

# Institute for Government Scottish Devolution policy reunion

## Seminar report, 30 March 2011

### Introduction

As part of the Institute for Government's Better Policy Making project, we are inviting in groups of people involved in successful policies of the last thirty years to talk through the process, the choices and the decisions that shaped the result. The aim is to produce an in-depth understanding both of the policy itself but also of the wider system within which it was shaped, to shed light on the role of Ministers, civil servants and external players (both inside and outside the process). IfG will use the "reunions" to inform our better policy making study as well as produce individual case studies.

On 30 March 2011, we invited Ministers, officials and advisers who had been involved in the successful devolution of power to Scotland in the late 1990s to come together to discuss the factors that lay behind that success. We also interviewed Lord Robertson of Port Ellen, who had been shadow Secretary of State for Scotland in the run-up to the 1997 General Election. A list of those who attended is at Annex B and a timeline of the key events is at Annex C.

The objective of the reunion was to understand why Scottish devolution succeeded in the late 1990s when it had failed in the late 1970s.

As preparation, we asked all participants to fill out a "policy typology" to allow us to understand how much people shared the same views on key characteristics. Full responses are summarised in Annex D, but the key features to emerge from that typology were:

- Disagreement over who was the originating actor of the policy, with the Secretary of State, the Scottish Constitutional Convention and John Smith all receiving mentions.
- General agreement that the Secretary of State became the government 'owner' of this policy and provided strong long-term commitment.
- Agreement that the objectives of the policy were well-defined, although divergence over whether this was a new response to an existing policy goal or to a perceived new policy goal.
- General agreement that the policy was seen as an urgent priority even though it was a long-term issue with its main impacts beyond lifetime of the Parliament.
- Disagreement about the level of party political controversy surrounding this policy, which was characterised as a significant point of conflict between parties or, alternatively, present but not a 'frontline issue'.
- Opposing opinions also expressed concerning the degree of controversy caused by the policy within the governing party.

This formed the starting point for the discussion.

## Method

We conducted the reunion as a discursive process – designed to bring out differences and success factors at different stages. What follows are the key points to emerge in the session. This is not intended to be a comprehensive historic account, but to shed light on how events played out and what this tells us about the policy making process in Whitehall.

## The reunion

### Stage 1: the context

*(In this section we wanted to explore what brought this issue onto the agenda? How did different players see the problem? Where were the politics? The media? How was the timeframe for action perceived?)*

The starting point was the failure of the attempt by the Callaghan government to devolve power to Scotland in the late 1970s – a result which had precipitated the fall of that government. In many ways, however, the groundwork had been laid by “100 years of administrative devolution”. The failure in 1979 was put down to many reasons: the fact that the plan was seen as a model developed in Whitehall; the nature of devolution proposed – with specific powers only devolved; the decision to opt for endorsement through a referendum after legislation had passed. The process was seen in Scotland as too top down and too Westminster and Whitehall driven and therefore lacking legitimacy. Three Ministers were responsible at different times, which compounded the political problem, and it was seen as highly party political which contributed to the referendum failure. More generally, devolution was the act of a government that had lost its majority and was coming to the end of its term. As Lord Robertson told us: *“The referendum campaign was a miserable campaign: the Scottish [Labour] Party wasn’t united... key people were opposed to it and campaigning against it... People were voting against the Government as well as against devolution.”*

Eighteen years of Conservative government at Westminster heightened the sense of Scottish difference and the need to give Scotland a new constitutional settlement. Devolution was a key project of many leading Labour figures – Donald Dewar had been working on it for “31 years”; it was close to the heart of John Smith as Labour leader and the commitment was kept intact as part of the “inheritance” when Tony Blair became leader – a contrast to many other areas where there were fundamental policy reviews. As such, it also avoided becoming part of the Blair/Brown battleground.

For the Labour Party in Scotland, a commitment to genuine devolution was seen as important to seeing off the potential threat from the Scottish Nationalists. But Labour recognised that this time the process had to be built from the ground up and would have to be done differently to in 1979.

