



Devolution at the Centre: January 2007

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This note gives an account of developments at Westminster on the subject of devolution covering the period from May 2005 to January 2007. The purpose of the note is to provide the reader with a broad understanding of the events, including links and references to further information sources that may be useful. A prime source is the Devolution at the Centre monitoring report produced quarterly by the Constitution Unit at University College London, which appears at <http://www.ucl.ac.uk/constitution-unit/research/devolution/devo-monitoring-programme.html>

The note briefly covers the West Lothian question, primary legislation before Parliament, developments towards an English parliament, local and regional government, Sewel motions, the work of the territorial select committees and other non-parliamentary organisations that have been active in this area.

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A. Background

The UK system of devolution is asymmetric, in that there are different levels of devolved responsibilities and there is no common pattern. Scotland, Wales and Northern Ireland all have different forms of devolution.

Scotland has a Parliament and an executive developed from the Westminster model. Under the *Scotland Act 1998*, the Parliament can pass Acts and the executive can make secondary legislation in areas other than those which are reserved to Westminster. Committees are central to the working of the Parliament. They combine scrutiny of the executive and of legislation. 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, although it has not yet used this power. The Westminster Parliament can legislate for Scotland in devolved areas, but, under the Sewel Convention, will only do so if asked by the Scottish Parliament.

At time of writing the arrangements in Wales are changing. The settlement created under the *Government of Wales Act 1998* is being modified by the *Government of Wales Act 2006*, although the new arrangements will not come into being until after the elections in May 2007. At that point, Wales will have a legislature, the National Assembly for Wales, and an executive, the Welsh Assembly Government. The Welsh Assembly Government will be able to exercise executive functions, such as making secondary legislation in devolved areas. This effectively carries on the existing arrangements, although formally speaking the Assembly itself has made secondary legislation in the past, because the legislature and executive were a single entity. In addition, the National Assembly will be able to apply for the right to make "measures", which will be akin to primary legislation, on specified devolved matters. It will gain these rights by means of Orders in Council which, via the Secretary of State, it will ask the UK Parliament to pass. The Secretary of State will have the right to refuse to lay a draft Order in Council, and s/he will also have the right to block measures passed by the National Assembly. The 2006 Act also introduced primary powers for the National Assembly for Wales, but only if approved by a referendum, by the UK Parliament and by the National Assembly. There is no intention at present to seek such approval.

The progress of devolution in Northern Ireland is inextricably linked with the peace process, and problems with this have led to the Assembly and Executive being suspended four times, most recently since October 2002. When functioning, the Northern Ireland Assembly can make primary and delegated legislation in those areas which are transferred. The UK Parliament legislates in "excepted" and "reserved" areas. "Excepted" subjects will remain with the UK unless the *Northern Ireland Act 1998* is amended. "Reserved" subjects could be transferred by Order at a later date if there is cross-community consent. This triple division of areas is unique to Northern Ireland devolution.

Further information is available in the Library Research Paper *An introduction to devolution in the UK RP 03/84*, from which this section is derived.

B. West Lothian Question

a. House of Commons (Participation) Bill¹

On 13 Dec 2006, Robert Walter presented his Private Member's Bill which, if passed, would allow the Speaker the power "to determine the eligibility of Members of the House of Commons to participate in certain legislative and other proceedings of the House".

The Bill's second reading took place on 9 March 2007, but the debate was adjourned. Background to the Bill is given in Library Research Paper 07/24 *The House of Commons (Participation) Bill*.

b. Parliament (Participation of Members of the House of Commons) Bill²

On 17 January 2006 Lord Baker of Dorking presented a Private Member's Bill in the House of Lords that sought to give the Speaker the "power to determine the eligibility of members of the House of Commons to participate in certain legislative proceedings of that House". This Bill tried to solve the long standing 'West Lothian Question' that has been debated in the House of Commons since the 1970s. The Bill stated:

When a Public or Private Bill has been given a first reading in the House of Commons, the Speaker shall, before the second reading of the Bill, certify in writing the territorial extent of the Bill.

The Speaker would then:

designate which category or categories of members of the House of Commons may speak and vote on which provisions of the Bill (including amendments to those provisions) during its Committee stage or during the Consideration of the Bill on Report.

The designating of categories would not be confined to entire Bills. Certain sections of a Bill could also be divided by their territorial extent and only MPs in those categories would be allowed to speak and vote on those issues.

In the second reading in the House of Lords³ concerns were voiced about the fact that the proposed changes would create different majorities in the Commons depending on the legislation's territorial extent. With reference to this Lord Falconer added:

Having two classes of Members of Parliament means that the executive could enjoy the support of the majority on some issues, but not others. There might be a majority for the Government on defence or social security, but not on health and education.⁴

¹ *House of Commons (Participation) Bill*, Bill 22 2006-07:

<http://www.parliament.uk/commons/lib/research/rp2007/rp07-024.pdf>

This section of the note draws on the Devolution Monitoring Report produced by the Constitution Unit at University College London *Devolution at the Centre* May 2006

² *Parliament (Participation of Members of the House of Commons) Bill*, HL Bill 61 2005-06

³ HL Deb, 10 February 2006, c902-56

⁴ HL Deb, 10 February 2006, c949

It was also argued that the Bill was in itself “constitutionally unsound” as it was seen by many as inappropriate that a Private Member’s Bill in the Lords should try to impose rules on the Speaker of the House of Commons or restrictions on the rights of MPs.

