives of the members, it becomes clear that the themes of Scottish adversarial politics are never likely to be far

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from the surface of the committee's deliberations. However, this is not to say that overt party divisions have been apparent in the choice of topics for investigation and the conduct of inquiries during the first year. On the contrary, the evidence suggests that all sides were keen to make a success of the revived committee. After a wait of five years, no party wished to be tarred with the brush marked 'wrecker', to the point where mutual accommodation and compromise become the orders of the day. During 1992-93, the desire to make the committee a success, at least in the minimalist sense of preventing its collapse, has prevailed over partisanship, as we shall see.

THE COMMITTEE'S WORK: AN OVERVIEW

We have seen that the work carried out by the committee during the 1992-93 session can be categorised quite simply into the topics which were covered solely through the taking of evidence ('Legal Aid Eligibility Changes' and 'Public Expenditure in Scotland'), and those which involved taking evidence and publishing a formal report ('The Future of Scotland's Transport Links With Europe' and 'Abuse of Drugs'). Why and how did these particular topics come to be chosen?

It is no accident that the committee did not conduct inquiries into the general running of the Scottish Office (the functioning of the department being monitored is a perennial topic for many select committees), the health service reforms, proposals for water privatisation and local government reform, or any aspect of what might be termed the 'constitutional question'. The explanation for this clearly lies with the members' desire to select topics on a basis of consensus and avoid early and unnecessary partisan divisions. While one member of the committee expressed a concern to the authors about the 'lowest common denominator' approach, the general view seemed to be that it was eminently sensible to start off with inquiries which would, in the words of one member,

... lead to the committee shaking down, beginning to work together ... It was important to establish it, get it up and running ... (so that) we didn't burst asunder and fall out with one another to start with and ruin the committee. (Hughes 1993)

It should be remembered that, in addition to their own preferences, members of the committee were given a number of suggestions by pressure groups, and it is not always possible to trace the original source of a proposed topic.

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'Scotland's Transport Links With Europe' was chosen because it combined intrinsic importance, topicality, and a minimal tendency to generate partisan division. 'Abuse of Drugs' has disputed parentage in the sense that members of the committee seem to have quite different recollections of whence this suggested line of inquiry came. Nonetheless, it is clear that the suggestion met with full approval, again on the grounds that the subject was important and topical. While the drugs issue might eventually lead to divisions within the committee, these would not necessarily be on party lines.

The two ad hoc inquiries, which consisted of evidence-taking sessions without subsequent reports, were selected in quite different ways. In the past, the Scottish Affairs Committee, like most others, had conducted an annual inquiry into the public expenditure plans for 'its' department, and the new model continued this trend, questioning Ian Lang in the spring of 1993 (Scottish Affairs Committee 1993b).

Some internal debate took place before the committee agreed to hold an inquiry into 'Legal Aid Eligibility Changes'. Changes were being introduced across the United Kingdom, not solely and specifically in Scotland. Discussion followed on whether to question the Scottish Office minister Lord Fraser of Carmyllie, and whether to publish a report. In the end, the committee was content to conduct a quick inquiry, question the minister, and publish the evidence without producing a full report and recommendations (Scottish Affairs Committee 1993a). It would seem that party political considerations combined with the pressure of the committee's existing commitments to produce this outcome. Nonetheless, the hearing produced a trenchant critique of the proposed changes from senior representatives of the Scottish legal profession, and this was given some prominence in the press (Copley 1993). The committee chairman later claimed that the pressure exerted by the committee and the lawyers forced the Scottish Office into 'a partial surrender' when it amended its plans (McKelvey 1993).

CONDUCT OF INQUIRIES

Earlier, we cited among the determinants of select committee effectiveness the calibre of the chair, and the quality of staffing and support. Each can have a very real impact on the conduct of inquiries once topics have been chosen.

The choice of the MP for Kilmarnock and Loudoun, William McKelvey, as chairman of the Scottish Affairs Committee, was not without controversy. He had chaired the unofficial 'Alternative' committee during its brief life, and

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associated himself with 'Scotland United', the broad nationalist front, in the wake of the 1992 General Election. The chairman of the Scottish Conservative backbenchers, Bill Walker, refused to consider joining the select committee because it seemed likely that McKelvey would become chairman (although it should be noted that Walker had also refused to sit on the committee in 1987), and, as we have noted, Phil Gallie attempted to prevent McKelvey taking the chair once the committee had convened, for the same reason.