### Stage 2: the initiation

*(In this section we explore how the issue was specified. Who decided on the process and what were the choices that determined that? How were people brought into the process? What handling issues were identified and how was it proposed to resolve them? How was the team assembled? Were there resource issues and how were they decided? What else needed to be resolved before “work” could get going?)*

The starting point was a recognition that this time the impetus for devolution had to come from Scotland rather than Westminster. Had Labour won power in 1992 devolution would have been based on the Claim of Right. But the process of the Covenant and the civil society Scottish Constitutional Convention during the 1990s meant that a blueprint was developed for devolution to Scotland that was clearly made in Scotland and was *“strongly rooted in the elite of Scottish civil society”*. When the Convention could not agree on key issues, the Labour and Liberal Democrat political leaders would come together outside to fashion a compromise. The Labour leadership in London were kept in touch with the process.

However, there was an underlying tension between the objectives of the Scottish Labour Party which saw devolution on the Convention model as desirable without a referendum and the Labour Party in the UK which faced a Conservative Prime Minister determined to make devolution and the threat that posed to the integrity of the United Kingdom an election issue. The Scottish Office, under Secretary of State Michael Forsyth, spent a lot of time on devolution as he was in the vanguard of opposition to it – and that meant they became very familiar with the issues. Permanent Secretary, Sir Muir Russell, had been in charge of the Cabinet Office preparations for devolution in the event of a change of government in 1992. The fact that John Major delayed the election to the last possible date, in May 1997, allowed time for six months of talks between Robin Cook and the Liberal Democrat Bob McLennan, which laid the ground for cross-party agreement on how to proceed. Tony Blair saw devolution as an essentially Lib-Lab project. He was, however, concerned that the Convention saw devolution from *“an entirely Scottish perspective”*.

Meanwhile UCL’s Constitution Unit (CU), staffed predominantly with former civil servants, analysed the proposals emerging from the Convention and set about making them implementable. The CU’s report *Scotland’s Parliament: Fundamentals for a New Scotland Act*, produced in June 1996, did a lot of detailed work (eg on the intergovernmental machinery, how to manage intergovernmental relations and on the EU), given extra credibility by being advised by a Scottish Advisory Committee chaired by Kerr Fraser and Gavin McCrone. The CU work led to two big changes being put on the agenda – the idea of a pre-legislative referendum, driven by separate work CU were doing on Wales (where devolution had failed by an 80:20 margin in 1979 and where it did not seem worth the effort of producing detailed legislation if it was going to be rejected by the electorate) and, secondly, the idea that the devolution legislation should mirror the 1920 Government of Ireland Act, which set out the powers reserved to Westminster and devolved everything else. CU networked these proposals extensively with the Scottish Office, the Cabinet Office and government lawyers.

Devolution was the subject of the only formal Shadow Policy committee within the Labour Party, which included those who were more sceptical about devolution. Pat McFadden confirmed that the CU discussion of reverse powers was important – the CU’s activities filled the gap of expertise in opposition on the workings of the machinery of government. But Lord Robertson saw as critical the decision not to subject the Convention’s blueprint to the normal national policy forum process: *“Getting the national party to agree that they would not change or even suggest they would look at the package from the Convention...was one of the biggest successes of all. If I had lost that battle...it would have been seen to have the London stamp on it, it would have undermined the integrity of the process we had done.”*

The *Scotland's Parliament* report was also much read in the Cabinet Office where Kenneth Mackenzie and Bill Jeffrey “*carved it up into manageable chunks*” to start working out how they would take the issues through Whitehall.

Following the publication of the CU’s report, the *Road to the Manifesto* was published two days later with the inclusion both of the pre-legislative referendum and with reverse powers proposal. Sir Muir Russell pointed out that the reverse powers proposal proved important in underlining this was real devolution.

The effect of the commitment to a referendum was to diminish the force of devolution as an election issue, but was seen as a huge betrayal by the Scottish Labour Party – Lord Robertson described the decision to go for a referendum as “*one of the worst periods of my political existence*”. The announcement of the referendum was seen in Scotland as a sudden U-turn which was communicated badly. Tony Blair regarded it as critical protection for him and for the government – and even Lord Robertson acknowledged that it eased the passage of the bill through the House of Lords.