The Bill was committed to a Committee of the Whole House, but as no amendments were proposed, the order of commitment was discharged. On 18 April 2006 the Bill had its third reading in the House of Lords (without debate or division) and was sent to the House of Commons. A date for its first reading in the House of Commons was never assigned.

c. *The Education and Inspections Bill*⁵

The *Education and Inspections Bill 2006* highlighted the issue of the West Lothian Question further. At the Bill’s second reading the programme motion was voted on and agreed to by 300 to 290⁶. If all votes by Scottish MPs were removed (32 voted for and 20 against) the motion would have been rejected and created major problems for the Government.⁷

For further information on the West Lothian Question please refer to library standard note *The West Lothian Question SN/PC/2586*.

d. *English Parliament*

The English Democrat Party has been campaigning for an English Parliament since it was founded in 2002. The party is chaired by Robin Tilbrook.⁸

In a letter published in the *Daily Telegraph* on 24 Oct 2006, supporters of the “English Constitutional Convention”, including John Horam MP, Lord Beaumont of Whitley, Lord Stoddart of Swindon and Robin Tilbrook wrote.⁹

It has been nearly 10 years since the people of Scotland and Wales were consulted in a referendum prior to devolution. No such courtesy has been extended to the people of England, and our politicians seem reluctant even to allow open debate on the subject.

The letter went on to say

Dividing England into "regions", while leaving Scotland and Wales as "nations", is rightly unpopular and undemocratic. Stopping Scottish and Welsh MPs voting on English issues will cause as many problems as it solves. The question of the establishment of an English parliament must be considered and the option placed in front of the electorate.

On 6 Dec 2006, Rt Hon Frank Field was quoted in an ePolitix interview as saying¹⁰

⁵ Education and Inspections Bill, HC Bill 181 2005-06

⁶ HC Deb 25 March 2006, 443 c1568

⁷ This point was made by the Constitution Unit Devolution Monitoring Report *Devolution at the Centre* May 2006

⁸ For further information see their website at <http://www.englishdemocrats.org.uk/>

⁹ “English Parliament”, *Daily Telegraph*, 24 October 2006

As those countries (Scotland, Wales and Northern Ireland) seek to assert their natural identities even more strongly it is obvious that the English identity will be similarly asserted and I hope to still be around when we see an English parliament established because that is what voters want and what justice demands.

Campaign for an English Parliament is a pressure group set up to “put the issue of a parliament for England on the political agenda”. Its website is:

<http://www.thecep.org.uk>

e. ‘English Votes on English Issues’

The question of ‘English votes on English issues’ has become much more talked about in Parliament during recent months, although it seems unlikely that anything will change within the current Parliament. After the *Education and Inspections Bill* was passed, largely due to 32 Scottish MPs voting for it, there was an increased call for English MPs to have the sole right to vote on legislation that affects only England. The notion of ‘English Votes on English Issues’ received the backing of the Conservative Party. Oliver Heald, the Shadow Secretary of State for Constitutional Affairs, was quoted in an article in the *Independent* as saying:¹¹

It is simply not sustainable to have measures imposed on England on the back of the votes of Scottish MPs, when the same measures in Scotland are the responsibility of the Scottish Parliament. The case for English votes on English laws in the House of Commons is quite clear.

However, in a speech to a conference on devolution on 10 March 2006 the Lord Chancellor, Lord Falconer, said:¹²

to the idea of an English parliament, we say not today, not tomorrow, not in any kind of future we can see now. Devolution strengthens the union of the UK. English votes for English issues would wreck it.

In response to Adam Afriyie’s oral question regarding the Government’s plans to address ‘democratic equality’, Bridget Prentice, Parliamentary Under-Secretary of State, Department for Constitutional Affairs, replied:

The Department has absolutely no intention of taking any action to address what is not an inequality. The hon. Gentleman asked the same question a few moments ago, and I was tempted simply to refer him to the answer that my right hon. Friend the Secretary of State for Scotland gave a few moments ago. As the hon. Gentleman voted five times on the Government of Wales Bill last night, I find it difficult to understand why he has difficulty in understanding why every Member of this House has the right to vote on every issue within it.¹³

¹⁰ “Frank Field - former welfare minister”, *ePolitix*, 6 December 2006
<http://www.epolitix.com/EN/Interviews/200611/d9e1f9cc-403e-4315-af7b-885bbc46c489.htm>

¹¹ “English Parliament would ‘wreck Britain’”, *The Independent*, 11 March 2006, p16

¹² ESRC Devolution and Constitutional Change Programme Final Conference, 10 March 2006, Lord Falconer of Thoroton, <http://www.dca.gov.uk/speeches/2006/sp060310.htm>

¹³ HC 443 c120-1, 28 February 2006.

