



Sefydliad Materion Cymreig
Institute of Welsh Affairs

**DEVOLUTION
IN TRANSITION
Monitoring the
National Assembly
February to May 2000**

**Edited By
John Osmond**

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SUMMARY

On the National Assembly's first anniversary, the *Western Mail* carried a front-page photograph of one-year-old Joshua Harding, born on 6 May 1999 the day the Assembly was elected, and asked what was the difference between them. The answer: Joshua has teeth. Within weeks the point was thrown into sharp relief over the issue of genetically modified foods. Although the Assembly had declared Wales a GM-free zone, Friends of the Earth discovered that the Whitehall Department of Environment, Transport and the Regions had authorised the experimental planting of GM seeds at a farm near the Welsh border in north-east Wales. This was on the mistaken assumption that the farm was in England, due to its Chester postcode. During the political fall-out Opposition parties accused Agriculture Secretary Christine Gwyther of bungling matters once again, though a censure motion tabled by the Conservatives found no support from either the Liberal Democrats or Plaid Cymru.

More fundamentally, the Ministry of Agriculture, Fisheries and Food failed to inform the Welsh administration for a month, between April and May, that GM-contaminated seeds had been distributed to farms across England and Wales by a Canadian-based firm. Christine Gwyther took to the airwaves to express her indignation, telling Radio Wales that, "The Whitehall machine does not recognise devolution ... There is a mindset there that needs to be altered."

A fresh tone was brought to the Assembly and to the Labour Party in Wales by the new First Secretary Rhodri Morgan. At the Labour Conference in Llandudno in March a fresh slogan was unveiled, *Welsh Labour - the True Party of Wales*, in contradistinction to Plaid Cymru. The change of leadership and consequent shift in rhetoric did not register immediately with the voters, however. An NOP poll carried out for HTV in May found the positioning of the parties remarkably stable compared with previous months. Voting intentions for an Assembly election placed Labour on 41%, Plaid Cymru 32%, Conservatives 14% and Liberal Democrats 10%. The position for a Westminster election was Labour 47%, Conservatives 23%, Plaid Cymru 15%, and Liberal Democrats 12%, confirming the different voting patterns between the two tiers.

In March largesse from the Chancellor's budget, automatically calculated through the Barnett formula, meant there was an extra £158 million available to the Assembly for the financial year 2000-01. Most of this, £99 million, was immediately allocated to health spending and meant that the long-standing financial deficits that had dogged the Health Authorities and Trusts in Wales were written off. Education benefited, too, with an extra £49.6 million, distributed on a pattern identical to that proposed for England.

Meanwhile, a new basis for collaboration between the parties in the Assembly was being established, one that promised to create some stability for the minority Labour administration. Labour asked Plaid Cymru if it would endorse its policy document *Better*

Wales, laying out a set of ambitious aspirations to be achieved by 2010. Plaid Cymru refused, saying this was the governing party's agenda. However, following detailed negotiations, it did agree to endorse a three-page *Introduction* to the document which has 20 specific policy commitments. It turned out that Plaid Cymru had succeeded in inserting a number of its own pet projects, including a heightened commitment to promoting renewable energy, a review of the Assembly's funding formula, the establishment of a Development Fund to assist small and medium enterprises, and an early study into the idea of a Welsh baccalaureate.

For all his rhetoric Rhodri Morgan proved notably cautious on the frustrations building up around the Assembly's lack of primary legislative powers. In a delphic utterance, he said the Assembly should "develop and grow organically". His main constitutional innovation was to publish an attenuated version of the minutes of his Cabinet on the Assembly's website, six weeks in arrears, starting with the meeting of March 13.

1. THE DEVOLVED GOVERNMENT

By John Osmond, IWA

In his early weeks in office following his taking over the post from Alun Michael in February, First Secretary, Rhodri Morgan, claimed that:

“A distinctive agenda of practical policies for the people of Wales is taking shape before our eyes ... On the margins, I still hear siren voices saying devolution is making no difference. In reality, the Assembly is making a large impact and the pace is quickening” (Assembly Press release, 7 March).

Morgan celebrated his first month in post by issuing a further Press release indicating his ‘Top 10 achievements so far’ (15 March). These were:

- Westminster has agreed to amend the Care Standards Bill to allow the creation of a Children’s Commission for Wales
- A further £15.6 million provided to help local authorities reduce infant class sizes to 30 pupils or less.
- Provision of an extra daily train service between Holyhead and Cardiff to improve North-South links.
- £5 million bus subsidy scheme, offering special help to rural areas.
- Enhanced European operation with appointments of chief executive of the Welsh European Structural Funds Executive, John Clarke (formerly Director of Barclays Bank, Wales); and a permanent diplomatic representative in Brussels, Desmond Clifford (formerly head of the Assembly’s Press Division).
- An additional £1.8 million to the Countryside Council for Wales to help meet the requirements of the EU’s Natura 2000 Birds and Habitats Directive.
- A new approach to open government based on the presumption that information should be provided unless there is good reason not.
- Public adverts for special adviser posts based on expertise and merit rather than party service.
- Cabinet minutes and briefings to be published on the Internet.

- Constitutional innovation: only European Cabinet with a female majority, and new Deputy Secretary appointments.