The auspices were not good, therefore, and when we consider the onerous nature of select committee chairmanship, the scene might have been set for a difficult first session. An effective chair must secure agreement on the choice of topics for investigation; provide a working framework which will satisfy the needs of even the most maverick member of the committee; allocate sufficient time to each member for questioning of witnesses while allowing the general line of inquiry to proceed satisfactorily; and cooperate with all members in the drafting of reports. Perhaps surprisingly, McKelvey emerged as a rather popular chairman during the first session. Members from each of the parties represented on the committee were unstinting in their praise for the chairman. Indeed, not one of the committee members interviewed was even remotely critical of him. For example, Sir Nicholas Fairbairn genuinely felt McKelvey had been doing 'an excellent, excellent job' (Fairbairn 1993), Ray Michie described herself as being 'very satisfied' with the chairmanship (Michie 1993), and Andrew Welsh believed McKelvey had 'been very sensitive to the issues and has done it very well so far' (Welsh 1993). Perhaps most surprisingly, Phil Gallie, while reiterating Conservative doubts about McKelvey's links with Scotland United, was prepared to say: 'I think the chairman is doing a good job. I have no complaints whatsoever with the chairman.' (Gallie 1993)

The quality and style of McKelvey's chairmanship can be gauged by examining the minutes of evidence from the committee's hearings. A particularly illuminating example was the evidence-taking session of 10 February 1993, during the inquiry into 'Scotland's Transport Links With Europe' (Scottish Affairs Committee 1993d, pp.136-156). In this session, the committee examined the Secretary of State for Scotland, together with two ministers and a senior civil servant from the Department of Transport. McKelvey successfully steered the exchanges around a wide range of topics, from the role of the Scottish Office in strategic transport policy to the intricacies of particular issues associated with road, rail, and air policy. A sound balance was struck between occasionally allowing members of the committee to make constituency-related points, accommodating the

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idiosyncrasies and insights of Sir Nicholas Fairbairn, and maintaining a clear focus on the overall objectives of the session.

On other occasions, when civil servants were being examined, McKelvey facilitated sustained and detailed questioning, occasionally to the acute discomfort of the officials. The failure of an official to mention the rail network north of Edinburgh and Glasgow when making a presentation during the 'Transport Links' inquiry provoked just such a burst of questions from the north-east MPs, with McKelvey's support (Scottish Affairs Committee 1993d, pp.8-9).

To some extent the success of his chairmanship during the committee's first session might be attributable to McKelvey's self-stated belief in the importance of political consensus ('I compromise. I have always been a compromiser' (McKelvey 1993)).

We have already noted the arrangements for staffing and support. When questioned about the quality of support on offer, members of the committee were quick to pay tribute to the work done by the Commons officials and the outside advisers, although one member expressed a desire to play a more active part in selecting the latter. There was no evidence of discontent with the level and quality of support provided. However, at this point it seems useful to bear in mind some comments made by John Garrett (1992). His examination of the select committee system as a whole leads him to the conclusion that

... exiguous staffing is generally a matter of pride for committee chairmen and most of their members. Though there have been many assertions, mostly by outside commentators, that the committees have to have substantially more staff to be fully effective, there is little support for the idea in the committees themselves. (Garrett 1992: 92)

Perhaps the expectations of select committee members are too low.

In addition to the chairmanship and the issue of staffing and support, there are some other specific features of the conduct of inquiries which we would want to comment upon at this stage.

We have seen how partisanship was effectively shelved for the purpose of choosing topics for investigation. To what extent did this survive the process of investigation itself? One test would be the propensity of the committee to

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produce unanimous reports. Unfortunately, at the time of writing, we are only able to consider one completed report, **The Future of Scotland's Transport Links With Europe** (Scottish Affairs Committee 1993c). Despite press speculation that the committee would divide over this report (McGregor 1993b), unanimity was preserved. In the view of the members, although not of the press, this was achieved without undue dilution of the report's contents. The chairman was adamant that the published report 'was never watered down. Never.' (McKelvey 1993). Several members of the committee were critical of the coverage given to this investigation and report. Typical was the view of Raymond Robertson:

We had a unanimous report on transport, and got slated for it being bland ... but if we had split at all in that first report the media would have written it up as the beginning of the end of the select committee - we cannot even do the Scottish transport links report. Therefore, we are in a no-win situation.
(Robertson 1993)

The general view which emerged from members was that they did not object to divisions within the committee on matters of principle (these seemed to be occurring in the course of the 'Abuse of Drugs' investigation), but understood that partisan divisions would harm the credibility of the committee.

The transport links report contained 34 'Recommendations'. In fact, the report's conclusion was a mixed bag of specific recommendations ('The Scottish Office should give trunk road status to the A70'), statements of fact, and expressions of concern ('The Inter-Governmental Commission which reviews Channel Tunnel Safety Issues has taken much too long to clarify its policy on dangerous goods'). In its response to the report (Secretary of State for Scotland 1993) the Scottish Office seemed to be at pains to avoid rejecting outright any of the committee's recommendations. The opportunity was taken to emphasise that the West Coast main rail line remains one of the government's top investment priorities, and to stress that the Mossend Rail Freight Terminal would be completed in time to link up with the Channel Tunnel.