C. Other Primary Legislation

a. *Government of Wales Bill*

On 8 December 2005 the Government introduced the *Government of Wales Bill*. The Bill was preceded by the White Paper *Better Governance for Wales*, published in June 2005.¹⁴ It sought to:

- Separate powers between the legislature (National Assembly for Wales) and the executive (the Welsh Assembly Government).
- Enable new powers for the Assembly to make laws in devolved areas.
- Prevent candidates standing both in a constituency and on a party list at the same election.
- Provide for primary law making powers.

After a brief period of negotiation both Houses agreed the Bill (with relatively few amendments) and it was given royal assent on 25 July 2006. The new powers are set to come into force at the next elections in May 2007.

For further information on this subject the Library has produced two publications;

- *The Government of Wales Bill 2005 (Bill 100 2005-06) – (RP 05/90)*
<http://www.parliament.uk/commons/lib/research/rp2005/rp05-090.pdf>
- *Government of Wales Bill 2005: a note on the Bill's progress - (SN/PC/4098)*
<http://www.parliament.uk/commons/lib/research/notes/snpc-04098.pdf>

b. *Scottish Parliament (Candidates) Bill*

On 1 February 2006, Labour Peer Lord Foulkes of Cumnock introduced the *Scottish Parliament (Candidates) Bill*. The Bill's aim is to:

Amend section 5 of the Scotland Act 1998 to prevent persons standing as both a candidate on a regional list and for a constituency in elections to the Scottish Parliament.¹⁵

The Bill had its second reading in the House of Lords on 3 March 2006 but did not go any further than this before the end of the session.

c. *Northern Ireland (St Andrews Agreement) Bill*

On 22 November 2006, the Northern Ireland (St Andrews Agreement) Bill was given Royal Assent. It gives legislative effect to those parts of the *St Andrews Agreement* that require

¹⁴ *Better Governance for Wales*, Cm 6582, June 2005,
http://www.walesoffice.gov.uk/2005/better_governance_for_wales_report.pdf

¹⁵ Scottish Parliament (Candidate) Bill, Bill 73, 05-06

primary legislation. The Act set a new target date for restoration of devolution of 26 March 2007.

For further information on this please see Library Research Paper The Northern Ireland (St Andrews Agreement) Bill 2006-7 RP 06/56.

<http://www.parliament.uk/commons/lib/research/rp2006/rp06-056.pdf>

D. Local and Regional Government

A debate on the subject of Local and Regional Government took place in Westminster Hall on 23 November 2005.¹⁶ There were varying opinions regarding the devolution of power to local and regional bodies. Andrew George, who proposed the debate, said:

What have we seen as a result of the North East assembly referendum last year? Basically, the Government have demonstrated paralysis; they appear to have no idea. A year on from the outcome of the referendum, there has been no comment and no proper assessment. There is no sign that the Government are prepared to debate the issue.

David Davies said:

I went into politics because I believed that it should be about low taxes, high quality public services, low taxation wherever possible and building a sense of cohesion. The Welsh Assembly, and regional government in general, undermines those key principles...

...There is currently a great danger—a tendency to encourage people to define themselves by the region that they come from, by their ethnicity, by their religion or by any one of a number of other distinctions, whereas we should encourage everyone to define themselves as British.

In reply to these contributions, Phil Woolas, the Minister for Local Government, said:

I therefore reject the notion that this is a centralising Government and that we are implementing a stealth policy of regionalisation. In fact, as our manifesto declared, and as can be seen from the freedoms and flexibilities, local area agreements and other policy measures that we have introduced, our policy is one not only of decentralisation of function, but of devolution.

The Communities and Local Government Select Committee published oral and written evidence entitled *Is There a Future for Regional Government*. It contained memoranda from various academics, councils and interested groups.¹⁷

In a press release the committee announced it had decided to examine issues relating to regional government, including:¹⁸

¹⁶ HC Deb c450-474WH, 23 November 2005

¹⁷ Communities and Local Government Select Committee, *Is There a Future for Regional Government?*, HC 977-I+II, 2005-06

- the potential for increasing the accountability of decision-making at the regional and sub-regional level, and the need to simplify existing arrangements;
- the potential for devolution of powers from regional to local level;
- the effectiveness of current arrangements for managing services at the various levels, and their inter-relationships;
- the potential for new arrangements, particularly the establishment of city regions;
- the impact which new regional and sub-regional arrangements, such as the city regions, might have upon peripheral towns and cities; and
- the desirability of closer inter-regional co-operation (as in the Northern Way) to tackle economic disparities.