The Pennal Letter

Nothing emphasised the new style brought by Rhodri Morgan to the post of First Secretary more than his response to the repatriation from France of the original Pennal Letter and Seal of Owain Glyndwr to the National Library of Wales for six months during 2000. Written at Pennal in north Wales in 1406 by Glyndwr to King Charles VI of France, the Letter is held by the French Ministry of Culture and Archives Nationales in Paris, despite many years campaigning for its return to Wales. Written in Latin on goatskin parchment, the Letter bears the seal and signature of Glyndwr and urges the French to back his rebellion against Henry IV. At the opening ceremony of an exhibition at the National Library in which the Letter is exhibited, Rhodri Morgan declared:

“The political vision set out in the Pennal Letter is as relevant today as it was 600 years ago. Owain Glyndwr was setting out his vision for Wales as a nation - a nation with a future national existence set in a European context and not solely bound up with its nearest neighbour - England. His vision included a nation with organised institutions including Universities in the North and South where young people could be trained to run the institutions of the State” (Assembly Press release, 7 April).

In an article in the *Western Mail* a few weeks later Morgan followed this up with a plea that Welsh history should be made more visible, saying that when he had been a boy it had ended with the conquest of Wales by Edward I. Glyndwr, he argued, was key to understanding Welsh aspirations:

“Owain Glyndwr wanted a country united in a properly organised society with representation from all parts of Wales. he envisaged a Welsh future in a European context ... Six centuries later we are starting to think in those terms again” (*Time to shed the cloak of political invisibility, Western Mail*, 17 April).

Set against the character of Labour leadership in Wales over the previous fifty years, the nationalist sentiment projected in these remarks was startling. It reflected a determination to establish a different identity for what Rhodri Morgan would henceforth describe as *Welsh* rather than *New* or *Old* Labour (see section 8 on the Political Parties below).

Open Government

Most Press comment on the ‘Top Ten’ achievements hailed by Rhodri Morgan was devoted to the new commitment to ‘open government’. In particular great attention was paid to the publication of Cabinet minutes on the Assembly’s website (www.wales.gov.uk) - six weeks after the event. The first minutes appeared for the Cabinet meeting of 13 March and indicated that Kevin Brennan, Rhodri Morgan’s Special Adviser, was also present for the whole meeting (except for an item on councillors’ allowances when he declared an interest) along with the Permanent Secretary Jon Shortridge, and other civil servants present for specific items.

In a Press statement (13 March) Rhodri Morgan announced he was taking the following action:

- Cabinet minutes will be published on the Internet to be available to everyone six weeks after the actual meeting.
- Summaries of Press briefings by the First Secretary’s spokesman will be published on the Internet.
- The principle of maximum voluntary disclosure should apply.
- All Assembly business should be presented clearly and in plain language.

The first Press briefing, published on 14 March, elaborated on the First Secretary’s approach:

“The moves he is announcing this week give reality to his wish to work more openly with the parties in the Assembly - and more broadly with the wider community. This is a cultural change in the way the Assembly works and interacts with members of the public. The changes made to the Cabinet’s policy on Open Government are being made on a voluntary (not legislative) basis but the First Secretary has said that he will be open to consultation on the Assembly’s existing Code on Public Access to Information to gauge whether there is a need to re-draft elements of it.

The spokesman added that a more open approach doesn’t mean a ‘free-for-all’ and that proper confidentiality will continue to apply in some areas like commercial confidentiality, information supplied by Whitehall and other devolved bodies, personal information etc.

One of the benefits of openness, he said, is that people can refer to direct source information rather than through the journalists' filter."

Press briefings have been pasted on the Assembly's website at an average rate of two per week. However, at the time this report went to press only four sets of Cabinet minutes (up to 27 April) had appeared, with an impression that their contents were being increasingly 'filtered'.

The Assembly and the Administration

In the first set of Cabinet minutes (for 13 March) of particular interest was reference to a Paper received from the Presiding Officer proposing a clearer separation of the "administrative" and "parliamentary" functions of the Assembly. There has been growing unease, especially amongst Opposition Assembly members, that the role of the Administration and the Assembly itself is not being clearly delineated, especially in press and media reporting.

An outstanding example was the announcement of a decision not to provide a £25 million grant for British Aerospace's superjumbo project at Broughton in Flintshire, close to the north-east Wales border. This was because the grant, plus the £530 million loan for British Aerospace announced by the Department of Trade and Industry in mid March would exceed EU limits on state aid per job created. The issue was widely reported in the Press and media as though the Assembly had decided, when in fact it was an administrative decision. The Daily Post in particular, launched a high profile campaign to persuade the Assembly to change its mind, warning that the institution still had to establish itself in the minds of people in the north who were becoming increasingly alienated from it. Plaid Cymru Opposition leader Dafydd Wigley went to great lengths to distance the Assembly from the affair. He said:

"The decision has been made by Rhodri Morgan on the advice of the Welsh Industrial Development Board. It is not a decision of the National Assembly but a decision of the Labour administration in Cardiff. The issue has not been discussed in the Economic Development Committee or in plenary sessions of the Assembly" (*Western Mail*, 24 March)

In his Paper to the Cabinet the Presiding Officer suggested three measures to make the separation of the administration from the Assembly clearer

- Cabinet members should not have their main offices in Crickhowell House, the Assembly building.
- The Presiding Officer should have control of his own budget.
- He should also assume responsibility for the Assembly building.

The Cabinet Minutes for 13 March record a cautious response:

“The Cabinet agreed that it would be necessary to reach a compromise with the Presiding Officer, but that it did not wish to see the relocation of the Cabinet from the Assembly building, and that careful consideration would need to be given to the composition of the Presiding Officer’s budget. It was agreed that Mrs Hart [the Finance Secretary] and Mr Davies [the business Secretary] would take forward aspects of the Paper with the Presiding Officer.”