The importance of formal reports of this kind should be put in perspective. Individual members of the committee differed in their views about the relative value of the evidence-taking sessions (the committee hearings), field work, and final reports. While they all seemed to agree that, at their best, the reports could and should be significant, some placed considerably more

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weight than others on the field work (for example, the drugs investigation had taken most members on fact-finding visits to the USA as well as to a Scottish prison). At opposite ends of the spectrum were Ray Michie, who attached great value to the research visits 'because you are really getting it from the horse's mouth' (Michie 1993), and Sir Nicholas Fairbairn who dismissed such exercises as 'dolly dainty stuff' (Fairbairn 1993). As far as the evidence-taking sessions are concerned, some members placed considerable stress on the potential for hearings to elicit valuable information, while others clearly viewed the time limitations and rather formal atmosphere with some scepticism. While there were no complaints about obstructionism from witnesses, some members took the view that certain (unnamed!) witnesses had not been well prepared for the rigours of the hearings.

For at least one observer, the committee hearings are 'soporific' affairs, during which the members 'grind through their list of questions' while totally failing to 'provide a line' for the press or even 'manage to make witnesses squirm with discomfort' (McGregor 1993a). Even a cursory study of some of the minutes of evidence would seem to cast doubt on such a sweeping assertion. During the inquiry into 'Legal Aid Eligibility Changes', for example, members of the committee from both sides utilised their briefing notes, points from the evidence already collected, and items from the Memoranda submitted by the Scottish Office and the Law Society of Scotland, to make life extremely difficult for Lord Fraser, the Scottish Office Minister of State (Scottish Affairs Committee 1993a, pp.23-40).

Different perspectives might be taken on this matter. On the one hand, it is not the fundamental purpose of a select committee to grill witnesses purely, or even mainly, in order to provide copy for the press. However, if one of the aims of a committee is to stimulate and inform public opinion, then press, television and radio coverage of the public hearings offer lines of communication. In fact, there is some evidence that public debate on the possible legalisation of certain drugs has been stirred by the committee's hearings. Beyond this, when the witnesses happen to be government ministers, committee members have a prime opportunity to enforce the type of detailed accountability which is so difficult to achieve in other parliamentary contexts. This is not achieved in every case, however. One Conservative member had scathing criticisms to make of the opposition's failure to seize an opportunity during the 'Public Expenditure' hearings in particular: 'the problem is the evidence sessions cannot be controlled by the majority ... We are not going to bat (sic) difficult balls to Ian [Lang], or any of the ministers, but they (the opposition) should because we can't control that.'

CONCLUSION

It would seem to have been a worthwhile exercise to take what amounts to a snapshot of the Scottish Affairs Committee during the first session since its revival. As we have stated, it is impossible to reach definitive conclusions about the character and effectiveness of the committee at this stage, but we have been able to identify a few trends and describe some aspects of the new committee's *modus operandi*. Furthermore, a suitable framework for more detailed analysis of the committee over the duration of the full Parliament is emerging from our initial tentative thoughts on this committee's aims and objectives, and the determinants of committee effectiveness.

Having survived the difficult initial period since its resurrection, the committee now faces the challenge of sustaining and possibly increasing the momentum of its activities, while retaining the confidence of all the political parties. As the 1992-93 session drew to its end, the committee announced its intention to conduct inquiries into the operation of Highlands and Islands Enterprise, and the Scottish Enterprise network during 1993-94 (as well as finalising and publishing the report on abuse of drugs, work outstanding at the end of the first session).

The committee will have to satisfy the need for the opposition parties occasionally to draw blood from the Scottish Office, while keeping the Conservative members on board. Over the longer term, as the next General Election approaches, this select committee, unlike almost all of the others, is likely to come under increasing pressure from within and without, to play its part in sharpening the political weapons in its territorial battlefield.

Will the revived committee have matured sufficiently to take this test in its stride, or will it be tested to destruction in the increasing political heat? We await the answers to these questions with interest.

POSTSCRIPT

Our concern has been with the operation of the committee during the 1992-93 session, but it would be inappropriate to end without a very brief comment on what has become known as the Greater Glasgow Health Board affair. This was investigated by the committee in a three-hour hearing within days of the commencement of the new parliamentary session.

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The circumstances surrounding the dismissal of Laurence Peterken, the Board's Chief Executive, his subsequent appointment to a senior post within the NHS Executive on a salary of £86,000, and the forced resignation of Bill Fyfe, Chairman of the Board, provoked a political storm. The Scottish Affairs Committee met on 1 December 1993, to examine Peterken, Fyfe, and the Scottish Health Minister, Lord Fraser. This was to be the most heavily reported hearing in the committee's history, with a special BBC 'Scottish Lobby' programme televising highlights of the session that evening, and the Scottish press offering detailed coverage (McGregor 1993c; Taylor and Wylie 1993). Questions focused on the respective roles played by Scottish Office ministers, senior civil servants, and officials in the NHS Executive in Scotland.

In spite of the wishes of the opposition members (and, apparently, Sir Nicholas Fairbairn, who wrongly assumed that a report would be produced as a matter of course, and was attending the Defence Select Committee when the vital vote was taken), the Scottish Affairs Committee decided not to produce a report on this matter. Liam Fox attended his first committee meeting in months to support his Conservative colleagues, who were content to see the Scottish Office conduct an internal inquiry into the affair.

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