### Stage 3: the options

*(In this section we look at the process for surfacing options? What evidence was available and how was it used? What unexpected issues came to light? Who was involved and at what stage? Were there “unthinkable” options and how were they kept on or off the table? How were Ministers/ external stakeholders/implementers/ citizens involved? Other departments/ centre? How did the key choices emerge?)*

One of the most striking things about Scottish devolution was what was left out of scope – in particular, the West Lothian question was deemed solved or sidelined by the decision to reduce the number of Scottish MPs, and the Barnett formula for the Scottish block was left untouched. In the words of Jim Gallagher, there was a “*willingness to tolerate small, unanswered questions and a capacity to leave some things untidy*”.

The debate was on how much of the Convention blueprint would be translated into the final legislation. The Scottish Labour Party (SLP) did not see a need for any referendum, regarding the election victory as sufficient mandate for action. But the Prime Minister, Tony Blair, regarded it as crucial, both to entrenching devolution but also demonstrating that it was not a threat to the Union. Wendy Alexander pointed out that the difference in approach was summed up as the SLP believing there had been a vote for “the” Scottish Parliament whereas Tony Blair and Donald Dewar took the election result as an endorsement of “a” Scottish Parliament, with the detail still up for discussion and needing scrutiny through normal Westminster processes, though Donald Dewar would see his role as maintaining the integrity of the Convention scheme in those discussions. There were other issues which were hard for some people to accept – the acceptance of Proportional Representation which meant that having waited for power, Labour was making it unlikely it would ever have a majority in Holyrood and the reduction in Scottish representation at Westminster. These both showed the extent to which Dewar and Blair were “*Labour pluralists*” not “*Labour tribalists*”.

#### Stage 4: The decision

*(In this section we explore the process around making the final decision. How were conflicting departmental positions/ HMT/ No.10 handled? Were there significant compromises? How were Parliament and the media handled? How was implementation set up? Who played what role in the process?)*

A decision had been made in 1992 that any devolution proposals would be led by the territorial departments, the Scottish and Welsh Offices, but driven through from the centre with a strengthened Cabinet Office. The groundwork done in 1992 laid the foundations for what was set in place in 1997 and the Cabinet Office had also looked into what went wrong on devolution in the 1970s.

In possible anticipation of devolution being a key topic for a newly elected government, a Scot, Kenneth MacKenzie had been put in charge of the Cabinet Office's Economic and Domestic Affairs secretariat in the mid-1990s. He had already established his Whitehall credentials through handling the BSE crisis. There was no devolution team in place under the Conservatives, but the Cabinet Office made preparations in the weeks before the election to identify people who would move over to the Cabinet Office to work on devolution in the event of a Labour victory. Those people did not meet until after the election and were sworn to secrecy. However, as Lord Butler, then Cabinet Secretary pointed out, there was a lot of nervousness in the civil service: although there had been internal preparations, there had been no engagement on devolution with the Labour Party, though there were the records of the preparations in 1992 to draw on. None of the Cabinet Office team had met Lord Irvine before the election.

In the Scottish Office, detailed preparations were underway pre-election, and the new Secretary of State, Donald Dewar, was presented with a black book of key decisions to be made on his first weekend, to prepare him for the first meeting of the Cabinet Committee on Devolution to Scotland, Wales and the English Regions, (DSWR), on the Tuesday after the general election. Tony Blair had asked the Lord Chancellor, Lord Irvine of Lairg, to chair that committee along with the other constitutional reform Cabinet Committees. His instruction was to get devolution through quickly – if possible by the summer. He had conveyed the same instruction to Lord Butler at a meeting that took place a few days before the general election. Decisions were taken at such speed that departments were taken off guard.