Speaking at the Local Government Association conference on 5 July 2006, on the subject of devolving powers to the regional level, the Secretary of State for Communities and Local Government, Ruth Kelly, said there was a need for the government to “get off the centralising treadmill”.¹⁹

E. Sewel Convention

The subject of Sewel motions, or ‘legislative consent motions’ as they have been referred to since 30 November 2005 has continued to be widely debated. In January 2005, the Scottish Parliament Procedures Committee conducted an inquiry into the matter and produced a report, *The Sewel Convention*.²⁰

The Scottish Affairs Select Committee (SASC) held its own inquiry into the Sewel Convention from the Westminster perspective. The report was published on 19 June 2006²¹ and agreed with the broad proposals made by the Procedures Committee in the Scottish Parliament. The Scottish Affairs report recommended:

- The introduction of a formal process whereby the Scottish Parliament notifies Westminster when a Sewel motion had been passed;
- that any communication from the Scottish Parliament that it had passed a Sewel motion is, at the appropriate time, “tagged” on the Order Paper, and the text of the resolution made available in the Vote Office; and

¹⁸ Committee on the Office of the Deputy Prime Minister, *Is There a Future for Regional Government?*, 7 December 2005,

http://www.parliament.uk/parliamentary_committees/odpm/odpm_session_2005_06_pn15.cfm

¹⁹ Ruth Kelly, Speech to the LGA conference, 5 July 2006

<http://www.communities.gov.uk/index.asp?id=1501327>

²⁰ Scottish Parliament Procedures Committee, *The Sewel Convention*, 7th report 2005,

<http://www.scottish.parliament.uk/business/committees/procedures/reports-05/prr05-07-vol01.htm>

²¹ Scottish Affairs Select Committee, *The Sewel Convention: the Westminster perspective*, 19 June 2006, 4th Report 2005-06, HC 983

<http://www.publications.parliament.uk/pa/cm200506/cmselect/cmscotaf/983/98302.htm>

- that all Explanatory Notes to Bills are explicit about which part or parts of the United Kingdom a Bill will affect, and could, therefore, trigger the Sewel Convention.

The Government's response to the report by the Procedures Committee of the Scottish Parliament was set out in written evidence to the Scottish Affairs Committee presented by the Scotland Office. This said:

The Government does not see any value in the Speaker certifying Bills as containing provisions that are subject to the consent of the Scottish Parliament.

However, it did concede to ask Bill teams to

make available in each House Library a copy of the Sewel motion (now referred to in the Scottish Parliament as Legislative Consent Motions) and accompanying Scottish Executive Memorandum once the Scottish Parliament has given its consent to provisions to be included in a Bill.

On the matter of improving communications between the two Parliaments the Government stated:

The Government believes that how and the extent to which Parliaments communicate with each other is rightly a matter for those bodies.

For further information on the Sewel Convention the Library has produced a Standard Note:

The Sewel Convention – (SN/PC/2084)

<http://www.parliament.uk/commons/lib/research/notes/snpc-02084.pdf>

a. Sewel Motions (Legislative Consent Motions) agreed in the period

Name of Bill	Purpose of Bill	Relevance to Scotland
Session 05/06		
Animal Welfare Bill	The main purpose of the Bill is to bring together and update legislation that exists to promote the welfare of vertebrate animals other than those in the wild.	Not generally covered by Bill except for clauses relating to application and enforcement of disqualification orders in Scotland. Sewel motion agreed
Civil Aviation Bill	The Bill contains various measures intended to develop sustainable aviation and protect passenger interests.	Covered by the Bill (except clause 5 on public airport companies). Sewel motion agreed
Companies Bill [HL]	The Bill implements many of the recommendations of the Company Law Review which sought to modernise company law in order to provide a simple, efficient and cost-effective framework for British business.	Covered by the Bill. Sewel motion agreed.
Compensation Bill [HL]	The Bill contains provisions in relation to the law on	Not covered by Bill. Legislative Consent Motion (Sewel motion)

	negligence and the regulation of claims management services	agreed.
Equality Bill [HL]	The Bill establishes the Commission for Equality and Human Rights (CEHR) to take over the work of the existing equality commissions; makes unlawful discrimination on the grounds of religion or belief; creates a duty on public authorities to promote equali	Covered by the Bill. Sewel motion agreed
Health Bill	The Bill contains a number of provisions relating to the protection of public health including smoking in public places and prevention and control of health care associated infections	Not generally covered by the Bill but certain provisions relating to controlled drugs, medicines and pharmacies and NHS Appointments Commission extend to the UK as a whole. Sewel motion agreed.
Housing Corporation (Delegation) Etc. Bill	The twin objectives of this Bill are to ensure that the Housing Corporation has the power to delegate the exercise of its functions in the future and to clarify the position as regards the exercise of its past functions.	Covered by the Bill. Legislative Consent Motion (Sewel motion) agreed.
Legislative and Regulatory Reform Bill	The Bill extends the scope of powers available to ministers to amend statute law by Order.	Covered by the Bill. Legislative Consent Motion (Sewel motion) under consideration.
London Olympic Games and Paralympics Games Bill	The Bill sets up the Olympic Delivery Authority and provides the statutory remit for public bodies tasked with delivering the Games; also provides the legislative framework to enable UK to meet IOC requirements placed on host cities.	Covered by the Bill. Sewel motion agreed
National Lottery Bill	The Bill establishes a single distributor (the Big Lottery Fund) to replace the Community Fund, New Opportunities Fund and Millennium Commission; enables distributors to take account of public consultation in making distribution decisions; ensures that li	Covered by the Bill. Sewel motion agreed.
Natural Environment and Rural Communities Bill	The Bill establishes the Commission for Rural Communities and Natural England; also brings in key elements of the Government's rural strategy published in July 2004.	Not generally covered by Bill but several provisions (e.g. those relating to agricultural levy boards have UK-wide extent and part 7 (Inland Waterways) extends to Scotland. Sewel motion agreed
Northern Ireland	The Bill makes provision in	Covered by the Bill. Legislative

