



## Scottish Affairs Committee

### Oral evidence: [Intergovernmental relations: 25 years since the Scotland Act 1998, HC 149](#)

Monday 19 February 2024

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Members present: Pete Wishart (Chair); Alan Brown; Wendy Chamberlain; Sally-Ann Hart; Christine Jardine; Ms Anum Qaisar; Douglas Ross; Michael Shanks.

Questions 143 - 210

#### Witnesses

I: Rt Hon Mr Douglas Alexander, Secretary of State for Scotland 2006-2007, Rt Hon the Lord Browne of Ladyton, Secretary of State for Scotland 2007-2008, and Rt Hon the Baroness Liddell of Coatdyke, Secretary of State for Scotland 2001-2003.



## Examination of witnesses

Witnesses: Rt Hon Mr Douglas Alexander, Rt Hon the Lord Browne of Ladyton, and Rt Hon the Baroness Liddell of Coatdyke.

Q143 **Chair:** Welcome to the Scottish Affairs Committee. Today we have a trio of former Secretaries of State for Scotland, who I will now allow to introduce themselves. Perhaps you could tell our viewers and listeners—and we know there are always many listening in to the Scottish Affairs Committee—which period you served as Secretary of State. That would be helpful, as would anything by way of a short introductory statement. We will start with you, Baroness Liddell.

**Baroness Liddell of Coatdyke:** Thank you very much, Mr Chairman. I am the right hon. Baroness Liddell of Coatdyke, otherwise known as Helen Liddell, certainly when I was Secretary of State between 2001 and 2003. That was right at the very beginning, and a lot of people were quite nervous, particularly Members of Parliament and the civil service, about getting things wrong, because we had never been in this situation before with a devolved Assembly. It was quite a challenging time, but we knew each other—I knew everybody who was in the Cabinet with me and I had known them for many years. I was 11 years as general secretary of the party in Scotland and, as a consequence, I would do the national conference and things like that, so I tended to know everybody.

I have to confess that an awful lot of the difficulties that we experienced were resolved in the Tea Room because we could sit down and talk and discuss what would be the right thing to do and what would be a problematic thing to do, and, as a consequence, move forward.

**Chair:** Excellent. Thank you ever so much for that. Mr Alexander, please—no title for your good self yet.

**Douglas Alexander:** Thank you, Mr Chairman and members of the Committee. I served as Secretary of State for Scotland from 6 May 2006 until 28 June 2007. Given that this period in the Scotland Office is now some time ago and that, over the last eight years, I have been pursuing other interests as a private citizen, it is only since I received your generous invitation to appear as a witness before this Committee that I have had reason to recollect in any detail the operation of devolution and intergovernmental relations during my period of office. In that regard, I would like to extend my gratitude publicly to Chloe Smith, the Committee Clerk, for the consideration and professionalism with which she offered suggestions as to how best to prepare for today's discussion.

I welcome the opportunity to endeavour to answer the Committee's questions alongside my former colleagues, Baroness Liddell and Lord Browne. In preparation for this discussion, I have read the relevant sections of *Hansard* and the evidence given to the Committee by previous witnesses, and considered the Constitution Unit at UCL's Devolution Monitoring Programme, which was itself very helpful to refresh my



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memories from that time. This work in anticipation of today's hearing has reinforced my initial recollection that, during my period in office, as you have heard from other witnesses, intergovernmental relations were not a significant problem. In fact, they were characterised by a high degree of collaboration and co-operation.

**Chair:** Thank you for that. Lastly, Lord Browne.

**Lord Browne of Ladyton:** Thank you very much, Chair. Because there is more than one Lord Browne in the House of Lords—in fact, there are a number of Lord Brownes with an “e” at the end of their name—I am Lord Browne of Ladyton. I was the Secretary of State for Scotland and—I will get this out of the way at the beginning—the Secretary of State for Defence from 28 June 2007 until 3 October 2008, when Jim Murphy took over following a reshuffle and I retired from Government.

First of all, I echo the words that Douglas used about the assistance that we were given from your staff, and Chloe in particular. I do not pick her out because I remember her name; all the staff we were involved with were very helpful. There were difficulties with scheduling, disruption and things like that, so that made it easier. Certainly, the indication of the things that you were interested in was a good help in preparation.

To be honest, when I got this invitation, at first I thought that I did not really remember very much about this, as it was quite a while ago. I include in my thanks the staff of the Scotland Office, who helped us with finding in the public record and open record, which I will draw on quite extensively in answer to your questions, the information that showed what my experience was.

I will just say that I do not recollect any problems at all. In fact, I have uncovered from *Hansard* probably the first question I answered in Scottish questions, which, interestingly enough, Pete, you asked me.

**Chair:** Me? All right.

**Lord Browne of Ladyton:** Considering what you are doing here, it was about when I next expected the plenary Joint Ministerial Committee to be. I gave you, I thought, a very full and helpful answer. I said that the Government were aware of calls for a meeting of the Joint Ministerial Committee and were considering the proposal.

**Chair:** That is a very fulsome response, as one would expect from the esteemed former Secretary of State.

**Lord Browne of Ladyton:** I know. It is the next intervention that I want to draw to your attention to. The first sentence of your response was one that I think had a hint of irony about it: “May I thank the Secretary of State for that helpful response?” The second sentence, I treasure—and bear in mind I have been in this job for about 10 days: “May I also commend him for the constructive and positive way in which he has



engaged with the new Scottish Government?" If it is okay with you, I will just leave now.

Without going into a lot of detail about this, I just want to remind you that, as you know, there was, in fact, during my term of office a meeting of the plenary Joint Ministerial Committee, which took place in June of the next year. Sorry, I should also have said that I took office almost exactly a month after Alex Salmond became the First Minister. The Joint Ministerial Committee's joint statement after that meeting contains one sentence that I think you will be very interested in. It is in the third full paragraph of the second page and reads as follows: "The meeting also took stock of the state of relations between the Administrations represented." However—and this is the real important question—"They noted there was a great deal of daily contact at all levels."

Q144 **Chair:** Those are very helpful and fulsome responses. Thanks for those recollections, Lord Browne. It is very helpful to this Committee.

What we are trying to capture in the course of this inquiry is the changing nature of devolution. I think that we can categorise it as the early years, where there was the same Government in all places of government in the United Kingdom; then the years from 2007 possibly right up to the referendum, where there was a different Government in Scotland and there were obvious issues and tensions that emerged from that; and then the post-referendum period leading up to Brexit. These are the three periods that we seem to be dealing with in our conversations with many of our witnesses here.

You guys were all there in the very early stages—the cosy, comfortable relationships, if we want to categorise it as such. Of course, as you said, Des, you were there in that transition and Douglas was there in the first year or so of the SNP Scottish Government. I will come to you first, Baroness Liddell. Did it feel as cosy and comfortable as you are suggesting? Was it all around a cup of tea in the Tea Room where all the outstanding issues and difficulties were resolved—I imagine there would be some difficulties and challenges in that period, even though you were all relatively familiar with each other, possibly even friends. There must have been some points where you would disagree with colleagues in Scotland and possibly have to have an extended conversation about some of these issues.

**Baroness Liddell of Coatdyke:** That usually happened on a Friday night because the downside was that we had everybody's telephone numbers. I would get home on a Friday night and I would usually get a phone call from somebody, but it was mostly about definition. People did not fully understand where the UK Government began and ended and where the Scottish Government would begin and end. This includes civil servants, not just Ministers. People were a bit unsure about how everything was going to play out, and you could understand why that was the case. Sometimes somebody would say, "You cannot do that," and I would have to say, "Actually, we can, because it is in the legislation." It was about



getting that transition from being frightened and nervous about things to settling down and looking at issues in some detail.

I mentioned in 2019, I think, when I last gave evidence to this Committee, the fact that we spent an awful lot of time in Cabinet Committees. There were 19 Cabinet Committees, and there was only myself and initially Lord Foulkes of Cumnock, who has joined us in the audience today. It was very difficult getting round all those, and I occasionally had to ask the Advocate General to go and take some notes and tell me what was going on. We managed to get that sorted out, because an awful lot of it was unnecessary, but the problem was finding a way forward that meant that both sides of the debate could be taken into account and that colleagues who were not used to having to take things into account for Scotland would understand what the nuts and bolts of the devolution legislation were like.

**Q145 Chair:** Do you think that we should have done more, perhaps—yourself as the Secretary of State at that point—to prepare for what were almost inevitably further difficulties down the road when there would be different Governments? Was it just assumed that this was always going to be the way things would work and transpire? Did we miss an opportunity to set in place a proper infrastructure and machinery of intergovernmental relations at that point when it was generally quiet?

**Baroness Liddell of Coatdyke:** To some extent, it is because we were all Scots. We had lived with the whole devolution debate for many years, and a lot of people were just beginning to catch up with it and the extent to which it would affect them. I include civil servants in that as well as Ministers. It was sort of, “Feel it, and see and see how you can move forward.” We eventually got there, and some of it was just about having to sit down and explain to somebody how the Scottish devolution situation impacted what was happening down south. With things like education, it was clear. When you got to university education, it was a little bit different, but in other areas—for example, around the economy and so on—we were greatly helped by the fact that the Chancellor of the Exchequer at the time and the Chief Secretary of the Treasury were both Scots, and they knew how the whole process worked. It was just about getting people up to speed. Prior to the Parliament being set up, we probably should have spent more time as a Government discussing how the devolution settlement was to work. That was the key part of it.

**Q146 Chair:** Can I turn to Lord Browne and Mr Alexander? When you came in as Secretary of State and you observed what was in place, were you generally satisfied with what you observed—the infrastructure that was in place and the relationships that had been built up? Did you feel there was a need to change anything that you had previously seen?

**Douglas Alexander:** Let me take it chronologically. First, Mr Chairman, as a point of clarification, it was under Des’s period in office, just a month in, that Alex Salmond, who I understand is about to give evidence to the



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Committee, became the First Minister, so my period was entirely with Jack McConnell as First Minister.

Broadly, no, there was continuity rather than change on my arrival. I do not recollect that I had the honour of answering a question from you first as Secretary of State, but I did look at the UCL constitution report for the period. I was Secretary of State from 6 May 2006, and it published its half-yearly report in January of 2007. It stated, "On the formal level, intergovernmental relations remain as low-key as ever." I think that, almost two decades on, that is a pretty accurate characterisation. Relationships were informal, low key and collaborative. That partly reflected the point that Helen has just made, which is that we did all know each other, whether that was the principal Ministers in the Scottish Government—it helps in knowing each other if your sister and your best man are both members of that Government. That is just a small personal example of the fact that, literally, we had journeyed in Scottish politics together for many years.

Critically, the civil service knew each other, and I know that that is a point that others have recognised and referenced in the evidence that they have given to your Committee. I do not think that we should underweight the significance of the official making the phone call on a Friday evening or during the week being familiar with their opposite number in either Westminster or Holyrood. That naturally has atrophied over a period of time as people have retired and times have moved on. In that sense, we all knew each other and the officials knew each other. Thirdly, there was broadly a high degree of consensus in terms of the balance of intergovernmental relations and the broad policy direction that was set.

However, there is one observation that I would make, and, again, this came out of preparing for today's session and the "Scottish Devolution Monitoring Report" that I referenced, which was published in January of 2007. That report quotes an answer that was given by Jack McConnell when he was First Minister during my time as Scottish Secretary. With the Committee's forbearance, I will read the answer because I think it is illustrative of the approach that was taken in Holyrood, at the same time as we were taking an approach in the Scotland Office. It said: "On the formal level, intergovernmental relations remain as low-key as ever. There have been no meetings of the plenary Joint Ministerial Committee, nor any publicised meetings of functional formats of the JMC" during this period. It continues: "Some information has crept out, through answers to questions in the Scottish Parliament. In response to a question from Euan Robson MSP about 'joint parliamentary committees', Jack McConnell said"—and the date of his answer is in the Scottish Parliament official record on 16 November 2006 at column 29399—"Although, in the early days of devolution, such joint committees operated with some success in a number of policy areas, they were felt to be inappropriate for the Parliament's second term. However, given the commitment of the Parliament and this devolved Government to reduce poverty in Scotland,



to further economic development and to address some major environmental challenges, which affect the responsibilities of the Governments at Westminster and in Scotland, it might be worth looking at resurrecting some of those joint committees or, indeed, other kinds of committee that are more appropriate for today. I am certainly happy to do so. The question whether a formal joint committee is required is another matter.”