What happened was a “*guerrilla raid on Whitehall*” with the Scottish and Welsh Offices, for whom this was the top policy priority, working with the Cabinet Office secretariat, to push decisions through before the naysayers in the rest of Whitehall could start to mount objections. In all the committee, which comprised a large number of Secretaries of State and important junior Ministers, had 15 meetings, lasting two hours each, in 11 weeks and considered 39 papers in that period. It needed both to get agreement to every detail on the referendum, then on the legislation. The Scottish Office saw its role as continually rolling the pitch with Whitehall to enable pace to be maintained though there was still a feeling in Whitehall that they should not “*be letting the Scots get away with this*”. The Cabinet Office Secretariat also maintained strong links into No.10 through Pat McFadden.

The committee had to consider the nature of devolution; whether the legislation should provide a Unionist sop of a declaration that the power of Westminster was undiminished, as well as settling the

issues of dispute resolution, West Lothian, EU relations, tax varying powers and budget issues. Some Scots on the cabinet committee were “*sotto voce*” in voicing departmental concerns. DSWR was unwilling to rubber stamp the Convention blueprint and both Donald Dewar and Derry Irvine saw merits in getting endorsement from a UK government cabinet committee – and Lord Irvine thought that that process produced a “*superior product able to withstand Parliamentary scrutiny*” though Lord Robertson saw the big success as maintaining the integrity of the Convention package. The two departures from the manifesto were on the pre-legislative referendum and on the separate question in that referendum on tax varying powers. The positive referendum result gave considerable momentum to implementing the legislation as it was easy to point to the declared will of the Scottish people. Momentum was very important to avoid getting bogged down as in 1979. Both Robin Butler and Lord Irvine regarded the outcome as illustrating Cabinet government at its best.

### Stage 5: The hindsight

*(In this section, we ask what worked and what didn't? What could/ should have been done differently? What were the big surprises?)*

There was general agreement that the new constitutional settlement was accepted (and was a notable contrast to the need to keep going back to the Welsh devolution settlement which had already been revisited twice). The important contribution of the monarchy to making the new settlement work was also noted. However, the following caveats were entered:

- It was not clear that there was a similar acceptance of the financial settlement for Scotland – this was a doorstep issue in England. The opportunity to sort the issue of relative Scottish overprovision and put funding on a more sustainable basis had not been taken in the benign circumstances before 2010 – it would be harder to solve in an era of declining spend and reductions in spending could introduce new tensions between London and Edinburgh;
- Other difficult issues had also been ignored – eg Europe and the redundant position of Secretary of State for Scotland still existed.
- Devolution had not been accompanied by an improvement in economic performance in Scotland – perhaps as a consequence of the nature of devolution. The Scottish government saw no benefits from policies to boost growth or to reduce welfare as these flowed back to London. Devolution had been essentially a political not an economic project
- The question of tax powers, which were controversial at the time, remains controversial – and they still have not been used.

### Conclusions: the critical success factors

The critical success factors appear to be:

- The willingness to **learn lessons** from the failure of devolution in the 1970s, both in the Opposition and in the civil service;
- The positioning of devolution in the 1990s as a **Scottish project**, developed by Scottish civil society through the Constitutional Convention on a **cross-party basis**. As Lord Robertson said: *“The actual achievement of getting agreement in the Scottish Constitutional Convention cannot be underestimated... People felt they were part of the process, and when it was signed*

*it was owned by people; that was a great lesson for me. It was hugely difficult, time consuming and laborious, but ultimately it was a guarantee of success.”*

- The detailed preparations in **Opposition**, including the Cook-McLennan talks, to enable the government to move into action immediately it was elected
- the work of the **Constitution Unit** in working both with Opposition and civil service to fill in the gaps of knowledge on machinery of government issues and to come up with options to make devolution more palatable south and north of the border
- the **priority** attached by both the Cabinet Office and the Scottish Office to devote resources to enabling Ministers to make decisions on a rapid timetable and the ability to put “*the brightest and best*” people in place immediately post election to take the task on – as well as their detailed preparations to enable Ministers to take decisions quickly; **clear commitment by the Cabinet Secretary** for civil service to deliver government flagship policy
- effective working of the **Cabinet Committee process** under Lord Irvine and the effective **partnerships at the centre** – Lord Irvine and Donald Dewar and the Cabinet Office secretariat and No.10 and the excellent working relations between the civil servants both in London and Scotland and their Ministers
- The **willingness** to leave some difficult issues on the side at the time
- Tony Blair’s **judgment** to resist the Scottish Labour Party and insist on a referendum – and the decision to go for a pre-legislative referendum which gave political momentum
- The fact that this was a priority project for a **newly elected government** with a huge popular mandate
- The **personal commitment and integrity** of Donald Dewar – and in particular his ability to withstand the very hostile press he faced in Scotland in the early months of the new government which expected to see faster progress and thought he was selling out