(Miscellaneous Provisions) Bill	relation to the following: registration of electors, Chief Electoral Office, date of next Assembly elections, political donations, devolution of policing and justice functions, miscellaneous provisions including an extension to	Consent Motion (Sewel motion) under consideration.
Police and Justice Bill	The Bill enacts key elements of this Government's police reform programme and Respect Action Plan. Provisions include the establishment of a National Policing Improvement Agency, standardisation of the powers of Community Support Officers, and measures in	Not generally covered by the Bill but certain provisions, for example those relating to the National Policing Improvement Agency, extend to Scotland. Legislative Consent Motion (Sewel motion) agreed.
Session 04/05		
Constitutional Reform [HL] Bill [Carried over]	The Bill will make provision for modifying the office of Lord Chancellor and make changes to the way in which some of the functions vested in that office are handled. The Bill will also create the Supreme Court of the United Kingdom, create the Judicial A	Covered by the Bill although certain provisions extend to England and Wales only; and to Northern Ireland only. Sewel motion agreed.
Disability Discrimination Bill [HL]	The Bill strengthens and broadens the <i>Disability Discrimination Act</i> , implementing a number of recommendations of the Disability Rights Task Force.	Covered by the Bill. Equal opportunities is a reserved area but provision for public authorities to promote equality of opportunity falls partly within the competence of the Scottish Parliament. Sewel motion agreed.
Gambling Bill [Carried over]	The Bill gives effect to the Government's proposals for reform of the law on gambling. It contains a new regulatory system to govern the provision of all gambling in Great Britain, other than the National Lottery and spread betting.	Covered by the Bill with the exception of clauses relating to the legal assistance scheme, door supervision and prosecution by licensing authority. Certain other clauses differ in their application to Scotland. Sewel motion agreed.
Inquiries Bill [HL]	The Bill is intended to provide a comprehensive statutory framework for inquiries set up by ministers to look into matters of public concern.	Covered by the Bill. Sewel motion agreed.
International Organisations Bill [HL]	This is a small technical Bill which will enable the UK to fulfil outstanding international commitments to confer legal capacity and privileges and immunities on a number of	Covered by the Bill. Sewel Motion agreed

	international organisations and bodies, and certain categories of individuals con	
National Lottery Bill	The Bill establishes a single distributor (the Big Lottery Fund) to replace the Community Fund, New Opportunities Fund and Millennium Commission; enables distributors to take account of public consultation in making distribution decisions; ensures that li	Covered by the Bill. Sewel motion agreed.
Railways Bill	The Bill winds up the Strategic Rail Authority, passing some of its functions to the Sec of State and to the devolved administrations; gives the Office of Rail Regulation responsibility for safety and economic regulation; provides for greater local and de	Covered by the Bill. Sewel motion agreed.
Animal Welfare Bill	The main purpose of the Bill is to bring together and update legislation that exists to promote the welfare of vertebrate animals other than those in the wild.	Not generally covered by Bill except for clauses relating to application and enforcement of disqualification orders in Scotland. Sewel motion agreed

F. Work of Territorial Select Committees

1. Northern Ireland Select Committee

Current inquiries:

Tourism and Its Economic Impact and Benefits – The importance of tourism for the overall economy and the effectiveness of measures taken by Government and other relevant agencies to develop, promote and support the marketing of Northern Ireland as a tourist destination.