That leaves the impression, as the report indicated, that the initiative not to use the JMC was not the exclusive province of Whitehall and there was actually a certain attitude within the Scottish Government that they did not want to appear to be being directed by the UK Government. I think that answer is a fairly authentic representation of the fact that, if there were no formal meetings happening at the time, it was partly because of all the informal work that was happening. But there was also a political dynamic to it, because you had a Scottish Executive at the time finding its feet and keen to establish its authority over very significant areas of devolved policy.

**Q147 Chair:** I follow that entirely, and it is a very good point that you make, but would it not have been useful, particularly for what was to come, that the JMCs and all the joint committees were functioning, up and running and operating regularly? Surely that should have been something that all those who had responsibility and were in positions of power should have been considering and putting in place.

**Douglas Alexander:** Respectfully, I think that structures have their place but are of limited utility without the political will to exercise them effectively. I was very struck by Lord Wallace of Tankerness’s observation about attending a committee and looking out the window and being rather bored because there was nothing to talk about. It was an amusing anecdote, but it was very reflective of whether we really want to burden very busy Ministers in Holyrood, or indeed down here, with the expectation of structured engagement, where, frankly, the informal processes and structures are sufficient.

To be fair to that generation of politicians, the Government was new and relatively new to the devolved Administration and to the devolved Government. But, equally, we had just undertaken a radical and significant constitutional reform on the basis, first, of the White Paper and then of the Scotland Act. In that sense, it is a very high bar to expect that, back in those early years of the noughties, we could have anticipated the two big inflection points that you have already referenced, whether that is the independence referendum of 2014 or Brexit and the subsequent choices made by the public in 2016.

**Q148 Chair:** Thank you. Lastly, Lord Browne, when you assumed office, how did you observe the arrangements and relationships in place? Were you satisfied with what you inherited?



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**Lord Browne of Ladyton:** I am interested in co-operative working. That is why I do it. In this part of my life, I spend all my time trying to get people to talk to each other. I always have a focus on that—on how we can work together.

The first point is that I was also the Secretary of State for Defence, and I had an excellent Minister of State, in David Cairns. He was excellent. He was Secretary of State material and, but for the terrible tragedy of his untimely death, he would have become a very good Secretary of State. I was delighted that I had that back-up. He did, honestly, a lot of the work that I am sure, in other times, the Secretary of State had responsibility for.

The other point is that when I was elected in 1997, and then the Scottish Parliament in 1999, I was not as close to that, as a Back Bencher, as others were. They were either very close to and advising Secretaries of State and above or, like Helen, they had been involved in this before, and she continued at the level that she was best at throughout. I was a Back Bencher; I was on the Northern Ireland Select Committee, the Public Administration Select Committee and various other things. Then, when I became a Minister, I became the Minister for Criminal Justice and Politics in Northern Ireland. Organising circumstances in which people could work together across barriers was just part of my everyday job.

I have to say this. I had experience as a Minister of State for a period in the Department for Work and Pensions. I was the Minister for Work. Every day that I was Minister for Work, there were more people working in Scotland and in the rest of the United Kingdom than ever before—every day. I do not claim credit for that policy; we inherited the policy from the Major Government, but we did not break it. Things were working, and we had to work at that level with other parts of the Government and other Ministers. That was just how we worked.

I am bound to say that, when I became the Secretary of State for Scotland and was preparing for questions from people like you, I did my homework. The MOU for the plenary Joint Ministerial Committee has a sentence in it that describes, I think, what I was satisfied was happening. The MOU talked about the Joint Ministerial Committee, but it said that most contact “should be carried out on a bilateral or multi-lateral basis, between departments which deal on a day-to-day basis with the issues at stake.” I refer you back to that joint statement at the end, when there eventually was one, and that is exactly what people said was happening.

While I am interested in co-operative working, I am not that keen on meetings for meetings' sake. I will pedantically correct Douglas because it was the month before I became the Secretary of State, not the month after, that Alex Salmond began. I had meetings with Alex, calls with him and meetings with him. I remember meeting him at Hampden Park, where Scotland beat Ukraine 3-1 on one occasion. He spent quite a lot of





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time, I have to say, at half-time out on the balcony on his own with the Scottish football supporters.

**Chair:** We will move on. All I can say is that you were all generous as Secretaries of State for meeting with Back Benchers from all parties. I think that was a feature of your stewardship of that office.

**Lord Browne of Ladyton:** I am not looking for credit for all this. It is natural behaviour, I think, because we were all Scots and we were all interested in Scotland getting the best deal out of this. These issues were not in our conversations. When I met Alex Salmond, this was not what he wanted to talk to me about. He wanted to talk to me about energy, which he was an expert on, and other things. They were not at the forefront of our thinking.

**Chair:** We will move on. We will be speaking to Alex Salmond. It is tomorrow that he is coming to this Committee, if anybody is looking at our proceedings this afternoon.

**Ms Qaisar:** Thank you so much for your time. It sounds like there was not always a need or a requirement for Joint Ministerial Committees. As you have all alluded to, you knew each other. You had strong relationships. Baroness Liddell said that, very often, difficulties would be resolved in the Tea Room. You have gone into great detail about how Joint Ministerial Committees worked. I am keen to learn a little bit more. Was there an expectation that this would be the be-all and end-all of intergovernmental relations, or was there an expectation that these mechanisms and structures would evolve over time?

**Baroness Liddell of Coatdyke:** I will start with that one, especially as it is coming from one of my successors in my constituency who knows where Coatdyke is.

We knew that everything would evolve, and we had to get a feel for the areas that were likely to be controversial and the areas where we could come together. There was a recognition that we were on a journey, because we were right at the beginning. We could not come to final conclusions about the shape that we felt we wanted on both sides, but there was a real understanding that it could not keep going on like this. People would change and the devolution settlement would bed in, and if there were changes of Government in one place or the other—and there may be differences in parties as well—you had to get something ready for that. We were feeling the way forward at that time. I think that these guys on the panel with me probably had a much bigger job to do than I had. I occasionally said I was holding the jackets, but I did not really have to hold the jackets, because everybody was teasing out what we do next and how we do it better, basically.

**Douglas Alexander:** I broadly agree with the point that Helen has made, and I am grateful to Des for correcting the record as to the 2007



election. That has obviously fallen into a memory hole of post-traumatic stress.

Anyway, the phrase that is often associated with Donald Dewar is that it is a process, not an event. The truth is that we need to recognise in retrospect, almost 25 years on, quite what a huge event it was. We had worked inordinately hard—generations of politicians—to get to a point where the Scottish constitutional convention, in the words of John Smith, represented the settled will of the Scottish people. There had been the hiatus and the political difficulties for Labour over the commitment, which I think history will be kind to, to embed that Scottish Parliament by means of a referendum in September 1997. That rapidly moved on to the White Paper, which very broadly reflected the joint party and cross-party working of the constitutional convention, with the singular and very important distinction of, if you like, Donald inverting the balance in terms of all matters being reserved to Westminster and very clearly giving significant continued and evolving power to the Scottish Parliament to define its powers in perpetuity. Then there was the excitement of the first Scottish Parliament elections in 1999 and the establishment of what was then the Scottish Executive, now the Scottish Government.

There was a huge amount of energy and activity that was reflective of what we knew we wanted to do but anticipating a very different devolved constitutional settlement for Scotland. In that sense, if the implicit charge is, “Did you give enough thought to the future?” we were almost entirely thinking about the future around those critical years of the establishment of those devolved structures. It is, however, extraordinarily difficult to anticipate what is going to happen at the end of next week in politics, never mind next year or the next decade. In that sense, it is fair to ask, “Did you anticipate quite the character of the politics that subsequently evolved?” No, of course we did not but, again, that is a very high bar to expect to have been achieved at that time.

**Q149 Ms Qaisar:** Lord Browne, with your experience as Secretary of State you would have seen a change of colour in the Scottish Government. Were there changes that should have been expected with the mechanism and structures of the JMC? You said earlier, I think, that you attended one.

**Lord Browne of Ladyton:** Yes. When you talk about the Joint Ministerial Committee, by this time this just was not a Joint Ministerial Committee of Scotland and the United Kingdom. Wales was involved and, much more complicating, Northern Ireland was too, because this was post the Good Friday agreement. That involved people like Paul Murphy, for example, who is an amazing man in that environment, even if there is conflict, in being able to work with people.

In a sense, the Joint Ministerial Committee, when it met in that way, had complicated things to deal with—maybe they were not so much complicated as difficult. There were lots of competing interests in this, but there were lots of investments that people had made. Peace in Northern Ireland had to be protected at all costs. We did not just own



that because we were in government; the people of the whole of Ireland owned it, the people of the whole of the United Kingdom owned it, and the Americans had made a big contribution to that. It became quite a complicated thing and began to evolve.

I am not going to read all this joint statement from the ministerial committee, but I commend it to you to read. It is fascinating to read it and see the way in which these discussions became constructive very quickly. They also became evolutionary very quickly, because there were discussions and agreements to meet regularly. In particular, there was a meeting here in the summer and they said they were going to meet in the autumn, but I was gone by the autumn from this post, so I don't know if they ever did—I never checked it. Then they agreed to meet in sub-committees and in various other ways. Things that probably developed over many centuries in this Parliament started to develop in the way they were working together.

It was an evolutionary process, but it was an evolutionary process that had lots of other factors, other than just what Scots saw as being important. That is not to say that the Scots did not have a big investment in peace in Northern Ireland, particularly if you live in the west of Scotland. It was evolutionary and it was, I am sure, very helpful to Government in all parts of the United Kingdom for a period thereafter and maybe also in Ireland. Times have changed and it is a bit more difficult now, but I do not have any experience of that and I would rather not comment on it.

Q150 **Ms Qaisar:** Thank you. That was fascinating. It was interesting to hear about the different competing interests that there would have been at the JMC meetings. You referred to sub-committees. They then started to fall apart. Why do you think that was?

**Lord Browne of Ladyton:** I was not there.

**Ms Qaisar:** Would you like to reflect on it?

**Lord Browne of Ladyton:** If you want the truth, I can give it to you in a pretty straightforward sentence. The politics became more important than the delivery, and the personalities changed. The people we were working with had been around for a while, working with each other on other things. Personalities changed significantly. They did not have the history. They did not have the trust and confidence in each other. The politics changed. The politics changed dramatically post the independence referendum.

**Ms Qaisar:** Would anybody else like to comment? No.

Q151 **Alan Brown:** I will start with Lord Browne, and you can at least be comfortable in the knowledge that I will not add to any confusion with additional Lord Brownes in the House of Lords.

**Douglas Alexander:** Time will tell.



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**Lord Browne of Ladyton:** You know where Ladyton is because it is in your constituency.

**Alan Brown:** You have made it clear that you had a joint role as Secretary of State for Scotland and Secretary of State for Defence. Looking back to a written parliamentary question, in the time when you were joint Secretary at the Scotland Office, there was 54 staff employed at the Scotland Office, and the salary outgoings was £113,000. By 2022-23 the number of staff had increased by 50% and salaries were over £1 million. Does that seem a reasonable trajectory to you, given that, since your time, there have been two further Scotland Acts and further devolution to the Scottish Parliament? I wonder if you have any views on that.

**Lord Browne of Ladyton:** I have read some questions and answers about the size of these from when I was around. In terms of running a Government Department that will service a Cabinet Minister, Scotland needs a Cabinet Minister who ensures that, when decisions are being made in Scotland, even if they are not on devolved matters, they are taking into account the interests of the Scottish people—if anybody was thinking of asking me why we need a Secretary of State for Scotland, that is why. But that is the answer: you need that—a person who is operating at that level in Government needs a significant amount of support, because they are collectively responsible for global issues as well as decisions being made.

I do not know what the point is at which you cross the line, but 54 people or 100 people in the office of a Secretary of State—and I was one and I was also in the Cabinet as Chief Secretary to the Treasury and had the Treasury sitting underneath me in a sense to support me, and HMRC and others—does not seem to me to be a lot of people if you want Scotland represented properly at that level. That is the best answer I can give you. I have never been dissatisfied with the people who worked in the Scotland Office, or the Scottish Office—never. It has always been a good team. I have never gone around and counted the heads, but I have not gone in and seen a lot of people sitting around doing nothing. They all seem to be working very hard.

**Alan Brown:** I will just declare that I was not making any criticism.

**Lord Browne of Ladyton:** No, I understand that, but it is the only answer I can give you, Alan. I do not think there is a number that is the minimum that you need for a Cabinet Minister. You can add other things, and some of these things that you talk about that have developed increase the complexity; they do not take it away.

Look, for example, at Sewel motions. In all our time, Sewel motions just went through. They just went through, 10 or 11 of them. They were debated in the Scottish Parliament and approved within days of the memorandum appearing. They just went through. They don't now. They are much more complex and complicated now, and I can understand



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that. The people who are involved in this need the staff to be able to support them, but it is not for me to judge that. I do not think these things are unreasonable. I understand why you are asking. I think they are legitimate questions to ask, and you should ask them of the current Secretary of State for Scotland, not me.