*Jill Rutter, Ed Marshall and Rhys Williams  
Institute for Government, April 2011*

## Annex A: Lessons for policy making

Barrier	Manifestation	Significance	Resolution
Relationships between civil servants and Ministers	Need to establish rapid working relations between Scottish Secretary and his officials and Lord Irvine and CO secretariat	H	Detailed preparation on both SO and CO. CO lined up highly talented CS to staff secretariat and clear
Innovation	Constitutional departure for the UK	M	Ability to learn lessons from previous failures
Adversarial political culture	Major making devolution an election issue on grounds would break up UK	H	Decision to do on bipartisan basis with Lib Dems and concede referendum to entrench.
Evidence	N/A	N/A	
Evaluation		N/A	
Policy design	Need to take CC proposals and make workable	H	Involvement of Constitutional Convention to develop Scottish blueprint and Constitution Unit to fill in gaps based on in-depth knowledge of both CS processes and constitutional detail
Policy as a profession and a career	Needed core CS drafting and resolution skills at speed	H	What CS does best
Europe	How to reconcile devolution with Europe	M	Big issue that has not really barked



## Annex B – Participants

<b>Participant</b>	<b>Role during this ‘Policymaking Process’</b>
Chair: Andrew Adonis	
Rt Hon Lord Irvine of Lairg	Lord Chancellor and Chair of Cabinet Committee on devolution 1997-2003
Rt Hon Lord Butler of Brockwell	Secretary of the Cabinet and Head of the Home Civil Service (1988-98)
Sir Muir Russell	Permanent Under-Secretary of State, Scottish Office (1998-99) and Permanent Secretary to the Scottish Executive (1999-2003)
Rt Hon Pat McFadden MP	Policy Advisor to Rt Hon Tony Blair MP on constitutional matters and devolution (1994-2001)
Wendy Alexander MSP	Special Advisor to Rt Hon Donald Dewar MP (1997-98)
Kenneth Mackenzie	Head of Cabinet Office Constitution Secretariat (1997-98)
Ken Thomson	Principal Private Secretary to Rt Hon Donald Dewar MP Secretary of State for Scotland (1997-99) and First Minister of Scotland (1999)
Jim Gallagher	Head of Local Government and Europe Group, Scottish Office (1996-99)
Professor Robert Hazell	Director, Constitution Unit, University College London (1995-)

## **Annex C – Scottish Devolution timeline**

### **1967**

#### **November SNP by-election victory**

Having seen their support grow considerably during the 1960s, the SNP made a significant electoral breakthrough when Winnie Ewing won the 1967 Hamilton by-election. Ewing famously declared: “Stop the world, Scotland wants to get on.” This result not only raised the SNP’s profile, but also led both the Conservative Party and the Labour Party to reassess their views on Scottish devolution.

### **1969**

#### **April Royal Commission on the Constitution established**

The Crowther Commission (from 1972, the Kilbrandon Commission) was set-up by Harold Wilson’s Labour Government to examine the structure of the UK constitution and the case for devolution.

### **1970**

#### **18<sup>th</sup> June General election – Conservative majority of 30** Result in Scotland: Lab 44, Lib 3, Con 23, SNP 1

### **1973**

#### **October Final Report of the Kilbrandon Commission**

The Commission’s final report formed the basis of the White Paper *Democracy and Devolution: Proposals for Scotland and Wales*. However, the recommendations of the Commission were not unanimous and two members published a minority report that advocated more powers to be invested in the proposed Assemblies.

### **1974**

#### **28<sup>th</sup> February General election – Hung Parliament** Result in Scotland: Lab 40, Lib 3, Con 21, SNP 7

With Labour in power as a minority government, the Party called a second election in 1974 – but not before committing to support for a Scottish Assembly.