Community Restorative Justice - Inquiry into the draft Protocol for Community based Restorative Justice Schemes which was launched by the Government for public consultation, together with the equality impact assessment of the scheme, on 20th September 2006. Expected to report before Christmas.

a. Reports Published since May 2005

Date	Report Title	HC Number
23 October 2006	Ninth Special Report - <i>Organised Crime in Northern Ireland: Government Response to the Committee's Third Report of</i>	HC 1642

	<i>Session 2005-06</i>	
5 July 2006	Third Report - <i>Organised Crime in Northern Ireland</i>	HC 886-I HC 886-II
28 February 2005	Second Report - <i>The work of the Committee in 2005</i>	HC 928
9 February 2005	First Report - <i>Education in Northern Ireland</i>	HC 726
16 January 2005	Eighth Special Report - <i>Decision to Cease Stormont Prosecutions. Eighth Special Report of Session 2005-06</i>	HC 814
28 October 2005	Seventh Special Report - <i>The Functions of the Northern Ireland Policing Board: Responses by the Government and the Northern Ireland Policing Board to the Committee's Seventh Report of Session 2004-05</i>	HC 531
28 October 2005	Sixth Special Report - <i>Ways of Dealing with Northern Ireland's Past: Interim Report - Victims and Survivors. Government Response to the Committee's Tenth Report of Session 2004-05</i>	HC 530
28 October 2005	Fifth Special Report - <i>Air Transport Services in Northern Ireland: Government Response to the Committee's Eighth Report of Session 2004-05</i>	HC 529
21 July 2005	Fourth Special Report - <i>The Challenge of Diversity: Hate Crime in Northern Ireland: Government Response to the Committee's Ninth Report of Session 2004-05</i>	HC 396
21 July 2005	Third Special Report - <i>The Parades Commission and Public Processions (Northern Ireland) Act 1998: Government Response to the Committee's Second Report of Session 2004-05</i>	HC 395

21 July 2005	Second Special Report - <i>The Functions of the Office of the Police Ombudsman for Northern Ireland: Responses by the Government and the Office of the Police Ombudsman for Northern Ireland to the Committee's Fifth Report of Session 2004-05</i>	HC 394
21 July 2005	First Special Report - <i>The work of the Committee in 2004: Government Response to the Committee's Fourth Report of Session 2004-05</i>	HC 393

Northern Ireland Affairs Committee web pages

http://www.parliament.uk/parliamentary_committees/northern_ireland_affairs.cfm

2. Welsh Affairs Select Committee

Current Inquiries:

Globalisation and its Impacts on Wales - The inquiry will focus principally on four main themes: employment, population, food and broadcasting.

Energy in Wales - The Committee is to follow up its major Report of 2005-06 (*Energy in Wales, 3rd Report, Session 2005-06, HC 876*), with two evidence sessions which will focus on: coal production and consumption in Wales; the future of the Welsh coal industry; carbon capture and storage; the environmental effects of surface mining; micro generation initiatives; and the development and adoption of new technologies to combat carbon emissions.

Welsh Prisoners in the Prison Estate - The inquiry will concentrate on the prison estate in Wales and Welsh prisoners in the prison estate in England.

a. Reports Published Since May 2005

Date	Report Title	HC Number
26 October 2006	Sixth Special Report - <i>Future of RAF St Athan: Government Response to the Committee's Fourth Report of Session 2005-06</i>	HC 1657
24 October 2006	Fifth Special Report - <i>Energy</i>	HC 1656

	<i>in Wales: Government Response to the Committee's Third Report of Session 2005-06</i>	
27 July 2006	<i>Fifth Report - Current Restructuring of the Police Forces in Wales</i>	HC 1418
25 July 2006	<i>Fourth Report - Future of RAF St Athan</i>	HC 1129
20 July 2006	<i>Third Report - Energy in Wales</i>	HC 876-I HC 876-II
10 July 2006	<i>Fourth Special Report - Proposed Restructuring of the Police Forces in Wales: Government Response to the Committee's Second Report of Session 2005-06</i>	HC 1431
22 February 2006	<i>Second Report - Proposed Restructuring of the Police Forces in Wales</i>	HC 751
19 January 2006	<i>Third Special Report - Government White Paper: Better Governance for Wales: Government Response to the Committee's First Report of Session 2005-06</i>	HC 839
13 December 2005	<i>First Report - Government White Paper: Better Governance for Wales</i>	HC 551
21 October 2005	<i>Second Special Report - Police Service, Crime and Anti-Social Behaviour in Wales: Government Responses to the Committee's Fourth Report of Session 2004-05</i>	HC 514
28 July 2005	<i>First Special Report - Manufacturing and Trade in Wales and Public Services</i>	HC 433

	<i>Ombudsman (Wales) Bill: Government Responses to the Committee's Second and Third Reports of Session 2004-05</i>	
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Welsh Affairs Select Committee web page

http://www.parliament.uk/parliamentary_committees/welsh_affairs_committee.cfm

3. Scottish Affairs Select Committee

Current Inquiries:

Poverty in Scotland - The inquiry will begin by addressing such issues as: What is poverty? The extent of poverty, the contributing factors and the impact of Government policy on poverty.