Q152 **Alan Brown:** I will be following up at some point on that. Douglas, can I ask you the same question? I suspect that you are not going to contradict Des—

**Douglas Alexander:** It is one of my many rules in life.

**Alan Brown:** It is that paradox that there is increased devolution, yet the Scotland Office's UK office has been considerably beefed up, and the expenditure massively beefed up.

**Douglas Alexander:** As Des says, it is a very reasonable question, but I think that the only reasonable answer is that it depends on what they do. In that sense, there may well be greater demands and greater requirements than was the case at one period of time. Subsequently, as a proud and passionate Scot, I want to make sure that Scotland's voice is heard around the Cabinet table and I want the best possible relationships between the UK Government and the Scottish Government. At some points in the last 25 years, that may require more staff or less staff. First of all, it depends on what they do.

I also think that, in harshly political terms, there is no right answer. You are going to be criticised if you have more staff, because people will challenge you on the grounds of expense. But if you do not have enough staff, people will say you are not taking the relationship seriously. In that sense, you are damned if you do and damned if you don't.

It feels to me that the real question is: what are those civil servants doing? How well are they facilitating Scotland's interests both at a UK level and in effective joint working with the Scottish Government?

Q153 **Alan Brown:** Baroness Liddell, earlier on you spoke about the process, and you felt things were always resolved amicably. Equally, you also said that you felt the Government should have focused better on how devolution would work. In a way, that suggests some machinery of government did not understand, or some of the Cabinet Ministers, did not understand how devolution would work. Can you explain a bit more what you thought was a failure of Government to properly think these things through?

**Baroness Liddell of Coatdyke:** No, I do not think it was a failing; I think that it was a realisation that we were part of a process. If you walk into any organisation, even if it is a brand-new one, you have to analyse it and find out what works and what does not work. I know that when George Foulkes and I were in the Scotland Office, we had very few staff, because they had not got to the stage yet of knowing exactly what jobs needed to be covered from our point of view. It was a very challenging



time because I had been the Energy Minister with responsibility for competitiveness in Europe. I must have had four or five times more staff working on just that one portfolio than I had whenever I went to the Scotland Office. Everybody was in the process of learning how much you needed and what the key things were that you had to get right. It was partly the process of transition, and we knew it was a process of transition. Anybody setting up a new organisation has to think quite hard about what it will be like in five years, 10 years, 20 years, and nine times out of 10 you will not get it perfectly right.

Q154 **Alan Brown:** Douglas, if I am remembering this right, in the aftermath of the decision to go into Iraq, the Scottish Parliament held a vote about the merits of Iraq. Obviously, foreign policy is a reserved matter. Did tensions ever arise from the fact that the Scottish Parliament was debating and voting on these matters?

**Douglas Alexander:** That preceded my time in office, in the sense that the military action taken in Iraq was in 2003 and I served from 2006 to 2007, so it might be better asking that of someone involved in that earlier period. However, my recollection was that our colleagues across the political parties in Holyrood were not shy in offering their views on that or, indeed, on a range of other issues. Those conversations would have happened privately as well as publicly. That probably evidences the informal dialogue at the time, but it would probably be better to direct the question to anyone who was overseeing that particular period.

Certainly, if there were issues of controversy—and I genuinely cannot think what they would have been during my time in office as Secretary of State for Scotland because, as Des said, there was broadly an alignment in policy—people do not stop being politicians because they are in one Parliament or the other. Those political conversations would have continued.

Q155 **Alan Brown:** Baroness Liddell, would you still have been in post when that debate was happening in the Scottish Parliament?

**Baroness Liddell of Coatdyke:** Yes, I was still the Secretary of State at that time. We would tell Cabinet about the nature of the debate in Scotland. As a consequence, Parliament understood—well, our side understood—what the nature of the debate was in the Scottish Parliament about Iraq. Of course, it mirrored everything that was happening elsewhere in the country. Scotland was not different, because there was a debate raging right across the country and we all knew what that debate shaped up to be.

Q156 **Alan Brown:** There was never any feeling from other UK Ministers that the Scottish Parliament should not be debating what are reserved matters?

**Baroness Liddell of Coatdyke:** I don't recall anything like that. People recognised that everybody had a view on these things, but I do not recall



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anything like that. I look around at George Foulkes, but I cannot remember.

**Chair:** I just remind witnesses that they should not be referring to members of the public.

**Baroness Liddell of Coatdyke:** I am very sorry, Mr Chairman.

**Douglas Alexander:** That is spying strangers.

**Baroness Liddell of Coatdyke:** I spy strangers.

Q157 **Alan Brown:** Can I put another question to Des, please? When you were appointed to the House of Lords, I remember an article in the local paper, the *Kilmarnock Standard*, where you said that one of the things you would do if given a chance was vote for the abolition of the House of Lords. Is that still your view and is that—

**Lord Browne of Ladyton:** I don't think it was abolition—I think I said reform, but it might have been. I am still in favour of reform of the House of Lords, yes.

Q158 **Alan Brown:** Should that be looked at in the round? Is there a paradox that the House of Lords can have a greater say in some legislation that affects Scotland than the Scottish Parliament can?

**Lord Browne of Ladyton:** The Scots are quite well represented in the House of Lords, I have to say. There is no shortage of Scots in the House of Lords. There is a shortage of Scottish nationalists in the House of Lords, but that is your choice.

You have to bear in mind that I went into the House of Lords post 2010, when every party, including the two parties that came out in Government, went in with a manifesto that said they would reform the House of Lords. In my view, the reform of the House of Lords that was proposed by the coalition was badly handled. If you want me to put it in caricature terms, it was unlikely that a package that included reducing the size of the House of Commons by 50 seats was going to be welcomed in the House of Commons when we were closing the retirement home, as they saw it. That is exactly what happened. They tried to do too much all together and lost the referendum on the voting issue.

I was in favour of that reform, and I remember saying to the Prime Minister when he asked if I would go into the House of Lords, "I will only go into the House of Lords if I can vote for its reform." I thought that I would have an opportunity to do that, but I didn't. I will not be surprised if all parties go into the next election, which will be relatively soon, with some proposal for reform of the House of Lords. We cannot abolish the House of Lords, because we need a second Chamber—unless we are going to change the whole structure of Parliament in a unicameral fashion. We need a second Chamber; it is just how we put it together that matters.



Q159 **Alan Brown:** Douglas, Anas Sarwar is talking about the possibility that, if a Labour Government comes in after the general election and he becomes First Minister of Scotland, obviously anticipating the Holyrood election, there will be a return of the Fresh Talent scheme that Labour had before and additional money coming to the Scottish Parliament to reduce waiting lists. Is that dream scenario from a Labour perspective the kind of intergovernmental relations and working that we will see going forward?

**Douglas Alexander:** We seem to be straying rather far from the period of 2006 to 2007 when I was Secretary of State for Scotland. If I learned anything during that tenure it is that, respectfully, the idea that a candidate standing in the UK parliamentary elections for the Labour party should tell the Leader of the Scottish Labour party what his manifesto or policies should be is probably ill-judged, so I think that I will take a pass.

**Chair:** I think that we will leave it there. Thank you.

Q160 **Christine Jardine:** Thank you all for coming today. It is nice to have a reminder of how excited we all were and how important we all thought devolution was at the turn of the century. From everything you have said, it strikes me that it was a different time. Lord Browne, you said that we were all interested in Scotland getting the best deal out of this. Baroness Liddell, you said that we recognised that we were on a journey and that it would evolve. Mr Alexander, you talked about how you were entirely thinking about the future. That is a much more optimistic and positive view of devolution and the relationship between Westminster and Holyrood than we experience here daily. Can you give us any insight into why you think we have lost that and why it has become so process-driven and so much about conflict rather than us working together in the best interests of Scotland?

**Douglas Alexander:** I would echo the point that Des made earlier. Structures are important, but they are always going to be trumped by politics. The reality is that the character of Scottish politics and Scotland's relationship with the United Kingdom politically has changed significantly since all three of us in our different roles served as Secretary of State for Scotland. That has been a consequence of the Scottish National party winning a series of elections.

Respectfully, I struggle to identify a single area of Scottish public life that has got significantly better in recent years. The Scottish National party has now been in power for 16 years. That is longer than the iPhone has been invented, so it has been in power for a long time. In that sense, I worry that a politics focused on identity, or who we are, and not on delivery, or what we do, has been the currency of Scottish politics for a long time.

While I fully understand the interest in looking back retrospectively at the structures of intergovernmental relations over the last 25 years, if we want to have a more generative, positive, future-oriented politics





characterising the relationship between the UK Government and Scottish politics, then, ultimately, it is in our hands and it is about the choices that we make as Scots and across the UK in democratic elections.

**Christine Jardine:** Thank you. Would Baroness Liddell or Lord Browne like to add anything?

**Baroness Liddell of Coatdyke:** I very much agree with Douglas on that. The whole tenor of the discussion between Scotland and the UK and vice versa has changed. There is a negativity on all sides, and I do not think that is good for either Scottish politics or British politics.

**Lord Browne of Ladyton:** I had an opportunity earlier to share the reasons. Maybe I did not deliver them with the fluency of Douglas on the politics, but it seems obvious to me that that is why. That is what has changed: the politics is completely different.

I do think there is something in the issue that the personalities were not in this at the beginning, as it were, or that they were not in politics anyway, and did not live through the time when Scotland was developing into a country looking for the opportunities that devolution generated. I think that we lost that; as a matter of fact, we lost a lot of people in a very short period of time who had this in their DNA—we are not unique, in the sense that there were many of us. I came to representative politics much later than Helen did, and Douglas was involved in the shaping of the Government that brought this devolution about, so they can talk about it with more authority than I can. I am pretty certain that politics and personalities are the problem, if there is a problem, rather than anything else.

**Baroness Liddell of Coatdyke:** There is also the fact that this relationship between what is reserved and what is devolved keeps being muddled up. We have to be very careful, particularly as things exist at the moment, where we have two wars going on, that we do not give our enemies the opportunity to drive us apart. That is something that we adhere to and try very hard not to get ourselves dragged into. These are extremely difficult times, so it is quite important not to exacerbate the differences between the two on, for example, foreign affairs, because that is one of the key issues that could affect all our futures.

**Lord Browne of Ladyton:** Sorry, on the point about the wars, there is a particular problem at the moment because there is a part of our politics now that wants to take one of these wars and overlay it on our domestic politics, which is very damaging to many things, to this country and unfortunately, in my view, to the actual war that I am talking about. If anybody is in any doubt about what I am talking about, I am talking about what is happening in Gaza and Israel at the moment. There is a constant desire in certain places to overlay this on our politics for partisan purposes, and it is terrifying.

Q161 **Christine Jardine:** One of the unusual things about both Lord Browne's



and Mr Alexander's tenures as Secretary of State for Scotland was that it was a joint ministerial role that they had. That was very different from anything we have seen since then. How well do you think that arrangement worked for Scotland specifically and for the office?

**Douglas Alexander:** I think that it was a function of its time, in the sense that relations were broadly very good. The relationships were working. There is external and independent evidence to adduce that that was the case. In that sense, we were both blessed by having David Cairns as a Minister of State. He did a power of work day in, day out, and was comfortably one of the most able Ministers of State that I had the privilege of working with. I would also echo Des's comments that we had very capable civil servants within the Scotland Office.

In that sense, I did not feel we were underpowered at the time. We had a Minister who was working flat out and who was a very engaging and constructive colleague to work with, as well as being very capable himself. We had good officials and, frankly, we had good relationships and aligned objectives. A lot of that changed quite rapidly, so I am not suggesting that that is a prescription. I echo exactly the point that Helen made earlier about the virtue of having somebody who can speak up for Scotland across a full range of portfolios within the UK Cabinet. On the other hand, I do not look back and think that there were choices or decisions that would have been taken differently if it had been a different structure at the time.

**Lord Browne of Ladyton:** In preparing for this, I did not go around looking for failures and mistakes that were made during my time, I will be honest with you. I do not recollect anything that kept me awake at night that emanated from the Scotland Office, when there were plenty of things that did when I was the Secretary of State for Defence. Nothing quite prepares you for having a job where the people who work for you will die on the job as part of the profession. I say to you candidly that if people want to point out in questions things that could have been done better if I had had only one job to do, then, if that is the case, I will accept it and apologise for it. But I am not suggesting that; I am just saying that I cannot find anything. I would like to give you an answer that moves with the question you asked me, but I cannot find anything.