A problem with all of this is that technically the Assembly as a whole, being a body corporate, is responsible for all decisions made by the Administration, through the delegation of powers to the First Secretary, and from him to Cabinet Secretaries. Moreover, Cabinet Secretaries’ membership of the Subject Committees also serves to tie the administration and Assembly closely together. However, the operation of the Cabinet system serves in practice to separate quite clearly the Executive and its decisions from the role of the Assembly itself.

The First Secretary’s Special Advisers

In mid-May Rhodri Morgan announced the appointment of his four special advisers following an open competition - the first time in the UK that such positions had been filled in this way. The posts are exempt from normal civil service commissioners’ rules of fair and open competition and in the past they have been the preserve of party loyalists.

The open recruitment exercise was part of the new First Secretary’s drive for more open government. In the process it provided an insight into the role of the advisers.

The new Senior Special Adviser (salary £41,000 to £45,000), in effect Chief of Staff, is **Paul Griffiths** (49) who has ten years experience in communications and policy development with the Welsh Local Government Association. Previously he was with the University of Glamorgan working in the social policy field

The three Subject Special Advisers are:

Mark Drakeford (45), Health and Anti-Poverty, formerly in the School of Social Policy, Cardiff University, and with the probation service. He fought the Cardiff Central seat for Labour in the first Assembly elections but lost it to the Liberal Democrats’ Jenny Randerson.

Dr Rachel Jones (30), Education and Industry, formerly a researcher with the former South Wales Central MEP Wayne David and more recently a policy analyst with the Welsh Development Agency.

Graham Vidler (31), Planning and the Environment, a senior researcher in the House of Commons library who has just completed a year with the Scottish Parliament Information Centre where he helped set up the research service.

The advertisement for these posts, as pasted on the Assembly's website, defined the role of Subject Special Advisers, as follows:

- Review papers as they go to Cabinet members, drawing attention to particular issues, especially ones having party political implications, and ensuring sensitive political points are handled properly.
- Prepare policy papers which can generate long-term thinking within the Assembly.
- Contribute to policy planning within the Assembly and contributing ideas which extend the existing range of options available to the Cabinet.
- Liaise with the Labour Party, including the Party's research department, to ensure that the Assembly's own policy reviews and analysis take full advantage of ideas from the Party; and encouraging presentational activities by the Party which contribute to the Government's and Assembly's objectives.
- Help brief Party MPs and officials on Assembly policy.
- Liaise with outside groups to assist Cabinet members' access to their contribution.
- Prepare speeches and related research, including adding party political content to material prepared by permanent civil servants.
- Provide expert advice as a specialist in their particular field(s).

The brief of the Senior Special Adviser (Chief of Staff) was defined as follows:

- Provide political advice to the First Secretary on all policy matters.
- Be responsible for all aspects of communications, including speech-writing for the First Secretary and Assembly Secretaries linking with the media and permanent civil service staff in the Assembly Strategic Communications Directorate.

- Ensure effective communication with the media and others on behalf of the First Secretary.
- Liaise with Assembly Members, officials, political parties, office of the Secretary of State for Wales and others on behalf of the First Secretary.
- Co-ordinate the activities of the team of Special Advisers and supervise their work.

The Assembly's New Building

Since assuming office Rhodri Morgan's most surprising intervention was to throw doubt on the proposed new Assembly debating chamber, being designed by Richard Rogers, as the Assembly's location. On 22 March he announced that the project was being put on ice for three months while other options were explored. One reason was increasing costs. From an initial £17 million, the cost of the new chamber on the waterfront at Cardiff Bay, attached to Crickhowell House, could rise to as much as £32 million if all unfavourable contingencies were taken into account. An alternative could be Cardiff's City Hall, favoured by Rhodri Morgan in the original debate over the Assembly's location two years ago, though refurbishment costs were then estimated at £30 million.

In a move to support the Richard Rogers Chamber the Royal Society of Architects in Wales twinned all 60 AMs with an architect in their constituency to argue the case for the use of modern architecture. A spokesman said:

“We are pressing for the Rogers design to be given the go ahead. Wales is looking for a new symbol to represent its new Assembly, and this would be best provided by a new building possessing an open aspect which will give a sense of public ownership” (*Western Mail*, 18 May).

It emerged towards the end of May that among the options now being considered by the First Secretary were either a smaller structure erected on the currently proposed site, or a debating chamber constructed within the courtyard at the rear of Crickhowell House. However, both Plaid Cymru and the Liberal Democrats remained wedded to the Richard Rogers design, while the Conservatives continued to press for an abandonment of any new building. Glyn Davies, Conservative AM for Mid and West Wales said, “To build a mini-conservatory would be the worst of all options” (*Western Mail*, 23 May).

Relations with the Quangos

In May the administration launched a review of all the Assembly's sponsored public bodies, to be completed by 2003. During 2000-01 the Arts Council of Wales, Welsh Development Agency, Countryside Council for Wales, and the Welsh Language Board will be first under the spotlight. Each review aims to consider whether the Quangos's functions are necessary, whether they offer the best means of delivering their particular function, their effectiveness at the strategic level and how that effectiveness might be improved.

Announcing the review Finance Secretary Edwina Hart said that in addition she wanted to find savings that could be redirected into services. Reporting the review the *Western Mail* drew banner headline attention to Labour's previous commitment to abolish many of the Quangos quoting Ron Davies as Shadow Welsh Secretary as declaring there would be "a bonfire of the Quangos". It contrasted this approach with Edwina Hart:

"I have never favoured bonfires. I take a different view on Guy Fawkes to many in this chamber" (*Assembly Record*, 15 May 2000)

The administration's, and in particular Rhodri Morgan's relations with the Welsh Development Agency drew a good deal of comment during the quarter. The immediate background was a standstill - in effect a cut - in the Agency's budget, a repatriation of its export promotion function into the Assembly's own administration, and the announcement that the Agency's chief executive, Brian Willott, would be standing down from his post. Attention to the issue was drawn by Kevin Morgan, Professor of European Regional Development at Cardiff University, writing in the journal *Town and Country Planning*. He noted that the advent of the Assembly had created a "democratic dilemma" for the Quangos:

"This refers to the problems which organisations like the WDA are having in making the transition from the semi-secret world of administrative devolution to the more demanding world of democratic devolution. It may be the most powerful Quango in Wales but the WDA has found the early days of the Assembly to be profoundly unnerving.