Effects of Tax Increases on the Oil Industry - To examine the implications of the £2 billion tax increase announced by the Chancellor in his last Budget Statement. The committee will seek to examine the response by the oil industry, whether tangible damage has been done to the industry by the tax increases and if the more marginal fields have become uneconomic.

a. Reports Published Since May 2005

Date	Report Title	HC Number
17 October 2006	<i>Second Special Report - The Sewel Convention: the Westminster perspective: Government Response to the Committee's Fourth Report of Session 2005-06</i>	HC 1634
19 June 2006	<i>Fourth Report - The Sewel Convention: the Westminster perspective</i>	HC 983
16 May 2006	<i>Spring Supplementary Estimate 2006: Explanatory Memorandum by the Scotland Office</i>	HC 1106
16 May 2006	<i>Third Report - Putting Citizens First: The Report from the Commission on Boundary Differences and Voting Systems</i>	HC 924
29 March 2006	<i>Second Report - Meeting Scotland's Future Energy</i>	HC 1010

	<i>Needs: the Westfield Development Centre</i>	
24 January 2006	First Report - <i>Work of the Committee in 2005</i>	HC 836
24 October 2005	First Special Report - <i>Meeting Scotland's Future Energy Needs: Government Response to the Committee's Second Report of Session 2004-05</i>	HC 579

Scottish Affairs Select Committee

http://www.parliament.uk/parliamentary_committees/scottish_affairs_committee.cfm

G. Other Committees

- a. ***Communities and Local Government Select Committee (formerly Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Select Committee)***

Date	Title	HC Number
15 March 2006	Is There a Future for Regional Government? – Written evidence	HC 977-II
13 March 2006 -16 July 2006	Is There a Future for Regional Government? – uncorrected oral evidence	HC 977 and 977-i to vii

H. British/Irish Council

The British/Irish Council met for its 8th Summit in London in June 2006. Climate change was the main topic for discussion, in particular reducing emissions and adaptation to unavoidable climate change (a working group was set up to examine this issue). The Irish government outlined its continuing concerns regarding Sellafield nuclear power station and nuclear safety generally.²²

At its 7th summit in May 2005 on the Isle of Man, the main focus was telemedicine, in particular the issue of patient confidence in telemedicine to ensure its success. The communiqué released after the summit outlined discussions on work carried out by the other

²² British-Irish Council, *Eighth Summit Communiqué*, 2nd June 2006
http://www3.british-irishcouncil.org/documents/london_summit2.asp

sections of the council on the misuse of drugs, the environment, tourism, and knowledge economy.²³

5 sectoral meetings have taken place since May 2005. They were:

Subject of Meeting	Venue	Date
Indigenous, Minority and Lesser-Used Languages	Galway	27 October 2006
Environment	Guernsey	26 July 2006
Social Inclusion	Edinburgh	2-3 March 2006
Transport	Belfast	9 February 2006
Drugs	Dublin	12 December 2005

Further information is available on the British-Irish Council website at <http://www3.british-irishcouncil.org/index.asp>

I. Other Organisations

a. *Devolution and Constitutional Change (An ESRC Research Programme)*

The Devolution and Constitutional Change programme produced its final report in March 2006. This considered the extent to which devolution had been successful and looked at public opinion of the process in England, Wales, Scotland and Northern Ireland.²⁴

The programme advisory board was chaired by Peter Riddell (the Times).

Website: <http://www.devolution.ac.uk/>

b. *Constitution Unit*

According to its website,²⁵ the Constitution Unit is carrying out research into

parliament-executive relations in the context of multi-level governance. The project, led by Robert Hazell and Akash Paun, is investigating the relationship between Britain's three legislatures – Westminster, the Scottish Parliament and the National Assembly for Wales – and their respective executives. In particular, we are looking into how the legislatures hold to account ministers involved in intergovernmental negotiations at both the European level and the intra-UK level (between Whitehall and devolved administrations).

The draft report for this is available on the website.²⁶ The Constitution Unit is continuing its Devolution Monitoring Reports for Scotland, Wales, Northern Ireland and the Centre, with quarterly reports available on-line at

²³ British-Irish Council, *Seventh Summit Communiqué*, 20th May 2005, http://www.britishirishcouncil.org/documents/iom_summit.asp

²⁴ Economic and Social Research Council, *Final Report of the Devolution and Constitutional Change Programme*, March 2006, http://www.devolution.ac.uk/final_report.htm

²⁵ Constitution Unit, <http://www.ucl.ac.uk/constitution-unit/>

²⁶ *Parliamentary Scrutiny of Multi-Level Government*, Constitution Unit,

J. EDMs tabled in period

EDMs Tabled with relevance to devolution May 2005 - January 2007

EDM Number	Title	Primary Sponsor	Date	Number of Signatories*
86	Unlock Democracy Campaign	David Chaytor	15.11.2006	93
2585	Independence for Scotland and England	Alex Salmond	17.07.2006	7
2565	Regional Question Time	Lindsay Hoyle	13.07.2006	40
2519	Hon. Members Voting Rights	Ian Austin	05.07.2006	96
2429	Constitutional Settlement Between Scotland and England	Angus MacNeil	22.06.2006	17
1421A	Elections to the Scottish Parliament	Angus MacNeil	19.01.2006	17
1421	Elections to the Scottish Parliament	Jim Devine	18.01.2006	94
1476	Secretary of State for Scotland's Assurance on Scottish Parliament Election Process	David Mundell	25.01.2006	25
1180	Grand Committees	Lindsay Hoyle	01.12.2005	23
1168	England and St George's Day	Nicholas Winterton	30.11.2005	27

