



House of Commons  
Scottish Affairs Committee

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# **Work of the Committee in 2003**

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**Second Report of Session 2003–04**





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**Second Report of Session 2003–04**

*Report, together with formal minutes*

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## The Scottish Affairs Committee

The Scottish Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Scotland Office (including (i) relations with the Scottish Parliament and (ii) administration and expenditure of the office of the Advocate General for Scotland (but excluding individual cases and advice given within government by the Advocate General).

### Current membership

Mrs Irene Adams MP (*Labour, Paisley North*) (Chairman)  
Mr Alistair Carmichael MP (*Liberal Democrat, Orkney and Shetland*)  
Mr Peter Duncan MP (*Conservative, Galloway and Upper Nithsdale*)  
Mr David Hamilton MP (*Labour, Midlothian*)  
Mr Ian Liddell-Grainger MP (*Conservative, Bridgwater*)  
Mr John Lyons MP (*Labour, Strathkelvin and Bearsden*)  
Mr John MacDougall MP (*Labour, Fife Central*)  
Ann McKeichin MP (*Labour, Glasgow Maryhill*)  
John Robertson MP (*Labour, Glasgow Anniesland*)  
Mr Mohammed Sarwar MP (*Labour, Glasgow Govan*)  
Mr Michael Weir MP (*SNP, Angus*)

The following member were also members of the committee during the year:

Mr Eric Joyce MP (*Labour, Falkirk West*)  
Mr Mark Lazarowicz MP (*Labour, Edinburgh North and Leith*)

### Powers

The committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk).

### Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at [www.parliament.uk/parliamentary\\_committees/scottish\\_affairs\\_committee.cfm](http://www.parliament.uk/parliamentary_committees/scottish_affairs_committee.cfm).

### Committee staff

The current staff of the Committee are Mike Clark (Clerk), Diane Nelson (Committee Assistant) and Joanne Larcombe (Secretary).

### Contacts

All correspondence should be addressed to the Clerk of the Scottish Affairs Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 6295; the Committee's email address is [scotaffcom@parliament.uk](mailto:scotaffcom@parliament.uk).

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# 1 Introduction

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1. The Scottish Affairs Committee's concentration during this Parliament on short, sharp inquiries of a wide and varied nature has continued to prove successful, with interest expressed by both the public and the media. As in 2002, attendance by Members has been high.

2. The Committee's remit includes the examination of relations with the Scottish Parliament, which we consider to be of high importance. In February 2002 a meeting was held with the Conveners' Liaison Group of the Scottish Parliament, and as this meeting proved to be a positive arena for a strong exchange of views and information, we had intended to repeat such a meeting in 2003. Unfortunately this did not, in the event, prove possible, but may well be pursued again in 2004.

3. The Committee held informal meetings during the year with Ofgem on 18 March, when we were briefed on the implications for Scotland of the Draft Electricity (Trading and Transmission) Bill, and with a Delegation from Italy on 25 June, when matters relating to devolution were discussed.

4. Following the major changes announced on 12 June, whereby the Scotland Office became part of the Department for Constitutional Affairs, we were very grateful for the Secretary of State for Scotland agreeing to come to speak to the Committee on 17 June, less than a week after his appointment, to give evidence on the Scotland Office Departmental Report. The session proved valuable in clearing up any confusion about which Ministers would be responsible for what matters in the new Department.

5. Many of the objectives and tasks for departmental select committees set by the Liaison Committee do not apply to the Committee. Our Report is therefore not structured by reference to the 10 "core tasks",<sup>1</sup> but we do seek to reflect the overarching objectives identified by the Liaison Committee.

# 2 Reports

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6. During Session 2002-03 we produced two Reports, one of which was published during calendar year 2003.<sup>2</sup> In addition, the Committee continued to publish much evidence on a free-standing basis when it was not thought necessary to produce a Report on a particular inquiry.

7. Last year we reported that, although convention expects replies to Reports within two months of publication, we found this appeared to be a problem for the Scotland Office - perhaps because of the need to consult other departments, but perhaps due also to

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<sup>1</sup> See Liaison Committee, First Report, Session 2002-03, *Annual Report 2002-03*, HC (2002-03) 558, Appendix 3

<sup>2</sup> Details can be found in the Annex

institutional inertia. For example, we noted that the response to our Report on shipbuilding had still not been received some five months after its publication.<sup>3</sup>

8. We are now pleased to report that the previously unacceptable situation seems to have been rectified. The Committee published its Report on Homeworkers in Scotland and the Minimum Wage on 3 April; on 4 June we received a memorandum from the Government which contained its response to our Report.