Q162 **Christine Jardine:** I was thinking more of the speculation that there has been, probably over the last 14 or 15 years, as to whether the role of Secretary of State for Scotland is still appropriate as devolution has evolved. Should there perhaps be a Minister of State for the nations and regions, reflecting what the BBC does, for example, or is it necessary, as you say, to have that one voice in the Cabinet that is solely responsible for Scotland across a number of issues. Is the Secretary of State the appropriate person to lead on engagement with devolved Administrations?

**Lord Browne of Ladyton:** I think that that is essential. We have lived through a lot of changes in Government, and they are not always a great



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idea. Stability and retention of historical knowledge are important, and if you start moving people around, Secretaries of State sometimes have a tendency to take people from the Department they have just come from with them to other Departments. I have seen that happen, and I do not think it is a great idea.

There could be something to be said at the Minister of State level for having some shared capacity, for the same reasons that the Joint Ministerial Committee was set up to allow that movement at that level. In these structures, it is always a good idea to have a space where people can discuss things that is not fully in the glare of the cameras. They can test things together and discuss them and then bring them to, as it were, the summit level. There might be something in that but, overwhelmingly, I think that, in the way our country, the United Kingdom, is fashioned, it is important and essential that there is a Secretary of State for Northern Ireland, and it is important and essential that there is a Secretary of State for Scotland. If I ask my Welsh colleagues whether they should have one as well, they will say it is essential, too, for the same reasons.

**Baroness Liddell of Coatdyke:** It would be very difficult not to have that seat at the Cabinet table, particularly when you are dealing with international issues and issues that flare up that have impacts on, say, our defence forces and so on. It is very important to have that voice at the Cabinet table.

**Douglas Alexander:** Having resisted the opportunity to tell Anas Sarwar what to do, I will equally resist the opportunity to tell Ian Murray that, even if Labour does win the coming election, he does not have a job. I am not sure that that would be well judged on my part.

The serious point though—and it references the point that Alan made earlier—is whether there is an implicit assumption that, if you have high respect, high esteem and strong powers for the Scottish Government, there should be no effective mechanism for engaging with that Government in the UK. I just do not believe that that is the case. I do not think that it undermines the validity, strength, importance and centrality to Scottish life of the Scottish Government if you have appropriate structures here at Whitehall that mean that there is an effective working relationship. That is because, 25 years on, I am still fundamentally excited by devolution. I am a devolutionist. I believe in two Parliaments. I believe in two Governments. Respectfully, there are people around this room and elsewhere who do not have that outlook and who think it is a zero sum game: you believe in one and not the other. That has never been my politics. I believe in solidarity, in co-operation, as Des said, and in working together. In that sense, for me, if that is the foundational outlook—how do we get the best deal for Scotland by working together?—there is a continuing case for making sure that Scotland's voice is heard at the highest levels in the UK and that the UK Government works effectively and constructively with the Scottish Government.



Q163 **Chair:** Given some of your responses to the questions from Christine and Alan, do you not think that the biggest failure in the early years of devolution, then, was not to set up robust infrastructure that could accommodate the change of personalities and politics? Is that the fundamental failure and weakness of those early years—not to set in place structures that would be able to take into account the fact that we do not all share the same politics and we may have a different outlook in terms of agendas and policies?

**Baroness Liddell of Coatdyke:** It would be very difficult to put that in place right at the very beginning when you do not know how it will all start playing out. In terms of the development over time of unhappiness on one side—for example, if somebody says something about Turkey and the situation in Gaza, and that causes a problem for the UK Government—how do you balance that? How do you set that right? You probably can't, because the whole issue is around where responsibility lies, and responsibility for international affairs rests with the UK Government. It is very difficult, particularly at the beginning of the process, to say, 25 years on, that you need a different structure, because life continues.

**Chair:** I can see that Mr Alexander is bursting to get in here.

**Douglas Alexander:** I disagree with your question in terms of framing fundamental failures of devolution. I think this gets to the heart of that balance of structures and politics. I am incredibly proud of the early years of devolution—not simply the fact that we worked together to establish a Scottish Parliament and a Scottish Government, but some of the early policy achievements. If we were to step outside this room and ask what the greatest failures of devolution 25 years on were, it might be falling standards in education, it might be the fact that one in six of us is on health service waiting lists at the moment or it might be the fact that people are wearied by the constant tension and difficulties between the UK Government and the Scottish Government. Of course, there are always insights that can be garnered by looking back at history, but the most fundamental test of devolution is how impacts the livelihoods and wellbeing of the Scottish people. On that measure, I think that, during the time that we were Secretaries of State for Scotland, we were broadly doing okay. I wish that I could make the same judgment as we look ahead to the years to come.

Q164 **Chair:** I do not think anybody is casting any sort of aspersions on what you brought in terms of your own agenda. What I am interested in is the structures. That is what we are looking at in this Committee—how they were fit for purpose and going forward. When the JMCs were not meeting and the Governments in the UK were not getting together, did that set off some sort of alarm bells?

**Douglas Alexander:** That is not true; we were getting together. We were not getting together in the formal structure of the JMC; that is what Helen was describing about the phone calls in our kitchens.



Q165 **Chair:** The JMCs did not meet for something like four years during the period of devolution.

**Douglas Alexander:** Yes, but the point we are trying to make is that, at that point, given the individuals, given the shared history, given the shared ambitions, we did not need the formal structures that, rightly and appropriately, were looked at subsequently in different circumstances. But I would struggle to identify now, looking back, the public policy failures that followed from the absence of those structures during those early years of devolution. I would be very interested to discuss those because, certainly from my recollection, it is not obvious what they were.

**Lord Browne of Ladyton:** The responsibility to make things work lies with the people; not with the structures. The responsibility for cars not crashing into each other in the road system is the responsibility of the drivers. You can make the cars as good as you like, and we can get cars now that can avoid crashes, but it is principally the responsibility of the drivers.

This shifts the responsibility away from the people who should have it. My constant experience of life is that the best thing in terms of everything that works is leadership—it is the people who are leading that matter. The best schools in my constituency have the best headteachers. The best health facilities have the best doctors. I think this is shifting the responsibility. We are getting very good in politics nowadays at shifting the responsibility away from those who should be accountable for it. We need to stand up to this. This is why we get elected; these things are our responsibility.

Structures will not make people like each other and work with each other if they do not systemically want to do it. Whether you like it or not, that is part of the politics that we are living with at the moment—they do not want to agree. “We are different”—we are defining each other by who we are not rather than who we are. I do not think any amount of changing structures would have made this period of history any different in that regard. But it is a very good question in a sense because it has allowed me to highlight what I think the problem is: people need to take responsibility for the decisions they make and make these things work, and the structures will come naturally.

**Douglas Alexander:** Could I add one thing to Des’s point? I do not think it is just that people need to know each other and get on, although that clearly helps oil the wheels; it is also about whether they judge that their political advantage is served by accentuating conflict or achieving co-operation. Respectfully, I think the structure of incentives in Scottish politics has shifted overwhelmingly in recent years from the experience when the three of us were Secretaries of State.

Q166 **Chair:** Isn’t it a view that, if we are going to have a structure across the United Kingdom where Governments can approach each other with mutual respect, raise issues honestly and be forthright, with a view about



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representing the people who elected them to do that, there should be something in place that allows them to do that efficiently and effectively? That is certainly not the case with what we have now, where there is not a sense that there is a relationship that is working well between devolved Administrations and central Government.

**Douglas Alexander:** I think we agree on the description of the problem but perhaps not the prescription. Can you adequately expect structures to compensate for and overcome the changed political incentives that we have seen in recent years?

Q167 **Douglas Ross:** Good afternoon to our witnesses. You have all spoken about devolution and your journey towards that, and about what happened in 1997 with the referendum and then the election in 1999. I would like an answer from each of you, but I will start with you, Mr Alexander, because you said you are still excited about devolution and that it was the result of hard work by generations of politicians. Why, then, did each of you choose to remain here, rather than stand for election to the first Scottish Parliament?

**Douglas Alexander:** In my case, I managed the rare feat of not winning a seat in the greatest Labour landslide in history, in May of 1997, when I stood—

**Douglas Ross:** You got in on a by-election.

**Douglas Alexander:** I am about to finish my answer. At that point, I continued what has been a theme of my political career: advancing female representation by losing to Roseanna Cunningham. I was not elected until November 1997—

**Douglas Ross:** The Holyrood election was two years later.

**Douglas Alexander:** Yes, the Scottish Labour party selections started within two months of my election. So, respectfully, I thought that it would be disrespectful both to the constituents who had newly elected me and to the local constituency party and that it would probably not be well received by my sister, who was seeking selection next door in the Scottish parliamentary elections. If your implicit charge is that the Alexander family distained the Scottish Parliament—

Q168 **Douglas Ross:** No, Mr Alexander, sorry, I will stop you there because I am asking what I think is quite an important question. It is something that has been raised, and I am interested to hear from our other two witnesses. Are you saying, then, that, had it not been for these other circumstances, you would have stood for Holyrood and that you wanted to serve but you were denied some way of serving in the Scottish Parliament? Obviously, you were not elected here in 2015. Did you consider standing in 2016 or 2021 for Holyrood, when you had opportunities that I assume would not have been conflicted in the way you have just articulated?



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**Douglas Alexander:** Former Labour Prime Minister James Callaghan's political biography is called "Time and Chance." I think it is the perfect description of a political life, in the sense that the opportunity arose to be elected to the UK Parliament in November 1997. I was seeking to finish the answer and to explain that, for a combination of personal, political and representational reasons, I did not judge it appropriate as a brand-new elected Member of this Parliament to seek selection in the Scottish Parliament, as a number of our colleagues chose to do at the time. I then served in this Parliament for 18 years. The people of Paisley made a different choice in the general election of May 2015—they certainly did—and on that basis I made a choice to pursue other interests, as I sought to describe in my introduction.

What would have happened if the opportunity had not come about to be elected in November 1997? Lord Foulkes, who I am not allowed to identify, was the chair of the Labour campaign for the Scottish Parliament, and I was the vice-chair of the Labour campaign for the Scottish Parliament. I stood in George Square in 1992 protesting against the Conservative Government, and seeking the establishment of a Scottish Parliament. I carried torches on Calton Hill, looking for a Scottish Parliament. I was a committed devolutionist—

**Douglas Ross:** That is why I—

**Douglas Alexander:** No, I need to finish the answer. If the opportunity had not arisen to seek to serve the people of Paisley, I think it is perfectly within the bounds of possibility that I would have put myself forward for selection. Whether I would have been selected, I do not know; indeed, I do not know whether I would have been elected.

**Douglas Ross:** I am grateful. Baroness Liddell?

**Baroness Liddell of Coatdyke:** I went to the Prime Minister and asked him where he wanted me to stay. He pointed out, first, that I was an economist and, secondly, that my knowledge of financial services had been honed while I was in the Treasury, so he thought that the best place for me was to stay at Westminster because of the responsibilities at Westminster. I pointed out to him that I had a daughter still at primary school and a son still at secondary school, and he said, "Well, they will grow out of that, so stay where you are."

**Douglas Ross:** Lord Browne.

**Lord Browne of Ladyton:** It is great when politicians are asked to talk about themselves. Six weeks before the 1997 election, I had no idea whether I was going to become a Member of Parliament. William McKelvey, who was the MP for Kilmarnock, where I had lived most of my adult life and was involved in the Labour party, suffered a stroke six weeks before the election, and the story from there is public: I was a Member of Parliament.



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The truth is that I made it very clear to anybody who would listen to me that I was in it for the long term. I was not just going to do one Parliament; if I could win the elections, I was going to stay for three terms. I made it public in the party that I was going to stay for three terms because, honestly, I thought there were people who stayed too long. That was my prejudice.

I left in 2010 by design. There were people in here who told me that I was very stupid and that I would become a lame duck, and maybe I did. When I left in 2010 I had no intention of going back into politics. By then I was committed to doing what I do beyond the House of Lords, because I am very focused on disarmament as a contributor to peace. I am still the only Secretary of State for Defence that has ever spoken at the Conference on Disarmament in Geneva. I had, by then, connected to an organisation—this is all in my entry in the register of interests—called the Nuclear Threat Initiative, which I took time off from the House of Lords to work for.

I was asked to go into the House of Lords—I have already told you some of this—by Gordon Brown, and I said I would if I could vote for reform. He said I could, but I did not get a chance, and you know that. I have stayed there for a number of reasons, one of which is that I enjoy it immensely. Secondly, it is a place where you can work across the aisles, and the Committee structure, which I enjoy immensely, is very well serviced by the people in this place and produces excellent reports. I enjoy the work in the space that I am interested in. It makes me more effective in that place. You have no idea, when you go to America, how eager people are to meet members of the House of Lords if they offer to meet them.