**10<sup>th</sup> October**                    **General election – Labour majority of 3**  
Result in Scotland: Lab 41, Lib 3, Con 16, SNP 11

Labour won a majority of 3. The SNP also gained seats with an all time high of 11 MPs. By 1977, Labour had no overall majority and was increasingly reliant on support from nationalist parties before they entered a Lib-Lab Pact in March 1977.

## **1976**

**November**                    **Scotland and Wales Bill**

The Bill sought to deal with the issue of devolution through the creation of Scottish and Welsh Assemblies. However, 350 amendments were put down on the first day of committee and the process turned into a protracted standoff.

Included in this Bill was the ‘40 per cent rule’, or ‘Cunningham amendment’, stating that if less than 40% of the electorate voted ‘Yes’, then the Scotland Act granting devolution should be repealed.

## **1977**

**February**                    **Guillotine motion tabled for the Scotland and Wales Bill, but this measure was defeated and the Bill was withdrawn.**

## **1978**

**July**                            **Scotland Act 1978**

In order to appease those who argued that the Welsh did not want devolution, separate Bills for Scotland and Wales were tabled with support from the Liberals. Provisions were based on the recommendations of the Kilbrandon Commission. The Scotland Act gave the planned Scottish Assembly limited legislative powers and members were to be elected using the first past the post electoral system. This time the guillotine motion was successful.

## **1979**

**1<sup>st</sup> March**                    **First referenda on Welsh and Scottish Devolution held**

The referenda were conducted with the stipulation that the decision to create devolved assemblies would require 40% of the electorate to vote in favour.

<b>Result in Scotland:</b>	Yes - 51.6%	No - 48.4%	Turnout - 63.6%
As percentage of electorate	Yes - 32.9%	No - 30.8%	

<b>Result in Wales:</b>	Yes - 20.3%	No - 79.7%	Turnout - 58.8%
As percentage of electorate	Yes - 11.9%	No - 46.9%	

**28<sup>th</sup> March                      Labour Government loses vote of no confidence**

By April 1976, Labour had lost its majority in the House of Commons and had entered into a pact with the Liberal Party. When this agreement came to an end in July 1978, Labour had relied on support from nationalist parties. After the referendum in Scotland failed to reach the required threshold and the Government refused to implement the Scotland Act, the SNP withdrew their support and backed the subsequent vote of no confidence, which the Government lost by one vote.

**3<sup>rd</sup> May                              General election – Conservative majority of 43**  
Result in Scotland: Lab 44, Lib 3, Con 22, SNP 2

Having lost the referendum to establish a Scottish Assembly, and with a newly elected Conservative government disinclined towards the policy, devolution disappeared from the legislative agenda.

**1983**

**9<sup>th</sup> June                              General election – Conservatives re-elected with majority of 144**  
Result in Scotland: Lab 41, Lib 3, Con 21, SNP 2

**1987**

**11<sup>th</sup> June                             General election – Conservatives re-elected with majority of 102**  
Result in Scotland: Lab 50, Lib 9, Con 10, SNP 3

**1988**

**January to June                  Scottish Constitutional Convention (SCC) committee established**

Following the 1987 General Election, supporters of devolution united behind what eventually became the Scottish Constitutional Convention (SCC), which was composed of representatives from several of the political parties in Scotland, local authorities, the churches and many voluntary and other public bodies and organisations.

Between January and June of 1988, the SCC committee met to draw up initial plans. The committee was chaired by Professor Sir Robert Grieve and former senior Scottish Office civil servant Jim Ross acted as secretary.

## **1989**

**January**                    **A cross party meeting was held to consider proposals made by the Scottish Constitutional Convention**

The SNP expressed reservations and later withdrew, while the Conservative Party had already made it clear they would not take part in the SCC.

**March**                    **Scottish Constitutional Convention held its first official meeting**

The Scottish Constitutional Convention met officially for the first time and set out the key demand for a Scottish Assembly or Parliament with law-making powers. This declaration of policy was published as a *Claim of Right for Scotland*.