## 3 Inquiries

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### Policy matters

9. Since the start of the Parliament the Committee has monitored and examined vigilantly the many UK policy decisions which have an impact on Scotland. For example, during the inquiry into Homeworkers and the Minimum Wage, the Committee took evidence from the appropriate Minister and officials at the Department of Trade and Industry and from Inland Revenue officials. During its evidence session on Customs Services in Scotland, the Committee examined officials from HM Customs and Excise.

10. In 2003 the Committee held 19 meetings; 6 of these were private and 13 were held in public.<sup>4</sup> As well as the witnesses mentioned in para. 9 above, the Committee took evidence from the National Group on Homeworking, Scottish Enterprise and the Scottish Low Pay Unit (on the Homeworking inquiry), from the Disability Rights Commission (on The Work of the Disability Rights Commission in Scotland), from the Child Support Agency (on The Work of the Child Support Agency in Falkirk), from British Waterways Scotland, Scottish Enterprise, Glasgow City Council and East Dunbartonshire Council (on Job Creation Potential of the Modernised Forth, Clyde and Scottish Union Canal) and from the Scottish Drug Enforcement Agency (on Customs Services).<sup>5</sup>

11. The inquiry into Homeworking was undertaken in recognition of the fact that many homeworkers in Scotland were placed in a vulnerable situation, and we sought to identify the extent to which such workers were receiving the statutory National Minimum Wage. The Committee concluded that a sizeable proportion of homeworkers were indeed earning less than the minimum wage, and we set out 10 recommendations to address the issue.<sup>6</sup> The Government's response was positive, accepting that some homeworkers were not receiving the minimum wage, and stating that it was taking action to address this important issue.<sup>7</sup> Several Members raised the issues identified in the Report during the debate on the Third Reading of the National Minimum Wage (Enforcement Notices) Bill [*Lords*].<sup>8</sup>

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<sup>3</sup> Scottish Affairs Committee, First Report, Session 2002-03, *The Work of the Scottish Affairs Committee in 2002*, HC (2002-03) 197, para. 6

<sup>4</sup> 12 public evidence sessions were held at Westminster and 1 was held in Falkirk

<sup>5</sup> Details can be found in the Annex

<sup>6</sup> Scottish Affairs Committee, Second Report, Session 2002-03, *Homeworkers in Scotland and the Minimum Wage*, HC (2002-03) 335, pp.7-8

<sup>7</sup> Scottish Affairs Committee, Third Special Report, Session 2002-03, *Homeworkers in Scotland and the Minimum Wage*, HC (2002-03) 816, p. 1

<sup>8</sup> See *Official Report*, 28 April 2003, cols. 105-116

12. Following the provisional proposals of the Boundary Commission for Scotland to reduce the number of Scottish Westminster constituencies from 72 to 59, and the Government's announcement that it would seek to amend the Scotland Act 1998, so that the number of Members of the Scottish Parliament would not as a consequence be reduced *pro rata*, the Committee announced in September that it would be undertaking an inquiry into the Coincidence of Parliamentary Constituency Boundaries in Scotland and the Consequences of Change.

13. The Committee held four sessions of oral evidence, with evidence from representatives from the four main Scottish political parties; from the Convention of Scottish Local Authorities and the Scottish TUC; from the Electoral Commission, the Association of Electoral Administrators, Professor Robert Hazell and Dr David Butler; and from the Minister for Parliamentary Business, the Scottish Executive, and the Secretary of State for Scotland. The evidence sessions on the inquiry were concluded in December, with the intention of the Committee producing its Report early in 2004 in time for the second reading of the Scottish Parliament (Constituencies) Bill.<sup>9</sup>

14. In parallel to the inquiry into Parliamentary constituency boundaries, the Committee announced in November that it would also be inquiring into Voter Registration in Scotland, in particular, the situation whereby thousands of voters had "disappeared" from the Electoral Register. The oral evidence sessions on this inquiry started in December, with evidence from the Secretary of State.

## 4 Expenditure

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15. The annual oral evidence session with Ministers on the Scotland Office Departmental Report was held on 17 June (see para. 4 above). Further detailed expenditure questions arising from the Departmental Report were followed up in correspondence between the Chairman of the Committee and the Secretary of State for Scotland, and the Scotland Office's replies to those questions were published with that day's Minutes of Evidence.<sup>10</sup>

16. The Committee is very conscious of its responsibility in scrutinising Scotland Office expenditure. It is worth recalling Professor David Heald, of the University of Aberdeen, who has stated:

"Following evidence taken on 7 November 2001 [by the Scottish Affairs Committee], the Scotland Office provided supplementary data, which allowed the calculation of the Barnett formula consequences from Spending Review 2000 to be replicated. This was the first time on which this could be done from information in the public domain."<sup>11</sup>

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<sup>9</sup> Bill 4, introduced 27 November 2003

<sup>10</sup> HC (2002-03) 815-i, pp. 19-24

<sup>11</sup> Heald, D.A. and McLeod, A. (2002), 'Public Expenditure', in *The Laws of Scotland: Stair Memorial Encyclopaedia—Constitutional Law Volume*, Butterworths Tolley, Edinburgh, paras 480-551

## 5 Public Bodies

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17. The Scotland Office sponsors one Public Body, the Boundary Commission for Scotland, which reviews Scottish Parliamentary constituencies. When the Secretary of State appeared before the Committee on 17 June, we took the opportunity to ask when the Commission's latest proposals would be published. Unfortunately, he was not able to indicate when that would be.<sup>12</sup> The work of the Commission is highly relevant to the Committee's inquiry into Parliamentary constituency boundaries (see paras. 12 and 13 above).