Part of the problem may be that the politician directly responsible for the Agency, Rhodri Morgan was one of its foremost critics in the 1990s and relations still need to be repaired. Whatever the other reasons, the Agency feels that it is being ignored by the Assembly, it thinks there are too few opportunities to discuss strategic priorities with its new political masters and fears that it is losing status and functions as a result.

In the old days the WDA Board would meet the Secretary of State privately, where each side could speak frankly. Nowadays the WDA meets the Assembly's Economic Development Committee in the full glare of publicity, where the

exchanges tend to be rehearsed, calculated and muted. If this situation is allowed to continue it could seriously compromise efforts to regenerate the Welsh economy (Kevin Morgan, *Developmental Dilemmas of Democratic Devolution, Town and Country Planning*, May 2000).

Rhodri Morgan himself dismissed the criticism. Pressed on the matter he described it as “not so much a storm in a teacup as a ripple in a thimble” (*The Point* current affairs programme, BBC Wales, 18 May 2000).

A Better Wales

In the period the Administration’s main long-term initiative was to launch the final version of its Strategic Plan *A Better Wales* on 10 May. The main innovation since the presentation of the draft document in January was the insertion of a three-page Introduction setting out 20 specific ‘Made in Wales’ policies. These have the status of having been negotiated with, and endorsed by, Plaid Cymru. The main Opposition party did not wish to endorse the main body of the document, regarding it as essentially an encapsulation of Labour’s philosophy and overall approach. On the other hand it was content to sign up to the Introduction, once some significant concessions to its own aspirations had been made. In the opening “Vision” statement there was inserted a commitment to fostering “the benefits of bilingualism” together with the creation of a Wales “where young people want to live, work and enjoy a high quality of life”.

Among the 20 specific commitments that follow Plaid can claim authorship of the follow seven, which while some are not altogether new, will receive a new emphasis and urgency:

- Setting up a Development Fund by December 2000 “to stimulate the creation and growth of small- and medium-sized enterprises”.
- By no later than the autumn to have “the Rural Development Plan in place and supporting diversification in our rural economies”.
- Commissioning “an early study of the way in which the concept of a Welsh baccalaureate can be developed and aligned with the overall framework of qualifications”.
- Developing “a new national spatial framework for planning, setting a clear context for sustainable development and environmental quality; and a single statement on the opportunities for sustainable development in energy, waste and clean technology”.

- Developing “a Wales and the World programme, with a stronger presence in Europe, an awareness programme, new links with the Welsh diaspora, and fresh opportunities for both business and our young people to engage with the wider world”.
- An “accelerated programme for reviewing all the Assembly’s Sponsored Bodies and the present framework for delivery, to be completed by March 2003.”
- Over the next two years to “review the present funding formula to ensure fairness and promote greater efficiency and co-operation.”

It was noteworthy that these priorities and their wording were hammered out in negotiations led for Labour by Edwina Hart, the Finance Secretary, and for Plaid Cymru by Cynog Dafis, the party’s Director of Policy. There was no formal debate with the respective party groups on the detail of these commitments. It is hard not to conclude that this negotiation, so early on in Rhodri Morgan’s administration might set a pattern for the survival of his minority government through to 2003.

2. THE ASSEMBLY

By Rick Rawlings, London School of Economics, and John Osmond, IWA

In the fall-out from Alun Michael's resignation as First Secretary in February a pathway towards the Assembly accruing more powers began to emerge in behind-the-scenes negotiations between the parties, brokered through the Office of the Presiding Officer.

In his first major platform speech, the Welsh Labour Conference at Llandudno on 25 March, the new First Secretary urged a gradualist approach, injecting his own terminology into the discussion:

“Devolution needs to be allowed to develop and grow organically. It needs room to grow in the sunshine and the rain” (Western Mail, 25 March)

In the following weeks an argument emerged, as much within Labour's ranks as between Labour and the Opposition, over the extent to which the Assembly was utilising its powers in relation to secondary legislation. Figures like Ron Davies, the former Welsh Secretary, and Dafydd Wigley, Plaid Cymru's leader, had declared that experience of the Assembly so far had demonstrated the case for primary law-making powers to be handed to the Assembly. But Alun Michael argued that there was woeful ignorance in the Assembly about its present capabilities. There was great potential, he argued, to utilise secondary legislation to shape primary legislation flowing from Westminster:

“Very often legislation does not envisage the way in which things unfold; it is then that you will see will see the Assembly using its powers. Legislation should be kept continuously under scrutiny. I am amazed at the extent to which even experienced people do not understand this very basic point, people such as Ron Davies and Dafydd Wigley” (*Western Mail* 15 May).

The Assembly's Business Secretary, Andrew Davies, pursued this point in an article in the *Western Mail* the following day, arguing that the Assembly had already secured significant separate provision for Wales in primary legislation, for example:

- Giving effect to the administration's policy on education and training in the Learning and Skills Bill.
- Providing for standards of conduct for local government in the Local Government Bill.
- Establishing the Children's Commissioner for Wales in the Care Standards Bill.