## **1992**

**9<sup>th</sup> April**                    **General election – Conservatives win with dramatically reduced majority of 21**  
Result in Scotland: Lab 49, Lib Dems 9, Con 11, SNP 3

## **1993**

**October**                    **SCC appointed an Independent Commission**

The remit of this Independent Commission was to consider the UK constitutional implications of a Scottish Parliament, as well as proposals for elections and representation (including gender-balance) to such a body. It was chaired by Joyce McMillan.

## **1994**

**October**                    **SCC Independent Commission published its report**

## **1995**

**November**                    **SCC presents final report: *Scotland's Parliament, Scotland's Right***

## **1996**

**October**                    **Joint Consultative Committee on Constitutional Reform established**

The Committee was established by Tony Blair and Paddy Ashdown to explore the possibility of co-operation between the Labour and Liberal Democrat parties in relation to constitutional reform, and its membership comprised of eight members from each party.

## **1997**

**March**                      **Joint Consultative Committee on Constitutional Reform publishes its Report: the Cook-Maclennan Agreement**

The Agreement set out its conclusions, including that there should be greater decentralization through devolution, “Bringing Power Closer to the People”.

**1<sup>st</sup> May**                      **General election – Labour majority of 179**  
Result in Scotland: Lab 56, Lib Dems 10, Con 0, SNP 6

**14<sup>th</sup> May**                      **Queen’s Speech to Parliament includes plans for devolution**

**24<sup>th</sup> July**                      **White Paper *Scotland’s Parliament* is published**

**11<sup>th</sup> September**              **Scottish Referendum**

<b>Result for Parliament:</b>	Yes - 74.3%	No - 25.7%	Turnout - 60.4%
As percentage of electorate	Yes - 44.87%	No - 15.53%	

<b>Result for tax-varying powers:</b>	Yes - 63.5%	No - 36.5%	Turnout - 60.24%
As percentage of electorate	Yes - 38.24%	No - 22.0%	

**November**                      **Consultative Steering Group (CSG) on the Scottish Parliament**

The Secretary of State for Scotland appointed a Consultative Steering Group (CSG). Its membership was representative of the major political parties in Scotland and of other civic groups and interests. Its remit was to develop proposals for the practical operation of the new Parliament.

**December**                      **Scotland Bill introduced**

## **1998**

**November**                      **Scotland Act received Royal Assent**

The Scotland Act allowed the Scottish Parliament to “pass Acts and the Executive can make secondary legislation in areas other than those which are reserved to Westminster... In addition, the Parliament has the power to vary the standard rate of income tax by up to 3 percentage points from the UK level... The Westminster Parliament can legislate in devolved areas, but under the Sewel Convention, will only do so, if asked by the Scottish Parliament”.

## **1999**

### **January CSG report published**

After a period of consultation, the CSG produced a report in January 1999, *Shaping Scotland's Parliament*, which was used as the blueprint for the Parliament's initial set of Standing Orders (the rules governing how the Scottish Parliament operates).

### **6<sup>th</sup> May First election for the Scottish Parliament held**

Result: Labour 56, SNP 35, Conservatives 18, Lib Dems 5, Scottish Green 1, Scottish Socialist 1

### **12<sup>th</sup> May Scottish Parliament meets for the first time**

### **14<sup>th</sup> May Lab-Lib Dem Partnership for Scotland was signed**

### **1<sup>st</sup> July Transfer of powers from Westminster to Edinburgh**

## Annex D – Typology Questionnaire Summary

<b>1) Who was the originating actor of this policy?</b>	Secretary of State	Other (non-media) stakeholder	Other – Scottish Constitutional Convention	Other – John Smith	Secretary of State	Other – regarded as "the settled will of the Scottish people" and a commitment to implement this was given by John Smith.	Other – civic society in Scotland, notably as gathered in the Constitutional Convention	Other – Scottish Constitutional Convention
<b>2) Who was the main UK government 'owner' of this policy?</b>	Single Secretary of State	Single Secretary of State	Single Secretary of State	Prime Minister	Multiple Secretaries of State	Other – The policy was owned by the Government collectively, though with little sign of enthusiasm from the PM: the most enthusiastic proponent was Donald Dewar.	Single Secretary of State	Single Secretary of State
<b>3) How strong was the commitment of this main 'owner' to the policy?</b>	Strong, long term	Strong, long term	Strong, long term	Other – reluctant	Strong, long term	Strong, long term	Strong, long term	Strong, long term
<b>4) How well defined were the goals and objectives of this policy?</b>	Well-defined	Well-defined	Well-defined	Well-defined	Well-defined	Contested	Well-defined	Well-defined