That is the whole story; it just generated. I would have gone into the Scottish Parliament if the opportunity had arisen, but the opportunity arose for me to come into this Parliament. I stayed the three terms and then I went off and did the things I wanted to do afterwards.

**Q169 Douglas Ross:** There was no trick question around that; I simply asked about it because it is still something that is spoken about—that if more big hitters had gone from here to Holyrood in 1999, some of the issues that we are looking at may have been resolved from the Holyrood side rather than the Westminster side, or vice versa. It is interesting to get your individual takes and your individual reasons.

You have all served as Secretary of State for Scotland and never used this power, but you will be aware of section 35. What is your view of that being included in the Scotland Act at the time, and were there ever points in your time in Dover House when there was even mention of enacting section 35?

**Lord Browne of Ladyton:** I can answer that very quickly. I never paid any attention to section 35 until it was used. It was not a part of my





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thinking until it was used, and I never paid any attention to it. I do not have a relationship with it before then.

Q170 **Douglas Ross:** Just to make sure we are clear: not using it is also a decision. I am just checking. It had never come up in the Scotland Office in your time.

**Douglas Alexander:** I never had recourse to consider using it, but I think that, as one of your previous witnesses described it, it was included in the Scotland Act as a safety valve. In that sense, we did not have reason to use it.

Q171 **Douglas Ross:** Baroness Liddell, you spoke about this in the House of Lords. What is your view as a former Secretary of State about it being used in these circumstances?

**Baroness Liddell of Coatdyke:** Pretty much like Des. It was nothing that I ever thought about using as a sort of hammer to crack a nut.

Q172 **Douglas Ross:** Having now discussed this with the then Scotland Office Minister—you have referenced your time as executive director of the Scottish Prison Service, so you have an interest personally in this policy and the use of section 35—was it correct for the current Secretary of Scotland to use it?

**Baroness Liddell of Coatdyke:** It is entirely up to that Secretary of State. We do not know the briefings that are being received. Incidentally, I was a non-executive director of the Scottish Prison Service; I do not know that much about prisons.

Q173 **Douglas Ross:** Does any of you have a view? You have spoken about wars and other things that you are keen to speak about. Do you have any view on the use of this power?

**Douglas Alexander:** I think it is deeply regrettable that relations between the Scottish Government and the UK Government deteriorated to a point where, instead of the kind of collaboration that characterised our time in office, we have seen recourse to the courts.

Q174 **Douglas Ross:** It was not at that point; the courts came after. In terms of the initial use of section 35, your view is that it should not be needed because the relationship should be better before you get there.

**Douglas Alexander:** Yes.

**Lord Browne of Ladyton:** That is kind of where I am. We all made decisions that people have criticised, and we stand by them. I am sure that people make decisions they stand by and that they were not all perfect. If I was in the discussions in the office and saw all the balances back and forward, I would express an opinion, but I will not comment here at 30,000 feet looking down on it. There is still enough of a bit of a lawyer in me that I think you should see what the arguments are first. People make these decisions and they have to stand by them, but it



would be much better if we did not have to resolve these problems in the courts.

Q175 **Douglas Ross:** Speaking about being a lawyer, that leads into my next area. How content are you with what was done in 1997, leading up to 1999 and since then, about the dual role of the Lord Advocate, both as head of the Crown Office and Procurator Fiscal Service and attending Cabinet as an appointee of the First Minister? Is it the right basis to have the most senior law officer in Scotland having that dual role?

**Lord Browne of Ladyton:** I do not think it is the right basis to have a senior law officer anywhere, to be honest. The role of the law officer as the chief prosecutor of a country needs to be taken out of politics. I do not think there is any doubt about that. It is like everything. Occasionally, you get people who do this job. When Lord Mackay was the Lord Advocate and came down here to the House of Lords, he very quickly moved into the political world, because the Prime Minister he was serving found him to be what we all know he is, which is one of the great wise men of the world who was able to give her solutions rather than questions. But I do not think it is healthy for democracy to have that connection.

Q176 **Douglas Ross:** Was there any thought at the time when the Scotland Act was going through? Obviously, this was carrying forward that distinction. But, again, we are looking 25 years in. We have invited former and current Lord Advocates. This is an area that we are looking at. There is cross-party support, I believe, in Holyrood. At no point when you were in office did you look at that.

**Lord Browne of Ladyton:** I was not part of any discussions about this at the time, but when I reflect back on it, I can see that the people who were doing what they were doing decided that it was better to keep this distinctive Scottish position. Taking on the institutions of the law and the judges and these things would have complicated the process to a degree that I do not think was necessary. It is better to leave these Scottish officials; the enormous history of the Lord Advocate is better left there. Deal with it later.

**Douglas Alexander:** I understand the contemporary politics, but what we are talking about is intragovernmental relations. Back in 1997, it was the establishment of the Advocate General that was the legal innovation to make sure that there was effective Scottish legal advice available, given the absence of a Lord Advocate and a Solicitor General, who were rightly going to be sitting within the province of the Scottish Executive, then the Scottish Government. In that sense, I am not sure it is wise as former Secretaries of State to suggest that that was legitimately the province of the UK Government in the subsequent years when we were serving, when, by that time, it was legitimately a matter for consideration within the Scottish Parliament and the Scottish Government as to what is the appropriate structure for Cabinet or prosecuting authorities.



Q177 **Douglas Ross:** You will be aware, as a former Secretary of State for Scotland, that it would take an Act of Parliament here, whether through an SI or otherwise, to take away that dual mandate. It was very much an issue for you when you were Secretary of State for Scotland. You could have gone to a Committee and passed that SI, or your junior Minister could have. It is something that the current Secretary of State for Scotland could do, and I think that is why this has been raised at our inquiry already. You said you looked at the evidence. Lord Wallace of Tankerness and others have spoken about this. I think it is absolutely right that this Committee at this time in this inquiry looks at this issue. There would have been opportunities, should you have wished to pursue this issue.

**Douglas Alexander:** I am not for a second disputing the right of the Committee to raise the question and ask about the issue. I do certainly question whether it would have been right for me as the Secretary of State—contrary to the wishes of the First Minister and the Scottish Government of the time—to seek to introduce legislation at Westminster affecting the operation of the Scottish prosecution service and the Scottish Cabinet.

Q178 **Douglas Ross:** You are saying that you know that that was the view at the time—that they did not support this. You said it we are “contrary to their views”.

**Douglas Alexander:** They did not seek to change it. If they had come to me and said, “Listen, we are very keen to establish an independent prosecution service,” I would have considered it, but it was never raised.

Q179 **Douglas Ross:** Throughout your time, there were never any discussions about that?

**Douglas Alexander:** No.

**Lord Browne of Ladyton:** There is a very good reason why this Committee should be considering that in this context, because other people are talking about it out there quite a lot. It is a big conversation, so it is inappropriate for you to ignore it. I think you should talk about it. The Lord Advocate’s role was a distinctive role and part of Scottishness, and I think that, at the time, it would have been a complexity and a controversy that was probably best left for another time, but more importantly, best left for the Parliament that we were creating.

Q180 **Douglas Ross:** I was not going to raise this issue, and I did not think it would come up, but a number of you have mentioned it—Mr Alexander has not yet, but we will maybe get his views—about reserved and devolved issues, and in particular the current conflict in Gaza and the situation between Israel, Gaza and Hamas. Is the current First Minister wrong in what he has articulated on this issue and funding that has gone from the Scottish Government to support efforts in Gaza?



**Baroness Liddell of Coatdyke:** I must admit, as somebody who has been a diplomat, that I think the discussion with the Prime Minister of Turkey was bizarre, and it should not have happened. If it did happen, there should have been an official from the Foreign Office present. There is a war going on; you do not muck about when there is a war going on.

**Lord Browne of Ladyton:** I have avoided getting involved in any of these controversies, for the reason that I spoke about—I abhor the constant overlaying of this on to our politics for other reasons, and there is nothing that I can say that will not be controversial on one side or the other. That does not normally prevent me from expressing my view, but this is particularly sensitive. He is accountable to other people, and not me. He has a Parliament to be accountable to, and he can live with that. Of the number of perspectives that anybody sees in this area, there is no right thing to say, and I am going to duck the question.

**Douglas Alexander:** I think most people observing this hearing would want us not to be seen to be seeking to establish political advantage when people's lives are so profoundly in jeopardy. We have 1.4 million people waking up today in Rafah; that is six times the size of the population on 7 October. They are deeply fearful, they are often hungry, and I think I will resist the opportunity—which in other forums is taken—to seek to establish any kind of political advantage, whether I agree with the First Minister or not.

Q181 **Douglas Ross:** I did preface my remarks by saying I did not plan to raise this; I was interested that it came proactively from you. Does anyone want to comment on the issue about funding? This is Scottish Government funding that goes to the Scottish Parliament for devolved issues, going in international aid to Palestine to assist. Obviously, Mr Alexander, you have a previous portfolio in that area.

**Douglas Alexander:** I have. After one of the previous IDF incursions, I travelled into Gaza, and I think I am the Secretary of State who has made the largest commitment to the establishment of the Palestinian state of any of my colleagues in the Department for International Development. That emphasises the importance of how all taxpayers' money is spent, and you have to be extraordinarily careful about how that money is being deployed particularly in the circumstances of a conflict. I would want and hope that all actions necessary are being taken to ensure that money is being used effectively and reaching those most in need and is not vulnerable to being misused. That is incredibly challenging in a conflict zone.

Q182 **Douglas Ross:** On devolved and reserved, then—to move away from the international politics to more local issues—do you think it is right, as former Secretaries of State for Scotland and as three individuals who still have a very keen interest in Scotland, that, for example, in a devolved Parliament we are spending taxpayers' money on a Minister for Independence? Do you think, 25 years on from devolution, that we should be having these portfolios and people in post and a lot of



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taxpayers' money going into a Minister dedicated to separating Scotland from the rest of the UK?

**Douglas Alexander:** It is not a revelation that I do not believe in independence. I do not think that that will splash the front pages in Scotland tomorrow, but equally—

**Lord Browne of Ladyton:** We all want to spend the money differently.

Q183 **Douglas Ross:** I do find it quite strange that you are keen to insert issues such as a global conflict, which we have dealt with, I hope, in a sensitive manner. This issue is raised many times in your part of the Palace with regard to the spend of taxpayers' money. Viewing it more than 25 years since the Scotland Act and the advent of devolution, is it right?

**Chair:** I think we are seeing from the silence that they will not be tempted into giving us a view on that, so we will perhaps—

**Douglas Alexander:** I do not have an end of the Palace, so I presumed it was not directed to me.

**Chair:** End of whatever palace you want —

**Lord Browne of Ladyton:** I have just spent the best part of an hour and a half trying to get people to work co-operatively, so I am not going to—

**Chair:** We will have our opportunities.

**Lord Browne of Ladyton:** —to be tempted into that area. I am avoiding the question on that. I will leave it alone.

Q184 **Sally-Ann Hart:** Good afternoon to our panel. Just listening to you this afternoon and looking at your relationships at the start and your existing personal relationships, I would say they were close, genial and collegiate, and other witnesses have said that as well. Baroness Liddell, you said that issues would be discussed in the Tea Room or in a Friday night telephone call. Clearly, the relationships between the UK Government and the Scottish Government are different now. Would you have expected back then in 1998 to see what you see now in the relationship between the UK Government and the Scottish Government? Irrespective of whether it is a Conservative UK Government, the fact is that the SNP has a completely different agenda from both Labour and Conservative. Would you have envisaged then what we see now?

**Baroness Liddell of Coatdyke:** Given that I was around at that time, I think that having respect for each House is very important. There seems to be a lack of respect now developing on both sides about the constitutional arrangements that have been made. We are not elected but we have been elected, and it is of enormous importance that those who are elected are respected on both sides, but you do not get that feeling from the tenor of the debate that there is in Scotland at the moment. I was there long before social media, and I think a lot of it now



is to do with some of the arguments and the fights that take place in social media. We must be able to respect people, even if we do not agree with them. To be respected and to respect, I think, is one of the key things in a democracy.