And he continued:

“The detail, however, is left to secondary legislation, and in this, devolution in Wales has brought about a radical departure from the traditional system in Westminster, Scotland and Northern Ireland. There, draft secondary legislation receives little or no scrutiny by elected representatives. The Assembly’s process breaks this mould. In time, I believe, this will come to be recognised as one of the hallmarks of the success of devolution in Wales. The process is viewed by some as sluggish and cumbersome, by others - including myself - as a refreshing injection of real democratic accountability into a process that had become far too remote from the people affected by the final product” (Andrew Davies, *When it comes to law, the devil is in the detail*, *Western Mail*, 16 May).

Notwithstanding this robust defence of the Assembly’s secondary legislative powers, there exists a majority in the chamber to move in the direction of acquiring primary legislative competence (see the Presiding Officer’s remarks in the previous Monitoring Report* and the discussion on the Assembly’s debate on a GM-free Wales later in this Section). During this quarter discussions were held between the Opposition parties and Labour, mediated by the Deputy Presiding Officer Jane Davidson in her capacity as Chair of the Committee of Chairs of the Subject Committees, to see if a way forward could be achieved through an investigation undertaken by the Welsh Affairs Committee in the House of Commons. One outline agenda for such an investigation was put forward in a letter to Jane Davidson from Plaid Cymru’s Director of Policy, Cynog Dafis:

- “To discover how various government departments respond to devolution and the existence of the Assembly in drafting primary legislation - what principles and guidelines exist.
- “To discover to what extent there may be resistance or positive support for allowing maximum discretion to the Assembly.
- “To identify (perhaps by considering this year’s legislative programme) how variable practice across departments can add to or take away from the Assembly’s power.
- “To suggest how practice might be made consistent across government departments so as to respond to the Assembly’s declared wish to be empowered to the greatest possible degree through secondary legislation.
- “To explore how the Assembly might utilise a fast-track mechanism to achieve its objectives within Westminster primary legislation” (Letter from Cynog Dafis AM to Jane Davidson AM Deputy presiding Officer, 16 March).

* *Devolution Relunched: Monitoring the National Assembly December 1999 to March 2000*, p. 24.

Subsequently the Committee of Chairs of the Subject Committees agreed that a set of proposals along these lines, but developed by the Presiding Officer's independent legal adviser David Lambert, should be sent to Martyn Jones, MP for Clwyd South, Chair of the Welsh Affairs Committee.

The Assembly's Legislative Process

Developments in the legislative process highlight, on the one hand, the ongoing process in Welsh devolution of constitutional adaptation or incremental change, and on the other, the practical problems generally associated with the scheme of executive devolution, not least in terms of input into and co-ordination with the central government machine.

Assembly law-making activity (or lack of it) was the subject in late March of one of the most fractious Assembly debates in the post Alun Michael era. The tone was set by an article in the *Western Mail* (20 March) signalling an attack by Plaid on the so-called 'legislative deficit' or phenomenon of 'devolution by default' (see pp. 31-32 of the previous Monitoring Report). In Plenary, Business Secretary Andrew Davies mounted a robust defence:

“I read yesterday in the press that almost 600 pieces of legislation are missing. This is arrant nonsense... The evidence so far is insufficient for any sensible conclusions to be drawn about the expected total annual volume of Assembly subordinate legislation in this the first year of law-making” (*Assembly Record*, 21 March).

At the same time Mr Davies made clear the kinds of problem confronting the organisation in the making of subordinate legislation (which were being compounded by the need to have regulations, for example on rate levels, safely completed in time for the new financial year):

“At this stage of our development, we have originated little legislation of our own. Therefore, we are largely dependent on Whitehall and the European Union, in terms of the timetable for drafting Orders ... The difficulties are caused by the constraint on resources for drafting Orders themselves and the need to comply with our statutory obligations... for such legislation to be bilingual... In our early months of operation, we have largely been constrained by forces outside our control...” (*Assembly Record*, 21 March).

The debate can also be seen as a pre-emptive strike by the Executive against criticism of a heavy use in the making of Assembly laws of urgency procedure or the 'disapplication of

procedural requirements' (Standing Order 22 paras. 25-28). It was a line of attack developed on behalf of Plaid by Jocelyn Davies:

“The potential of the urgency procedure means that it should be used sparingly. The Standing Orders state that it can only be used if it is not reasonably practicable to use the standard procedures. That term is difficult to define and so I have looked at the guidance [which] also outlines the grounds where the Cabinet will not use the urgency procedure. The scenarios cited are a wish to follow a UK Department timetable, a wish to replicate English Orders, or drafting and administrative delays. If we are honest, we have not always followed these guidelines ...”

The motion put down by the Executive effectively called on the Business Committee to seek ways of minimising the use of urgency procedure. The Liberal Democrats voted in favour while Plaid abstained. The Conservatives were in less forgiving mood. To quote Nick Bourne:

“It is time for us to get our act together and to stop making excuses about the infancy of this body ... It is time to say that we need to see these Orders in good time so that we can debate them.”

In the event, the scale of the affair was quickly made apparent after the debate. In the period January to 16 March the Assembly made 12 general orders, the urgency procedure being used on two occasions. In the following fortnight 31 general orders were made, of which 17 were pushed through with procedural requirements disapplied. This is a long way from the original recommendations of the National Assembly Advisory Group, which so emphasised the democratic involvement by Assembly Members in the new modalities of subordinate law making in Wales.

