

# THE CONVERSATION

## If Westminster delivers, Scotland will have one of the world's most powerful devolved parliaments

November 27, 2014 6.08pm GMT

### Kirstein Rummery

Professor of Sociology, Social Policy and Criminology, University of Stirling

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The Conversation UK receives funding from Hefce, Hefcw, SAGE, SFC, RCUK, The Nuffield Foundation, The Ogden Trust, The Royal Society, The Wellcome Trust, Esmée Fairbairn Foundation and The Alliance for Useful Evidence, as well as sixty five university members.

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Lord Smith of Kelvin unveils proposals for new Scottish powers ahead of schedule. Andrew Milligan/PA

It seemed like a poisoned chalice when Lord Smith of Kelvin was handed the task of chairing a cross-party commission to advise on devolving further powers to Scotland after September's referendum. There was widespread concern that the tight timetable would mitigate heavily against citizens being meaningfully involved, leading to a wholly political process that did not reflect the values and aspirations of the Scottish electorate.

The risk was that those who felt excluded would not accept its legitimacy, and those who were included would be attempting to represent the interests of disparate and sometimes conflicting political perspectives and interest groups.

### Mission: almost impossible

All the same, Lord Smith attempted the impossible. As well as aiming to reach a consensus with the five main political parties in Scotland, he also initiated a consultation with the wider population that must have left everyone involved exhausted. As many as 407 organisations and more than 18,000 individuals sent in written submissions, and Lord Smith visited Glasgow, Inverness, Dundee and Stirling to talk to different interest groups.

Of course an exercise designed to gather opinion from the public and civic society is bound to be problematic for several reasons. There were no clear principles agreed: what was the purpose of the consultation, what weight did the public voices have, how were their opinions going to be taken into account, what feedback were they going to get? There was also a danger of raising hopes and expectations on all sides, when in reality the commission's role was only advisory. There was always a danger that the Smith Commission's report would, by attempting to please all of the people, end up pleasing none of them.

The fact that Lord Smith managed to get a consensus from ten politicians from five different parties with very different devolution agendas to publish a report ahead of deadline was no mean feat in itself. Lord Smith also claimed at the launch on November 27 that his report reflected the issues put to him by the wider electorate.

### The main Smith proposals

- Scotland should receive control over its own income-tax-raising and spending and receive an additional block grant from Westminster using a revised version of the Barnett formula;
- Benefits should be devolved apart from pensions, universal credit, sick pay, statutory maternity pay and child benefit. This would include all disability benefits, unemployment benefit, discretionary housing payments and additional fuel and maternity payments, empowering the Scottish parliament to alter them or introduce new benefits in their place;
- Scottish parliament should have all powers in relations to elections in the Scottish parliament and local government -- including the power to lower the voting age to 16;
- BBC should report directly to the Scottish parliament as well as the UK parliament;
- Scottish parliament and Scottish government should become permanent institutions;
- Scottish parliament should have control over onshore energy policy.

These proposals do not equate to devo max, but they do go way further than the three main UK parties proposed earlier in the year. If Westminster agrees to enact them, it would make the Scottish parliament more autonomous and accountable than ever before. In fact, with such substantial powers to raise and spend revenue, it would be one of the most federally devolved legislative bodies in the world – with far more powers than US states, for example.

### Money and mouths time

What happens next depends on whether Westminster delivers the additional powers that the commission is recommending, and how the Scottish parliament then uses them. There would be clear incentives to raise tax revenues by growing the economy, to create a fairer welfare and benefits system, and significant policy levers to achieve change.

At the same time, these powers will not give the Scottish parliament the power to defend itself against Westminster austerity measures, and certainly not the full control over macroeconomic policy it would need to tackle poverty, inequality and other significant social policy challenges.

But the ball is in Westminster's court. If it does not keep to the timetable and deliver by January 25 next year the general election is going to look very difficult for some parties, particularly Scottish Labour and the Liberal Democrats. And it's quite possible that the Scottish National Party (SNP) and the Greens will take their bat and ball home, and walk away from the Smith agreement. Even on the day that the commission proposals were

announced, SNP leader and Scottish First Minister Nicola Sturgeon said at Holyrood that the new powers were less than what was promised.

Whether Westminster could fail to meet the timetable is difficult to say at this stage. Certainly we were given a heavy dose of realism after the vote when David Cameron immediately announced that the No victory gave him a mandate to develop the principle of English votes for English MPs.

If Westminster does deliver, the Scottish parliament will have more control over its own revenue raising, spending and social policy than it has ever had. Would it then use those powers creatively and responsibly for the people of Scotland? Or if pro-independence parties remain in power, will it balk and insist on full independence before enacting radical change? Watch this space.



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