**Sally-Ann Hart:** I completely agree with that.

**Douglas Alexander:** I think the honest answer is, no, of course we did not predict, in 1997, 1998 or 1999 or in the periods when we served in office, exactly the character of politics in 2024. Relationships can be damaged from both sides when politics change. It is no revelation that I do not believe in Scottish nationalism, but nor do I believe in a kind of muscular Unionism as the answer. As I said earlier, I fundamentally believe in co-operation. Over many years I have advocated and argued very strongly for Scotland's place within the United Kingdom but, exactly as Helen suggests, I believe that the best way forward, and the way that offers the greatest likelihood of Scotland prospering and doing well within the United Kingdom—and continuing to make a judgment, as evidenced in poll after poll, that our best future is within the United Kingdom—is that approach of mutual respect. If we see every constitutional issue or every investigation into the structures of governance as an opportunity to score political points against our opponents, which has too often been the position in recent times, I worry that whatever structures we devise will be threatened or challenged by the weight of political incentives to find difference rather than common ground.

**Lord Browne of Ladyton:** I do not think I saw on the horizon I was looking at from way back in the last century the sort of experience we are now having. I think the honest answer to you is that this is not the only place where politics and the way politics are conducted have changed, to the detriment of the quality of the Government. I do not want to start naming personalities but there are certain people who have held very high-level posts about whom, if you would had asked us 20 years ago, "Would this person ever become the President of this country?," we would have said, "Under no circumstances." People did not think that about the person I am thinking of either, shortly before he was elected, but he is not the only one.

Democracy has produced many autocratic, difficult people. I am not suggesting that that is what we have, but politics has changed fundamentally. It may well be social media. It may well be other things. I think that there was always a politics there that was waiting for social media to come, so that they could exploit it or something similar. There were people who became significant. There is no question but that there were people in Scotland who became significant players in Scottish politics from nowhere because they were willing to do things on social media that other people would never have thought of doing, and none of us would do ever. I do not know. How do we deal with that?

Q185 **Sally-Ann Hart:** We should ban MPs from social media.



**Lord Browne of Ladyton:** I do not know that you can ban. It would be difficult to police. I do not know what the answers are. I think the answer is that people who think like us—I look around this room and I do not think there is an ultra-partisan politician in this room—need to be stronger voices. That is the best tool we have.

Q186 **Sally-Ann Hart:** The Calman Commission, which concluded in 2009, said: “it may also be that insufficient attention was given to the implications of devolution for the wider UK constitution,” and Labour’s devolution plans did not factor in the fact that there might be political separation between Governments. Was this discussed at the time, when there was a strong Labour in Scotland? Was the landslide in 2007 anything that you had envisaged happening? Was there a lack of thought? Was it discussed? Was it naivety, arrogance, or none of those things?

**Douglas Alexander:** Respectfully, it was not a landslide in 2007. We lost by one seat. It did not feel like a landslide at the time, painful though the loss was.

No, I have never really bought this argument, that somehow the confidence was so overwhelming that Labour, in perpetuity, be elected on both sides of the border that we did not need to give consideration or thought to any other possibility. The reality is, as my erstwhile colleague Pat McFadden observed recently, it is not so much a pendulum as Labour struggling to win on various occasions. If you look at the most recent electoral record in the UK, it is defeat, defeat, defeat, defeat, victory, victory, victory, defeat, defeat, defeat, defeat. It would be very hard for a political party with that somewhat chequered record of winning elections then to presume perpetual power north or south of the border. In that sense, I have never bought the argument.

I know that you had Lord Robertson of Port Ellen in front of you and very quickly asked him the question about killing nationalism stone dead, and he said that he had been timing it to see how quickly the question was asked. I have never felt that it was an authentic representation of the motivations of the overwhelming majority of us, probably including George, for whom the establishment of a Scottish Parliament stood in its own terms.

We felt that there was a fundamental democratic deficit that needed to be addressed. We felt that the offer being made to the Scottish people in 1997 was to give not just democratic expression to the settled will of the Scottish people by the establishment of a Parliament, but an invitation to be part of a more democratic, more modernised, frankly more habitable United Kingdom, which is why what was happening in Northern Ireland and in Wales was also part of that broader offer.

In that sense, it is hard now to go back all of those years, but the reality was that there was an ambitious agenda of reform, certainly in Scotland, reflecting the particular character of the constitutional convention and the



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long-standing distinctiveness of Scotland's place within the United Kingdom—as we touched on in terms of the Law Officers, separate education, the separate relationship with the Church and so on—which has stretched back centuries, as well as a genuine sense of possibility about a modernised, more democratic and changed United Kingdom.

Broadly, I would argue that we were successful in that endeavour, both in changing the constitutional architecture—at the one point at which it has been tested at the ballot box, people have chosen to say that they saw their futures as Scots within the United Kingdom—and, at the same time, in establishing a new layer of democratic accountability in our Governments in this country.

**Baroness Liddell of Coatdyke:** I came in here in 1994 following the death of John Smith. It may seem strange to those of you who are Members of Parliament now, but we would be voting at 10 o'clock on an English education Bill and we would be voting until about quarter to 11. Then, at quarter to 11, we might start a Scottish education Bill, and that would go on until 2 am or 3 am. That is because there are structures in Scotland that are different. Our legal system is different. It is because of that that the whole pressure on devolution as a political concept gained ground. I can remember going down to meet colleagues in the north of England, Wales or London, and they would say, "If you are going to get all of that, why can we not get it?" They did not realise the extent to which our legislation was different and had to be done at a different time.

If we were to start all over from scratch, devolution would have started a long time ago. It was frustrating to have to do two education Bills or legal Bills. It embeds in your mind that the systems are completely different, and you have to take that into account. For me, that was one of the most powerful cases for devolution. The systems were different and should be looked at by people with experience and expertise in those areas.

**Sally-Ann Hart:** Thank you. Lord Browne, would you like to comment?

**Lord Browne of Ladyton:** Kenneth Calman is a very wise man, which is why he was appointed to head up that review and commission. I do not agree with him on this. I think it is quite easy, retrospectively, when things have happened, to say we should have anticipated that that might have happened. Helen has just helped here, because we should not isolate what was happening in Scotland from what was happening throughout the United Kingdom. There were other challenges that we were trying to face, particularly in Northern Ireland, and Wales, to some degree, was reluctant about devolution, but they have made the best of it.

We should not just dismiss it. Devolution has done a lot of good things for Scotland. It has enabled, substantially, an expression of certain things. Scotland has a different relationship with its land than England has. England is now coming to discussions about that—for example, you might ask people who live in leasehold property in London whether they would





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rather have the tenure that Scotland has had for centuries. We are different in many ways, and we have in many instances taken advantage of devolution and the ability to be able to build on that and not have all the decisions made in a UK Parliament, which was tending towards making things the same when difference was the best way to go.

In the days that Helen is talking about, I did not have much experience of that, but at the beginning of my political career down here I had a bit of experience of travelling back to Scotland on the night train, which was difficult. I had lobbied down here for things that I was interested in. You should go back and look at the Law Reform (Miscellaneous Provisions) Bill to see the sorts of stuff that was being imposed in Scotland—and I mean, imposed in Scotland by people who did not live with it and understand it. They were doing it in bits and pieces.

Also, there is a fundamental point here. This may have been a miscalculation rather than getting something wrong. The ambition was that we would have a Parliament that probably would never have an absolute majority. Given the proportional representation method of election and the way in which it would operate, there were many good politicians with a lot of experience and all sorts of psephology in their heads who were saying, “We will probably never have that. It will be persuasion rather than just arithmetic. It will not be a Parliament in which the most important skill is arithmetic.” The Scottish National party broke that. They did it. They worked hard for it. They deserved it. They won the seats. I am not complaining about it happening, but that was what was in people’s minds, quite legitimately. It was not a position that they should not have had.

**Douglas Alexander:** Could I add one point to Des’s point? That is absolutely true. There was a conscious decision to embrace a plural Parliament, but the motive matters as well. I genuinely dispute the argument that this was somehow designed specifically to keep one party out of power, at least on the basis of the conversations I was party to at the time. Often in a way that was deemed electorally disadvantageous to Labour, which at the time was commanding more than 40% of the popular vote and therefore was winning most of the first-past-the-post seats, there was a genuine determination to try to do politics differently, consistent with the recommendations of the constitutional convention. The Liberal Democrats were keen and determined that that be embraced in the original design of the Parliament. I know that that is a matter of dispute, but the reality is that a lot of people I talked to at the time felt, as Des said, that the character of the discussions in the Scottish Parliament would be different if we had a Parliament that was not based on first past the post, and that has played out in terms of the choices that were subsequently made.

Q187 **Sally-Ann Hart:** It is interesting to hear that and that the whole thing about devolution was to celebrate the differences between our nations—essentially, Scottish—but also to—



**Lord Browne of Ladyton:** Please do not use the word “celebrate” as a response to what we are saying. We were not concentrating on that. We were recognising that we had different histories. We have lots of things we were proud of that we wanted to note.

**Baroness Liddell of Coatdyke:** And it was pragmatic as well.

Q188 **Sally-Ann Hart:** In hindsight, rather than strengthen the Union by encouraging localism, which essentially is what you were trying to do, devolution gave the SNP a platform to promote separatism. We have heard from you that the IGR structures are not the issue, and that it is the political differences. Taking that into account, would you do anything differently now, looking back, with those IGR structures? You have said how you look at that way the voting was done for the Parliament, so is there anything you would do differently now to foster more collaboration with the IGR structures, given the political differences we see?

**Douglas Alexander:** I would come back to politics and not structures. I would not have undertaken Brexit. I would not have watched the misgovernance that we have seen in recent years. And I would have hoped that we could have developed a different character of politics over those years. If the implicit question is, should we have designed structures in the establishment of the Scottish Parliament that would disadvantage one section of Scottish opinion, I do not think that that is the right approach and it would have been a flawed design principle.

Secondly, do you need to accept the will of democracy? When parties opposed to your politics win, there is losers’ consent. You accept that and you continue to argue your case, absolutely.

Thirdly, do I think the United Kingdom or Scotland has been well governed in recent years? No, I genuinely do not believe they have been. Do I believe that intergovernmental relations between the Scottish Government and the UK Government have been handled optimally in recent years? No, I genuinely do not believe they have, but that comes back to the point that Des made. Leadership matters. Politics matters. A commitment to good will rather than to accentuating conflict matters. Those are not within the gift of structures to deliver. They are within the gift of political parties and securing the consent of the public to deliver.

**Sally-Ann Hart:** Any other comments?

**Lord Browne of Ladyton:** As always, Douglas articulates these things much better than I do. I will just get him to write the next thing I say.

Q189 **Wendy Chamberlain:** I want to touch on the Sewel convention a bit. In its written evidence for this inquiry, the Scottish Government said that the Sewel convention was the “most significant” principle for relations between Governments set out in 1999. Baroness Liddell, what is your view on that? Given that we have heard that the position is that everything sits with the Scottish Parliament unless reserved, how did you



approach the Sewel convention or the legislative consent motions in those early days?

**Baroness Liddell of Coatdyke:** I had a much easier time than people do now because the party in power in the United Kingdom was the same as the leadership of the party in the Scottish Parliament, with someone like Donald Dewar there. We were quite comfortable with the Sewel convention and indeed Lord Sewel was, at that time, one of our Members. Looking at it now, when there is this atmosphere of antagonism, it would be very difficult. I would not like to try to deal with it now, because of this atmosphere of antagonism.

Q190 **Wendy Chamberlain:** At that early stage, you were taking the principles within legislation and enacting them. How did you proactively take that approach? Obviously, it was more informal, but in drafting legislation from a UK Government perspective, how did you engage with the Scottish Parliament?

**Baroness Liddell of Coatdyke:** We engaged with the Scottish Parliament directly, but I cannot think of any area where Sewel was a problem for us, dealing with the Scottish Government, partly because we were elected on similar agendas, similar manifestos; we had a similar outlook in life. It would have been much more difficult if there had been part of it that was alien to what we believed in. I realise that we had a much easier time than those who came along subsequently.

**Douglas Alexander:** I think this evidences the point that we were trying to describe earlier, which is that it is a lot easier when you know the people involved. At the time, Lord Sewel was literally a member of Donald's team. We knew Donald, we knew John, and we knew others, and in the politest sense, not a single one of the legislative consent motions—I did some research before coming to the Committee, and there were eight legislative consent motions between 6 May 2006 and 28 June 2007 that I could identify—was a subject of significant controversy or difficulty. That was partly because you had a quick word if there was anything that you needed to understand or be clear on, but also because you had, if you like, two Governments that were pulling in the same direction, so there was a policy alignment and a legal requirement to give policy expression to that within the devolution framework. They were on things such as the Consumers, Estate Agents and Redress Bill, the UK Borders Bill, the Tribunals, Courts and Enforcement Bill, and the Statistics and Registration Service Bill—we were not splashing the front pages. They did not become, certainly during our time in office, a source of controversy and constitutional flash point the way they have subsequently.