Perhaps in retrospect the debate will be seen as marking the low point in terms of Assembly legislative practice and procedure. Indicative of a new sense of purpose, the Business Committee is currently engaged on a programme of review and reform of the law-making process. One would envisage a more subtle classification of proposed statutory instruments, with the aim of better targeting of Assembly energies and resources, as also more elaborate procedures for tracking, time tabling and grouping for consideration in Plenary Session of draft legislation. Reform of Standing Order 22 on subordinate legislation is also high on the agenda, although the Assembly is severely constrained in this respect by the detailed requirements of the devolution statute (Government of Wales Act, ss.64-67). In a lengthy article in the *Western Mail* on 16 May, the Business Secretary Andrew Davies held out the tantalising prospect of *Better Wales. Better Law*.

Turning to the vexed question of territorial input into the primary legislative process, the Assembly has now made the amendments to standing orders formalising a process of debate and approval of proposals for primary legislation (as signalled in the previous

Monitoring Report (p. 36)). Thus following a vote in Plenary on 5 April, Standing Order 23 (Miscellaneous Procedures) now contains the following:

‘Procedures for proposing public Bills and amendments thereto

23.9 An Assembly Secretary, or at least three Members, may table a motion calling on the UK Government to bring forward a public Bill on a matter specified in the motion, or amendments to an identified Bill currently before either House of Parliament. Such a motion shall describe the purpose and effect of the proposal in sufficient detail for the Bill or amendments called for to be drafted.

23.10 No later than 31 March each year, the Assembly will consider a motion under standing order 23.9 proposed by an Assembly Secretary. Such a motion will set out the Assembly Cabinet's proposals for primary legislation in the following session of the UK Parliament or, if the Cabinet has no such proposals, will invite the Assembly to note that fact. Further motions under paragraph 23.9 may nonetheless be tabled at any time.

23.11 An assessment of the costs, benefits and any other implication of the proposed Bill or amendments shall be tabled at least five working days before a motion under paragraph 23.9 is to be considered.

23.12 If the Assembly approves the motion, the First Secretary shall as soon as possible communicate its terms to the Secretary of State for Wales. The First Secretary or an Assembly Secretary shall report to the Assembly from time to time on the response of the UK Government to the Assembly's proposals and on the progress of any Bill or amendments proposed by the Assembly which the UK Government agrees to bring forward.

23.13 In tabling, considering and acting on any motion tabled under paragraph 23.9, the Assembly and its Members shall have regard to any guidance or protocol which the Assembly may from time to time adopt on proposals for public Bills.

23.14 Paragraphs 23.9 to 23.13 are without prejudice to the right of any Assembly Secretary or any Member to make representations to the UK Government or to any Member of Parliament at any time on matters related to primary legislation.

This is carefully drafted, with a view to ensuring timely input by the Assembly at the early stages of the preparation of the Government's legislative programme. Effectively there is now a duty on the Cabinet under 23.10 to deal with matters in a proactive fashion. The procedures are both widely drawn, encompassing new bills and amendments to current bills, and operate as an additional form of machinery (23. 14). It is as much as could reasonably be expected, given the basic scheme of executive devolution.

One further development deserves special mention, if only because of the criticism contained in the previous Monitoring Report (p. 33). In the process of being made available via the Assembly's web site (see NafW – Welsh legislation) are the draft general statutory instruments currently before the Assembly, draft and final versions of local statutory instruments, and miscellaneous other forms of subordinate legislation and circulars. That is, in addition to the Assembly general orders which are available courtesy of HMSO. In effect the people of Wales will now be able to know the (Assembly) laws by which they are governed.

Of course such arrangements should have been in place from the very beginning. A failure of basic requirements of transparency has no doubt been one factor in the controversy over the so-called 'legislative deficit'. The creative use of the new technology in this way marks a significant improvement in the general field.

New Assembly Committees

Following on from Rhodri Morgan's Cabinet reshuffle (reported in the last Monitoring Report) new Subject Committees have been established to follow the two new briefs for Environment, Planning and Transport, headed by Cabinet Secretary Sue Essex, and Local Government and Housing, headed by Cabinet Secretary Peter Law. Consequent upon these changes, and the appointment of the three new Deputy Secretaries - Carwyn Jones (Local Government, Environment and Land), Christine Chapman (Education and the Economy), and Alan Pugh (Health and Social Services) - are changes in membership of the other Subject Committees as well. A full list of the Subject Committees and their membership is contained in the Appendix.

The new Chair of the Environment, Planning and Transport Committee is Richard Edwards, Labour AM for Preseli; and for Local Government and Housing, Gwenda Thomas, Labour AM for Neath. One notable consequence of the various movements in appointments to the Subject Committees, by all the parties, is that the key Economic Development Committee now has no representative from north Wales.

Genetically Modified Foods

This proved a vexed issue for the Assembly during the quarter, leading also to a spat between the Assembly administration and the Whitehall civil service machine (see Section 5 on Relations with Westminster and Whitehall). At the same time it proved to be another example of a matter where the Assembly was unclear of its powers, in this case

its competence to declare a ban on GM foods. Once again, conflicting legal opinions were involved.

The issue erupted because the Department of the Environment, Transport and the Regions allowed a GM crop trial to go ahead in a farm on the Welsh border since, because it had a Chester postcode, it assumed it was in England. In fact it was on the Welsh side of the border and GM seeds were planted despite the Assembly having declared Wales should be a genetically modified-free zone.

The episode prompted cross-party support for a motion to ensure that no GM experiments are allowed in Wales in future. The motion, signed by members of each opposition party and Labour AM Ron Davies, was based on independent legal opinion sought by Friends of the Earth. Ron Davies commented:

“There’s a strong political case for Wales to be GM-free and the events of the last week or so should encourage us to redouble our efforts to achieve GM-free status” (*Western Mail*, 13 May).