<b>5) What degree of change to existing policy did this policy represent?</b>	New response to a perceived new policy goal	New response to a perceived new policy goal	New response to a perceived new policy goal	New response to an existing policy goal	Maintenance of existing policy	New response to an existing policy goal	New response to an existing policy goal	New response to a perceived new policy goal
<b>6) What was the perceived urgency of this policy?</b>	Urgent	Long-term issue (ie main impacts beyond lifetime of Parliament)	Long-term issue (ie main impacts beyond lifetime of Parliament)	Urgent	Urgent	Urgent	Urgent; Long-term issue (ie main impacts beyond lifetime of Parliament)	Urgent
<b>7) What evidential foundation was there for this policy?</b>	Contested	Other – political consensus over desirability but much supporting analysis	Contested	Contested	Contested	Contested	Contested	Contested
<b>8) What type of internal dependencies were involved with this policy?</b>	Multiple Whitehall departments, complex 'delivery chain'	Multiple Whitehall departments, complex 'delivery chain'	Multiple Whitehall departments, complex 'delivery chain'	Multiple Whitehall departments, complex 'delivery chain'	Multiple Whitehall departments, complex 'delivery chain'	Multiple Whitehall departments, complex 'delivery chain'	Multiple Whitehall departments, complex 'delivery chain'	Multiple Whitehall departments, complex 'delivery chain'
<b>9) What level of non-government stakeholder power surrounded this policy?</b>	High power and united goals	High power and united goals	High power and united goals	High power and varying goals	High power and varying goals	High power and varying goals	High power and varying goals	High power and united goals

<b>10a) Were there other dependencies surrounding this policy?</b>	Yes	Yes	Yes	Yes		Yes	Yes	
<b>10b) If 'Yes' please give details</b>	Cross party support - reinforced by a referendum. The latter helped create unity around the policy.	Linkage to Wales and regional policy	Devolution in Wales	Welsh & NI devolution; Mayor for London; English RDAs		There was a wider agenda of constitutional change, including for example Welsh devolution, House of Lords reform and Human Rights. These did not seem well integrated.	Incoming Labour government's wider programme of constitutional reform including devolution to NI and Wales, London and the regions; House of Lords reform; incorporation of ECHR into domestic law (done for Scotland as part of Scotland Act)	
<b>11) What kind of legislation was required for this policy?</b>	Primary legislation	Primary legislation	Primary legislation	Primary legislation	Primary legislation	Primary legislation	Primary legislation	Primary legislation
<b>12) What level of party political controversy surrounded this policy?</b>	Present but not a 'frontline issue'	Significant – major point of conflict between parties	Significant – major point of conflict between parties	Present but not a 'frontline issue'	Significant – major point of conflict between parties	Present but not a 'frontline issue'	Present but not a 'frontline issue'	Limited because agreement

<b>13) Was there a significant degree of controversy within the governing party?</b>	Yes	Other – historically yes	No	Yes	No	Yes	Yes	No
<b>14) What level of public salience surrounded this policy?</b>	Significant and controversial	Significant and controversial	Significant and controversial	Limited but controversial	Significant and controversial	Limited but controversial	Limited but controversial	Limited but controversial
<b>15) What was the anticipated media reaction to this policy?</b>	Significant, positive, non-contested in Scotland; Limited and contested in England	Significant and contested	Significant, positive, non-contested	Limited, negative, non-contested	Significant and contested	Limited, negative, non-contested	Limited, negative, non-contested	Significant, positive, non-contested