639	Composition and Work of the Equality Commission in Northern Ireland	Gregory Campbell	20.07.2005	6
382	Better Governance for Wales White Paper	Bill Wiggin	21.06.2005	38
240	Grammar Schools in Northern Ireland	David Lidington	26.05.2005	48

* No. of signatories correct at time of writing

K. Chronological list of key events May 2005 to January 2007²⁷

Date	Event
20 May 2005	British-Irish Council holds 7 th annual summit on the Isle of Man.
15 June 2005	<i>Better Governance for Wales</i> White Paper published by Wales Office.
12 June 2005	Westminster Hall Debate on regional government and Cornwall.
15 October 2005	Government's power to legislate for Northern Ireland extended for a further six months.
27 October 2005	Sewel Convention inquiry launched by Scottish Affairs Committee.
1 December 2005	Westminster Hall debate on Scotland's future energy needs report.
7 December 2005	Regional government inquiry launched by ODPM Select Committee.
8 December 2005	<i>Government of Wales Bill</i> has 1 st reading in the House of Commons.
12 December 2005	British-Irish Council holds a drugs sectoral group meeting in Dublin.
13 December 2005	<i>Better Governance for Wales</i> report published by Welsh Affairs Committee.
19 January 2006	Arbuthnott Report on electoral systems and boundaries in Scotland published.
10 February 2006	<i>Parliament (Participation of Members of the House of Commons) Bill</i> has 2 nd reading in the House of Lords.

²⁷ Adapted from the Constitution Unit's Devolution Monitoring Report *Devolution at the Centre* reports

15 February 2006	Westminster Hall debate on Arbuthnott report suggestions.
16 February 2006	Government introduces the <i>Northern Ireland (Miscellaneous Provisions) Bill</i> .
28 February 2006	<i>Government of Wales Bill</i> completes Commons proceedings.
2-3 March 2006	British-Irish Council's group on social exclusion meets in Edinburgh.
3 March 2006	<i>Scottish Parliament (Candidates) Bill</i> has second reading in the House of Commons.
31 March 2006	Government's power to legislate for Northern Ireland extended.
20 April 2006	<i>Northern Ireland Bill</i> 1 st reading in House of Commons.
4 May 2006	Local elections held in England.
2 June 2006	British-Irish Council holds 8 th annual summit in London.
20 July 2006	2 nd Westminster Hall debate on the Arbuthnott report.
20 July 2006	<i>Energy in Wales</i> report published by Welsh Affairs Committee.
25 July 2006	<i>Government of Wales Act</i> receives royal assent.
25 July 2006	<i>Commissioner for Older People (Wales) Act</i> receives royal assent.
25 July 2006	<i>Northern Ireland (Miscellaneous Provisions) Act</i> receives royal assent.
24 October 2006	English Constitutional Convention Launched at Westminster.
27 October 2006	British-Irish Council's sectoral group on indigenous, minority and lesser used languages meets in Galway.
8 November 2006	<i>National Health Service (Wales) Act</i> receives Royal Assent.
22 November 2006	<i>Northern Ireland (St Andrew's Agreement) Act</i> receives Royal Assent.
7 December 2006	British-Irish Council sectoral group on drugs meets in Belfast.
12 December 2006	Northern Ireland Grand Committee meets in Belfast.
13 December 2006	<i>House of Commons (Participation) Bill</i> presented by Robert Walter.

L. Matters discussed by Grand Committees May 2005 – January 2007

a. *Welsh Grand Committee*

Date	Chairmen	Business
13 December 2006 (PM)	Mr Martin Caton	Government's Legislative Programme
13 December 2006 (AM)	Mr Martin Caton	Government's Legislative Programme
19 th April 2006 (PM)	Mr Martyn Jones	Budget Implications for Wales
19 th April 2006 (AM)	Mr Martyn Jones	Budget Implications for Wales
23 rd June 2005 (AM)	Mr Martin Caton	Government's Legislative Programme

b. *Northern Ireland Grand Committee*

Date	Chairmen	Business
12 December 2006	Sir Alan Haselhurst	The Government's Anti-Poverty and Social Inclusion Strategy
20 June 2006	Hugh Bayley	Draft Budget (No.2)(Northern Ireland) Order 2006
28 March 2006	Mr Peter Atkinson	Review of Public Administration
7 February 2006	Mr. Bill Olnier	Draft Budget (Northern Ireland) Order 2006
15 November 2005	Mr David Wilshire	Draft Priorities and Budget 2006-08
29 June 2005	Mr. Joe Benton	Draft Budget (No.2)(Northern Ireland) Order 2005

Further information on debates can be found on the 'General Committees' page of the Parliament website: <http://www.publications.parliament.uk/pa/cm/othstn.htm>