## 6 Visits

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18. As in previous years, the Committee continued to place much emphasis and value on our visits to Scotland. During 2003, we visited Kilbride and Glasgow, in connection with our inquiry into Homeworkers, Falkirk on the inquiry into the Work of the Child Support Agency Centre, and Rosyth, in connection with the inquiry into Customs Services.

## 7 Summary

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19. The Committee has again enjoyed a successful year, and inquiries have ranged widely over a variety of issues.

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<sup>12</sup> HC (2002-03) 815-i, Q 67

# Annex

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## Committee Activity During 2003

### Reports

Second Report: Homeworkers and the Minimum Wage HC 335

### Minutes of Evidence

Futureskills Scotland HC 101-i

The Work of Citizens Advice Scotland HC 158-i

The Work of the Disability Rights Commission in Scotland HC 608-i

The Work of the Child Support Agency Centre in Falkirk HC 693-i

Job Creation Potential of the Modernised Forth, Clyde and Scottish Union Canal HC 717-i

Custom Services in Scotland HC 911-i

Scotland Office Departmental Report 2003 HC 815-i

## Formal minutes

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**Tuesday 10 February 2004**

Members present:

Mrs Irene Adams, in the Chair

Mr Alistair Carmichael

John Robertson

Mr Peter Duncan

Mr Mohammed Sarwar

Mr David Hamilton

Mr Michael Weir

Ann McKechin

The Committee deliberated.

Draft Report (Work of the Committee in 2003), proposed by the Chairman, brought up and read.

*Ordered*, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1–19 read and agreed to.

Annex agreed to.

*Resolved*, That the Report be the Second Report of the Committee to the House.

The Committee deliberated further.

[Adjourned till Wednesday 3 March at 2.00pm]

# Publications from the Scottish Affairs Committee since 2001

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The following publications have been produced by the Scottish Affairs Committee in the 2001 Parliament:

## Session 2003-04

First Report	Coincidence of Parliamentary Constituency Boundaries in Scotland and the Consequences of Change	HC 77
Minutes of Evidence	Registration of Voters in Scotland	HC 78-i

## Session 2002-03

First Report	The Work of the Scottish Affairs Committee in 2002	HC 197
Second Report	Homeworkers and the Minimum Wage	HC 335
First Special Report	Scotland Office Expenditure	HC 198
Second Special Report	Response by the Government to the Fifth Report (Session 2001-02) on Employment in Shipbuilding on the Clyde	HC 199
Third Special Report	Response by the Government to the Second Report (Session 2002-03) on Homeworkers and the Minimum Wage	HC 816
Minutes of Evidence	Futureskills Scotland	HC 101-i
Minutes of Evidence	The Work of Citizens Advice Scotland	HC 158-i
Minutes of Evidence	The Work of the Disability Rights Commission in Scotland	HC 608-i
Minutes of Evidence	The Work of the Child Support Agency Centre in Falkirk	HC 693-i
Minutes of Evidence	Job Creation Potential of the Modernised Forth, Clyde and Scottish Union Canal	HC 717-i
Minutes of Evidence	Custom Services in Scotland	HC 911-i
Minutes of Evidence	Scotland Office Departmental Report 2003	HC 815-i

## Session 2001-02

First Report	The Drinks Industry in Scotland	HC 324
Second Report	Job Creation Potential of the Modernised Forth, Clyde and Union Canal	HC 424
Third Report	Post Devolution News and Current Affairs Broadcasting in Scotland	HC 549
Fourth Report	Customs Services in Scotland	HC 782
Fifth Report	Employment in Shipbuilding on the Clyde	HC 865
First Special Report	Response by the Government and the Scottish Executive to the First Report (Session 2001-02) on the Drinks Industry in Scotland	HC 696
Second Special Report	Response by the Government to the Fourth Report (Session 2001-02) on Customs Services in Scotland	HC 1287
Minutes of Evidence	Scotland Office Departmental Report 2001	HC 345-i

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Minutes of Evidence	The Work of the Commission for Racial Equality in Scotland	HC 712-i
Minutes of Evidence	The Work of the Scottish Consumer Council	HC 1199-i