Meanwhile, the Conservatives in the Assembly tabled another motion of censure against Agriculture Secretary Christine Gwyther because of her alleged bungling of the affair. However, it failed to find support from either the Liberal Democrats or Plaid Cymru who accused the Conservatives of merely seeking headlines. Ms Gwyther, herself, delivered a notably robust defence of her actions, accusing the Conservative Group of “institutionalised misogyny” (*Assembly Record*, 17 May).

When the cross-party GM-foods motion was eventually debated, on 24 May, it won unanimous support. Opening the debate Liberal Democrat leader Michael German said:

“I don’t think we have ever come across an issue yet in Wales that has been the source of so much legal controversy. European law, UK law, Assembly law, devolution law are all at odds on GM crops. There is nothing new in this motion. In fact it invokes power that has already been devolved which gives us control over GM crop releases in Wales” (*Assembly Record*, 24 May).

However, in a statement following the debate First Secretary Rhodri Morgan’s spokesman said:

“The current legal advice is that it [the motion] can’t be enforced, the administration can’t enact the motion. The Cabinet and the Assembly is in favour of a GM-free Wales but the administration’s position is that it can only act responsibly in conjunction with the legal advice as it is ... This is an expression of opinion on what the Assembly would wish to try to achieve” (*Western Mail*, 25 May).

In the debate the Agriculture Secretary had clarified the current legal advice in her possession as follows:

“I have to tell you that my current legal advice from the Counsel General’s Office is that if the motion is seeking to impose a higher test of certainty than contained in the directive then it could be unlawful as it could constrain the Assembly in a manner that is not compatible with the enabling legislation (*Assembly Record*, 24 May).

Perhaps the main significance of the debate was that it highlighted another policy area where the Assembly’s wishes were being frustrated because it did not have primary legislative power. It was noteworthy that on the morning of the debate the *Western Mail* reported that:

“Only a small minority of the 28-strong [Labour] group is now opposed to Cardiff taking on the same powers as Edinburgh. A vast majority of Assembly Members now want London to give Cardiff extra powers at the earliest opportunity. That means that the next Welsh general election in 2003 is likely to be fought by all parties except the Conservatives on extra-powers manifestos” (Clive Betts, *Labour majority seeks extra Assembly powers*, *Western Mail*, 24 May).

Plaid Cymru’s Business Manager Ieuan Wyn Jones, was quoted:

“When we came here, we felt that the Assembly would go through two full terms before it achieved added legislative powers. But now I believe that there will be demands at the end of this term” (*Ibid.*).

First ‘Private Motion’

In May Plaid Cymru AM Elin Jones won the first members ballot to bring forward a Private Motion - equivalent to a Private Members’ Bill at Westminster. This ballot will take place each Assembly term. Ms Jones used her motion in an attempt to alter subordinate legislation to make it easier for farmers to adapt agricultural buildings for new uses. However, the proposal, though supported by the Conservatives was voted down by a combination of Labour and Liberal Democrat AMs. The Assembly Secretary for Planning Sue Essex said the measure would have had “unintended consequences”. Ms Jones commented:

“This was a real opportunity to introduce flexibility and greater incentive in the planning system to allow for farm diversification and economic development in rural areas” (*Western Mail*, 18 May).

New Member Takes Seat

In May Delyth Evans(41) became the Assembly's newest member. She took her seat as the replacement for Alun Michael who resigned from the Assembly to concentrate on his role as a Westminster MP following the vote of no confidence passed in him as First Secretary in February. As Alun Michael was a regional list 'top-up' member for Mid and West Wales no by-election was required and Ms Evans succeeded automatically as second on Labour's list.

Ms Evans was a Special Adviser to Alun Michael and before that a policy adviser and speech writer for the late John Smith MP. Previously she was an HTV and BBC journalist. She is married to Ed Richards, a policy adviser in the Number 10 Policy Unit.

3. FINANCE

By Nigel Blewitt, University of Glamorgan

The UK Budget of 21 March made an extra £158m available to the Assembly for the financial year 2000-01. The Cabinet's outline proposals for the allocation of the new money were debated in plenary on 28 March. Discussions were then held between Subject Committee Chairs, party spokespeople and Assembly Secretaries to refine the allocations. The priorities indicated by the committees and the Assembly in the recent budget round were also considered. The Finance Secretary made a statement on the final allocations on 12 April.

Health

The extra money for the NHS in England, through the operation of the Barnett formula, implied an increase of £99m in the Assembly's budget for the year 2000-01. Although the Cabinet was free to allocate the additional money across any of the Assembly's spending programmes, it decided that the full £99m would be allocated to health, together with a further £11m from uncommitted carry-forward from the 1999-00 financial year. As a result, spending on health in Wales in 2000-01 is set to be £293m higher than in 1999-00, an increase of nine per cent in real terms (that is, after allowing for inflation). There is also an estimated uncommitted underspend of around £25m in the 1999-00 health budget, which can be carried forward and spent in 2000-01.

The Executive proposed that the extra money, together with the carry forward, will be used to increase the gross allocation for health authority discretionary expenditure by £56m, which will enable the full repayment of the Icheyd Morgannwg area's debts and reduce the loan requirements in Bro Taf and Dyfed Powys. In the Gwent and North Wales areas, which have no outstanding debts, the extra money will enable increased investment in services and capital projects. The money will also support the revenue costs of the new Royal Glamorgan Hospital.

Of the remaining £80m new money for health, Assembly Secretary Jane Hutt announced on 12 May that £35 million would be awarded to reduce waiting lists and emergency pressures. The following week (17 May) she announced a further 5 million would be used for this purpose. Decisions are still to be made on specific allocations for the remaining £40 million.