Q191 **Wendy Chamberlain:** The topics there, such as borders, dare I say it, have become much more contentious in recent years. The other thing is that it sounds to me that there was a degree of respect and trust, in that you are having those conversations and there is acknowledgement that you understand on both sides whether the legislative consent motion is



even needed in the first place.

**Baroness Liddell of Coatdyke:** Good point.

**Douglas Alexander:** Absolutely. I think that muscular Unionism can be just as damaging to that trust as muscular nationalism. Neither of them has the interests of genuine co-operation and mutual respect, as you described, fully at the forefront, as I would like to see.

Q192 **Wendy Chamberlain:** Lord Browne, you said that they just went through. Could you elaborate a little?

**Lord Browne of Ladyton:** Anticipating that this legislative consent issue would come up, I looked to see what the statistics were during the time that I was the Secretary of State for Defence. The Scottish Parliament's archive, which is organised by year, lists the legislative consent memoranda and motions for 2007-08—presumably that is their parliamentary year; I do not know why it is 2007-08, but it was conveniently helpful for me. There were 10, only one of which was withdrawn, and that related to the Football Spectators and Sports Grounds Bill, which presumably was here and the Scottish Parliament found it a contentious area to be legislating in. I did not bring all this stuff, but I read some of the memoranda that were presented by the Scottish Government to the Scottish Parliament. Bear in mind that I came in after Alex Salmond became the First Minister, so this was an SNP leadership when these were being drafted. The language that is used in them is striking. People are not giving convoluted reasons why, reluctantly, they will let the UK Government legislate in this fashion. The Scottish Government is saying strongly, "It is better done this way." This just seems to me to be the best possible—

Q193 **Wendy Chamberlain:** In the example of the one that was withdrawn, was the UK Government at that time represented by yourself and others recognising that that legislation was impinging on the devolved perspective?

**Lord Browne of Ladyton:** I do not know why it was withdrawn, to be honest. I have no idea why it was withdrawn. I can make things up—I have no idea, but it could have been, for example, that people looked at this, had a conversation and said, "Maybe, actually, we should not do this at all. This might not be a good idea at all, so let neither of us do it." I do not know. I have had no reason to read these legislative consent memoranda from that time until now. No doubt they were read by David Cairns, but I had no reason to look at them. Yes, I was very pleased by the tenor of them and the way they were approached.

I cannot help but observe that these points are sometimes relished by people when they come up, if they give them the opportunity to play the sort of politics that they want, and therefore they are exaggerated. You are right: when you get into the Brexit area and you are talking about borders, there is a whole new area that there is no way we could have expected people in 1997 to anticipate. I am not criticising people. I get



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lots of emails from the Law Society of Scotland, and Michael Clancy in particular, in which he points out where there is a necessity for legislative consent, and I am grateful to him for doing that, because he does a marvellous job.

**Wendy Chamberlain:** Because legislation is a living thing.

**Lord Browne of Ladyton:** And it is becoming more active. It is instructive that this covers dormant bank and building society accounts, criminal justice and immigration, climate change, education and skills, the Energy Bill, football spectators, which we have dealt with, health and social care, housing regeneration, the Pensions Bill, and statute law repeals—we can see why that would be easy if you were looking at stuff that was of no use any longer. They are not necessarily that easy, but there seems to have been a kind of willingness to be able to say, without thinking that Scottish Parliament was less important, that it would just be better to do it that way.

Q194 **Wendy Chamberlain:** It sounds to me that the reason why the legislative consent motions just went through is the work that was put in in advance. To Mr Alexander's point, Professor Jim Gallagher described the recent breach of the Sewel convention in relation to the UK internal market Act and other legislation as leaving the argument for strengthening the Sewel convention unanswerable. That is simply because we have come together and no resolution has been reached, and one side has continued.

**Lord Browne of Ladyton:** Sometimes I think one side is not moving and the other side is quite glad that they are not.

**Chair:** Do you want to come in on this point, Christine?

Q195 **Christine Jardine:** Baroness Liddell said that Lord Sewel was practically part of Donald Dewar's team. Are we overlooking in this the fact that, for the first two devolved Administrations in Scotland, we basically had a Labour-led Government and a Labour Government? You had a lot of people who naturally agreed. You would not expect any contention over the Sewel convention, because you were all part of the same party and you all had the same belief systems and principles. We are looking at a situation now where we have a Scottish National party-led Government in Holyrood. We have not looked at the possibility that if we had had, say, a Labour-led Administration at Holyrood and a Conservative Government, we might have faced the same difficulties. Should we take into account that if you have different parties in power in the different Parliaments, you will naturally have a much less agreeable arrangement?

**Douglas Alexander:** You raise a fascinating question. First, with respect to your own party, there were some Lib Dems in there. It is right to recognise that.

**Lord Browne of Ladyton:** They were people of significance.



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**Douglas Alexander:** They were very significant people, such as Jim Wallace and others, who had a big influence on the character of that Government and indeed its output.

The more substantive point is that even if you had a Labour Government and a Conservative Government, you would certainly have, let us say, a Labour Government in Holyrood that was committed to making devolution work, as distinct from ending devolution and replacing it with a sovereign separate state. I am not, therefore, convinced that it is the structure of devolution that needs the remedy. If you have parties of different political ideologies and characters on different sides of the border who share an ambition to make the structure of Government within the integrity of the United Kingdom work, that is a very different character of conversation from having a party that is, perfectly appropriately, given its own belief system, committed to making devolution fail and delivering an alternative, which is a sovereign state.

**Christine Jardine:** Which brings us back to Lord Browne's point about it being people who make it work and not processes.

**Lord Browne of Ladyton:** Christine, sorry, but there have been questions on whether we should have anticipated this and created structures that would have made this work right. I am cynically doubtful that that would have been possible. It is the responsibility of the people who find themselves in government to find the structures that make it work. We reasonable people who can work together might not actually be in government and reasonably work together, and people who will not might get into government. I know people in this room who I think are perfectly capable of doing that; I just wish they would do it.

Q196 **Chair:** What happens if it is a Parliament that say that? Take issues such as Brexit, the internal market Act and even the gender reform Act, where there was support from all parties of the Scottish Parliament. There were members of all parties who supported even the GRA. What do you do when it is a Parliament that is using its powers and rejecting the Sewel convention, and that is not then accepted in Westminster? How do you resolve that? I know that you could have good relations and people who get on with each other, and that there could be respect from both sides, but surely there should be a structure that would resolve that issue and those tensions and anticipate these things?

**Baroness Liddell of Coatdyke:** I do not know how you would design a structure to do that.

**Douglas Alexander:** I would argue that we did design such a structure. It was called the Scotland Act. In that sense, the fact that—

Q197 **Chair:** The Sewel convention is a key feature of the Scotland Act. There are things that have been passed in the Scottish Parliament by all parties when it comes to legislation that is designed in Westminster. How do you then resolve that? You could have conversations and discussions, but



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people will still disagree. Do we not therefore need structures and arrangements where this could be resolved?

**Douglas Alexander:** Again, I think that is where you have to disaggregate policy from politics. You can create structures whereby people can disagree on policy and still find alignment. If you have the political interests of the governing parties in both of the Parliaments incentivising constant tension and disagreement, my argument would be that it is very difficult to design a structure to overcome that.

Q198 **Chair:** This is a Parliament, Mr Alexander; this is not the Government. This is a Parliament that has decided that this is their view, which is not being respected by the other side. If there is no structure or arrangement to resolve that, what do you do?

**Douglas Alexander:** There are structures that were created by the Scotland Act already.

Q199 **Chair:** But they are not working just now. That is why we are having this 25 years review, because we are coming across certain issues that are clearly not working. I am interested in your view about what you would do to resolve that particular tension.

**Douglas Alexander:** That is why I think that there is respectful disagreement. What I would do would be to place the responsibility where it rightfully should stand, which is on the shoulders of the politicians within those Parliaments. In that sense, a Parliament is more than a building; it is the expression of the political will of the leaders—

Q200 **Chair:** I am not sure we are getting much further forward. I do not know if any of you has a suggestion about how we get between that rock and a hard place where a Parliament that has decided cross-party on a course of action that is at odds with the Government down here. If there is no structured arrangement to resolve that, how do you resolve it?

**Lord Browne of Ladyton:** Is there not a legal process going on here? I am not in the position where I cannot comment, because I am not going to influence it, but there is a legal process going on here. There is a genuine difference of view as to whether this legislation is compatible with other legislation, which we all hope can survive. I am not expressing a view on this, because one will be expressed shortly, and that will decide it. It is about how you conduct yourself. It seems to me that it might have been better to get the lawyers in before anybody did anything that might lead to—

Q201 **Chair:** We need to move on. I want Michael Shanks to come in. It is not all about personal behaviour surely. There should be institutions, structures and infrastructure in place that helps to accommodate politics. There is always going to be politics.

**Lord Browne of Ladyton:** This is an issue that is going to be determined within a legal structure that none of us is trying to change because we are dissatisfied with it or we think it is not the right law. The



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parties to this, who are the Scottish Government representing the Scottish Parliament, and the UK Government, presumably have made arguments before a court of law, and it may go all the way to the Supreme Court, to decide whether this piece of legislation, done in this way, is compatible with other legislation.

Q202 **Chair:** What is the solution? There is an example in Canada that uses the Supreme Court to resolve some of the tensions between federal and central Government. Do we need an institution such as that, which could resolve? What we are trying to do is find solutions, because this will happen again in the future.

**Lord Browne of Ladyton:** You may well get into the situation where, by default, that is where it goes, but I am not suggesting that we should make a structure. We do not need to make a structure. We already have the courts, and we can access them if we want to, and we have the law. There is nothing fundamentally wrong about this. We can do this within the context of a democracy and a legal system, if we choose to.

However, it seems to me that we might have anticipated where we might have got to, and the people who were involved in the earlier stages could have got the lawyers in to see if there was a different way of doing things that produced the same solutions that people were looking for but did not engage this legal battle. That is all. It is all there. We do not need structures to do it. We need leadership that is willing to go and see if that will work.

**Chair:** We do not need structures.

**Lord Browne of Ladyton:** I do not think so. We have structures. It is not as if—

**Chair:** We only have a few minutes. Michael wants to come in.

Q203 **Michael Shanks:** On that positive note of collegiality, I am going to ask a couple of questions about time—not your time served as Secretary of State, but what you think the future of this might look like. But I wanted to pick up one thing Christine asked about earlier. Do you think the level at which intergovernmental relationships happen has changed? Do you think it is now about devolved Governments and the Secretary of State, or have we moved more into the realm of Prime Ministers having to convene summits?

**Douglas Alexander:** That is a very fair question. Something that the Committee might respectfully consider asking the First Minister as was, Alex Salmond, about when he is before it is his approach to those issues. My sense was that one of the questions implicit in the relationship between the Secretary of State for Scotland and the First Minister, in terms of parity of esteem, was that the First Minister was often very keen to be seen, reasonably, to have direct contact with the Prime Minister rather than simply operational contact with the Secretary of State. I think





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that that was probably accentuated post 2007, and we have seen that carried on since then.

The other point I would make, respectfully, trying to reflect on the conversation that we have just had, is that we also need to be alive to the reality that you have political parties that, in some cases, want to constantly emphasise that, whatever devolution delivers, it is not good enough, or the outrageousness of what the Scottish Parliament or the Scottish Government are seeking to do, because they see electoral and political advantage in accentuating difference rather than finding common ground.

The difficulty we are finding in the conversation may be because, honestly and sincerely, the three of us believe that there are certain problems that can be solved by a more collaborative approach, as distinct from the political interests of certain parties being advantaged by constantly saying, "This is not working. It could be done so much better," or, "The other side is being completely outrageous. We are the last guarantor of common sense and the integrity of the country." I think that that helps explain the political argument that we have had.

In terms of the individuals, however, I think the First Ministers generally have tended to want to be seen to be dealing with the Prime Minister, as well as maintaining operational relationships with the Secretaries of State. Because we knew the individuals, that was very manageable. Once you are in a position where you have different parties, and often opposing parties in different Parliaments, that is where that relationship of First Minister and Prime Minister becomes a whole lot, in some ways, more important, but also a lot more challenging.

**Baroness Liddell of Coatdyke:** I do not think that, when the devolution settlement was arrived at, anybody envisaged such huge tension between the Parliaments. As a consequence, the structures were not put in place to resolve some of these issues. I realise I had it easy as Secretary of State because I was dealing with my own party in the Scottish Parliament and with people that I respected. Now the nature of the debate is quite vicious, and it needs to come into a place of calm so that we can respect the democratic responsibilities of each side.

I was very lucky. I was able to respect the Scottish Parliament and the people in that Scottish Parliament and to understand it. Now, when there is an almost toxic atmosphere around Scottish politics, it is quite disturbing, and we need to try to find a way that takes us out of that. Hopefully, the report that you are going to construct will take us some way down that route.

**Lord Browne of Ladyton:** We are going to be living shortly in a very different place, I think, in terms of governance. There is going to be change. I know what I would like it to be, but I am not complacent about it, and we are all going to have to fight our corners to get the votes. But whatever comes out is going to be very different.



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An election like this is one of those elections where the number of people who will not be standing again is going to be significant. This is not the only one in which this has happened. It happened in 2010 in bulk. There is going to be a big change, and people are going to come to this who have lived through this turbulent period in many ways. Hopefully we are going to get a lot of people who will say, "We do not want that." We are either going to go back to what the authors of this collectively, and the people who legislated for it, wanted or, alternatively, we are going to have a different, much more collaborative, much more reasonable approach to each other.

There is no question in my mind that certainly the people I know in Scotland, who are many, just want an end to this type of politics. I make this observation. The public response to that drama about Horizon on STV, was so great because there is a systemic corruption in our country, and people who saw this happen realised that this was the breaking point. It is not just the politics; there are things going on in this country that people want to see the end of. We have an incredible amount of economic crime, fraud and corruption, and we need to get rid of it.

We have a politics that is not serving us well. Hopefully, the fact that so many people are stepping down will allow us to have fresh blood. That fresh blood should be encouraged to look at what can be done, perhaps from the period that we were together or whatever, and say, "This can be done a different way" and start moving to doing things in a different way. Going around telling people they should change is not going to help, but new fresh blood, like yourself, in Parliament is going to help.

**Q204 Michael Shanks:** The Horizon question is a very alive one. We in this place have had a number of discussions about how that legislation could work across the whole UK, and it is not working—those processes—in the way it might have in a different time.

I want to ask you about whether the maturity of the Scottish Parliament, in this 25th year of it, has anything to do with these differences, other than just the politics of it. I grew up with the Scottish Parliament, and I was still at primary school when it was created. It has changed, it has matured, and the people in it have changed as well. We have a generation of politicians now who have only ever been in the Scottish Parliament. Do you think that that changes the relationship at all? Does that make intergovernmental relationships more difficult or not? If we got back to a situation where there was the same party in power in both places, or at least aligned parties in power in both places, would that still create a challenge because those relationships you talked about are not there so much?

**Baroness Liddell of Coatdyke:** What has also happened at the same time is that there has been a greater toxicity around the political debate. Until we start to respect people for the very fact that they have been elected, it is going to be pretty poisonous. That is the bit that has been lost to some extent because of social media, but to some extent because



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people think—they look at other countries where people are calling names at one another—that fundamental respect has been damaged.

In the House of Commons, there always was that respect for the Opposition. Okay, you may have a go at them, but there always was the respect for those who had been elected. I am not 100% certain that that is still the case. The whole tenor of our political debate needs to change, and we need to rediscover respect for the electoral process.

**Lord Browne of Ladyton:** I think an institutional memory is important. We have people of great experience in the Scottish Parliament now—I am in favour of fresh blood, but I am not in favour of clearing everybody out, because I think institutional memory is important. We have the possibility—in both Parliaments, I presume—of new people coming in, while holding on to the people who have been there for a long time, who understand how it works and who have those relationships. It is astonishing that, in the corridors of Parliaments, you see people talking to each other respectfully and valuing each other despite their great differences of politics. We just need to do a wee bit more of that up front.

**Douglas Alexander:** I think that if we have learned anything in the last few years, it is about the fragility of democracy, not just in terms of intergovernmental relations in Scotland, but globally. Democracy is not just a way of voting; it is a way of thinking. It relies on losers' consent, civility, good will and a sense of shared labour. In that sense, while respectful of the fact that all of you are elected politicians, I see that that is really hard. The disdain that is felt towards politicians by a lot of people in the public is actively damaging and inhibiting to other people choosing to enter public life.

Part of the reason that I bridled at the suggestion that there were so-called big beasts who should have gone back to Holyrood in 1999 is not just because I am five foot six, but because of the idea that there is only a limited amount of talent, that there are 10 or 12 people kicking around the corridors of Westminster and that without them the Scottish Parliament was somehow denuded of talent. I have just never believed that. We meet people in all of our working lives all across Scotland who would grace that Parliament with great ability and great expertise, but too few of them are choosing to go into public life right now.

Respectfully, my hope for the report is that it can make its contribution towards finding a way back to a politics where there is still going to be the sturm und drang and clash of ideas, and people are going to be very passionate and have strongly held opinions, but there will be a mutual respect and recognition that informs not just the relationship between the two Governments and the two Parliaments, but among the individuals within those Parliaments as well, and between the public and those individuals, because choosing to put yourself forward for public life is not easy.

Q205 **Douglas Ross:** Just a final point. Obviously, you all served at senior



levels within a Labour Government, and it was the Labour Government that took forward the Scotland Act. In reflection, what, if anything, did you get wrong with that legislation? Or if you do not want to say "wrong", what, 25 years on, could have been improved in terms of what was passed in 1997 and the establishment of the Scottish Parliament?

**Lord Browne of Ladyton:** It was perfect.

**Douglas Ross:** Maybe it is something to reflect on and feed back. We did ask other witnesses, and it may be things like the way the Parliament currently runs. Lord Browne mentioned a revising Chamber in terms of this place. There are criticisms of the Committee system at Holyrood. I think that is something we want to look at. It may be just reflections, a quarter of a century on. There are a lot of good aspects of the Scotland Act, but what could have been different then or could be different now that would improve our politics and our Parliaments?

Q206 **Alan Brown:** Douglas, I will just come back to you. Talking about respecting devolution and working together, if you look at Wales, where Labour is obviously in power in the Welsh Assembly, they clearly are very vocal about what they see as budget cuts and budget pressure and about that being the fault of the UK Government. However, if we look at the Scottish Parliament, we do not see Labour in that political sphere talking about the same budget pressures.

Also, you said you think there have been some failures in terms of policy, and that is clearly, in your view, to do with the current SNP Government, but nobody ever talks up aspects of devolution such as the Scottish child payment, which takes roughly 90,000 children out of poverty. In terms of that respect agenda, would it not be better to also talk up good policies that have been implemented by the party or by the Government?

**Douglas Alexander:** Of course, you look to identify policies that people support. I supported the child payment that you describe. I regret the fact that it took 13, 14 years to get a genuinely redistributive measure out of what are the very wide powers of the Scottish Parliament. On the other hand, I think it is the very stuff of politics. The Scottish Parliament clearly has extensive tax-varying powers at the moment.

I saw Anas Sarwar quoted recently, and this might help answer the question that Douglas asked. I am not sure this is an intergovernmental issue, but I do think that the balance of the interests of the Scottish Parliament has been more social than economic in recent years. I did not anticipate that back in 1999 when the powers were created. If we are serious about delivering a socially just, more equitable, more dynamic Scotland, I would hope that, in the next chapter of devolution, there is a much greater focus on the productive side of the economy, as well as the distributional choices that follow from that.

I think it would be a matter of great regret if, 25 years from now, the Scottish Parliament was still perceived as being more of a social policy Parliament than an economic policy Parliament. Of course there are



challenges in terms of budgets—there always are—but there is also a fundamental challenge in terms of growth. Any choices that you face as a Government or as a Parliament are a whole lot harder when the trend rate of growth of the economy is around 1%, not 2% as it was during the period that we were in office. In that sense, there are always going to be distributional questions. In terms of how you answer that, it is not ultimately by taxing more, but by growing more.

**Q207 Alan Brown:** Wouldn't that greater focus on the economy lead clearly to a greater devolution of powers, to give the Scottish Parliament more levers of power in terms of economic decisions?

**Douglas Alexander:** I have been having a version of this conversation for 25 years. I am more interested in what the Parliament can do than in a culture of grievance that always asserts what the Parliament cannot do. There are extensive economic powers there. If you look at something like Scottish Enterprise, there is, respectfully, a whole lot that could be done with it to grow the Scottish economy. I would be very happy to continue the conversation, but I sense that time is against us.

**Q208 Chair:** One last question. We are going to have a new Government in the new year. We do not know what colour it is going to be, but if current predictions are to be believed, it does look like it is going to be a new Labour Government. What would your advice be to a future Government coming in? I am thinking of things like the internal market Act. Would you advise them to review that and to look at some of the Brexit legislation? Would you suggest that that would be a place that they might want to look at? Should they improve the respect agenda and perhaps dismiss muscular Unionism? Is that what you would suggest to an incoming UK Government? I know you will want to talk about the Scottish Government, but I am interested to hear what advice you would offer to a new UK Government on some of these issues.

**Baroness Liddell of Coatdyke:** If we are going to go down that path, we will be here another couple of hours. There are so many issues contained in that. But one of the key things—Alan was talking about talking up what the Scottish Parliament can do—is the Scottish Parliament maybe talking up some of what the UK Parliament can do, like the Barnett formula. I am very, very old so I can remember the Barnett formula being introduced in the 1970s. The Barnett formula does make it much easier to spend money in Scotland in a way that benefits people.

We need to have more partnership. It is not about specific pieces of legislation. That is part of the overall picture, but there needs to be respect between each elected organisation, because without that we are going to be picked off and we are not going to make the headway that we need to make.

**Chair:** Have you any thoughts, Lord Browne, about what advice you would offer?



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**Lord Browne of Ladyton:** I would answer Douglas's question specifically about the Committees of the Scottish Parliament, because I think the Committees of the Scottish Parliament are currently operating differently from the plan. There is no question. It is not just a numbers thing. It is not just because—

**Chair:** I was hoping to get some advice for a future UK Government.

**Lord Browne of Ladyton:** I did not answer Douglas's question. Let me answer his question first, and then I will deal with the question that you have asked.

There is perhaps a tweak that could be made to them, but I do not just want to go back and use the response I have been using all the time, which is that it depends on the people and their politics, although it does to some degree. But if there is an honesty in the Parliament that these Committees, looking back on how previous Committees operate, are not satisfactory, then, from my point of view, the people who should be looking to change that are the people who are in the Parliament and live with it, rather than me who observes it from outside and reads what commentators have to say.

I would be very receptive as a UK parliamentarian, if there was a conversation between the respective Parliaments about how—in the circumstances where we have the arithmetic we have—we can get back to something that works in the way in which the people who put it together wanted it to, because it is to the detriment of the Parliament that it does not. As far as the United Kingdom is concerned, I think we will govern, and we will govern comfortably, in the knowledge that no Parliament can prevent a future Parliament from changing the law. There is no question but that there is legislation that has been passed in this Parliament that, if we get into Government, we will repeal. It is freely known what that is. You can get a list if you want. We will change things and we will not be afraid to change things.

Q209 **Chair:** One of the major proposals, of course, is reform of your Chamber, the House of Lords, to make it an assembly of the nations and the regions of the UK. We do not know whether that is going to be pursued in the first term of a Labour Government. I wonder what your views are about that. Would that see Scotland on a par with the other nations of the UK? Is that what is envisaged with that plan, in your view?

**Lord Browne of Ladyton:** Personally, I would have been happy to vote for the specific reforms of the House of Lords that were proposed by the coalition Government. I thought there was a lot of merit in what they put forward, but I did not get a chance to.

**Chair:** I remember the days when I think we had eight different options, and Hilary Benn was in charge of—



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**Lord Browne of Ladyton:** There was one that was agreed upon that I would have been comfortable with. That is not to say everybody in the Labour party would have been comfortable.

Q210 **Chair:** Do you have any advice to the future UK Government, Mr Alexander. Should they dispense with the muscular Unionism and internal market?

**Douglas Alexander:** I remember the vote you are describing, and as I recollect, I voted for every one of the democratic options from 20 to 40 to 60, or whatever the numbers were. I am not often characterised as a Bennite, but I believe in democracy, and that made me less popular with some of my colleagues. But, yes, at a fundamental level, I believe it is right that you are able to throw out the people you elect. Having lived that experience myself, I say that with some feeling.

I am going to resist the opportunity to write the next Labour manifesto. I think, having avoided losing my job at least twice in this session so far, I am not going to try to trip and fall into that particular hole.

**Chair:** Thank you all. I knew this would be a robust but entertaining session. I think we have had very good conversations, and thank you for that. I think there are a couple of things we have asked you to come back on and maybe help out with in terms of this inquiry. If you could do that, we would be very grateful. If you have any other thoughts, we are of course always open to suggestions and any further views about 25 years of devolution. But, for this afternoon, thank you very much for attending the Scottish Affairs Committee.