These allocations will be made after consultations with the NHS and its partners and the Assembly's Health and Social Services Committee.

Education

The spending increases announced in the Budget for education in England, implied an additional £49.6m for Wales. As with health, the Cabinet decided to pass on the full amount to education programmes. The additional money will be allocated in the following way:

- schools' delegated budgets - £20.5m
- capital investment in schools - £26.8m
- teacher recruitment - £2.3m

Schools delegated budgets

The allocations, endorsed by the Pre-16 Education Committee and the Welsh Local Government Association, are:

- Primary schools - £3,000 to £9,000 (depending on size)
- Secondary schools - £30,000 to £50,000 (depending on size)
- Special schools - £15,000
- Nursery schools - £3,000
- Pupil Referral Units - £3,000

This distribution of funds is identical to that proposed for England. The new funds will be distributed by the Assembly to Local Education Authorities by means of a special grant, which requires local authorities to distribute the funds to schools as additions to their delegated budgets. Whilst schools are free to spend the new funds as they see fit, the Executive has said that it expects the money to be used in ways which will improve standards and reach the targets set in school development plans. Typically, this could include expenditure on areas such as books, equipment, staff, homework support or repairs.

Capital Investment

The £26.8m for capital investment is on top of the £25m allocated during the Assembly's budget round. Local authorities must demonstrate that their proposals for using the new money are additional to their normal capital plans. The Executive intends that the funds be used for significant schemes which local authorities would otherwise find difficult to finance from their normal capital programme.

Teacher Recruitment Package

Edwina Hart indicated that the Department for Education and Employment's new package of measures for teacher recruitment were not completely appropriate for Wales and therefore a different package would be implemented by the Assembly.

To try to increase the number of graduates entering the teaching profession, new measures for postgraduate secondary teaching trainees are:

- In subjects where there are shortages (maths, modern foreign languages, science, technology and Welsh), a training grant of £6,000 and an additional £4,000 bonus for trainees successfully completing their first year of teaching and continuing to teach in those subjects - £10,000 in total.
- In other subjects, a training grant of £4,000 and a further £2,000 for those trainees successfully completing their first year of teaching and continuing to teach - £6,000 in total. (In England, the whole of the £6,000 will be paid during the training year).

Postgraduate primary teaching trainees in Wales will not receive the £6,000 training salary that their counterparts in England will. The Executive believes that there is no shortage of recruits for primary schools in Wales and hence there is no need to introduce a similar measure in Wales.

Schools training teachers through the Graduate Teacher Programme, aimed at mature students, will receive up to £13,000 to help meet the cost of recruitment and training. This is the same measure as that being introduced in England.

Other Allocations

An extra £8.2m is being allocated to transport and will be split between local authority integrated transport packages and safer community transport projects. In the case of the latter, the targeting of the new money will take account of the new Great Broad Road Safety Strategy and the Assembly's own policies.

An additional £800,000 has been allocated to the Countryside Council for Wales to promote the conservation of and access to Wales' countryside and wildlife. The money will help fund the mapping exercise required under the Countryside and Rights of Way Bill, when enacted; the establishment of local access forums across Wales; and additional grants for voluntary bodies such as the Wildlife Trusts and for local authorities in Wales' five Areas of Outstanding Natural Beauty.

The Finance Secretary announced that from 1 May, free entry to the National Museums and Galleries of Wales would be extended to the over-60s and the unemployed, at a cost

of £200,000 in 2000-01, funded by carry-forward of uncommitted resources. Children and young people of school age have had free entry since 1 April 2000.

4. POLICY DEVELOPMENT

By John Osmond, IWA

Economic Development

Here a major preoccupation remained the Objective One programme for West Wales and the Valleys, the issue which had been instrumental in bringing down Alun Michael as First Secretary, and as a key debate on the matter demonstrated, continued to provide problems for the administration. On 12 April the Assembly approved the draft Single Programming Document that was still under negotiation with the European Commission in Brussels. Presenting the document the First Secretary Rhodri Morgan was upbeat. The new Welsh European Funding Office was in place and working on detailed guidance for action plans. He was confident that the programme would start on time in July with a special fast-track bidding round, while £25 million had been allocated from reserves for match funding in the first year:

“It is difficult to put into words how much I am looking forward to the Assembly signing the first cheque. We look at the Irish example. If we can achieve in the next seven years half of what Ireland has achieved in the past ten in transforming its economy with the benefit of Objective 1 funding - and many other advantages that we do not have - I would regard that as a great achievement for this Assembly” (Assembly *Record*, 14 April).

Plaid Cymru, however, was unable to endorse the document and abstained on the final vote. Their Economic Development spokesman, Phil Williams, complained that the themes of sustainable development and renewable energy, integrated transport, and the application of information technology had been played down in the revised document. He was concerned, too, about the lack of spatial targeting and distinctive policies for the rural west and the older industrial areas of the Valleys. More specifically concern was still present about the Westminster government's commitment on match funding. An amendment tabled by the three Opposition parties, was accepted by the administration, demonstrating a distinct shift in attitude from that adopted by Alun Michael. It requires

... the First Secretary to secure an outcome from the UK spending review which ensures the provision of necessary public expenditure survey cover and match funding over and above the Barnett block grant that will enable the Assembly to

meet its commitments under the Objective 1 programme and the overhang of previous European structural programmes without detriment to its non-European budgetary provisions and calls for the principle of additionality to be demonstrated at a Welsh level.”

The Liberal Democrat leader Michael German drew attention to a warning that had been given the Economic Development Committee on the morning of the debate, by Graham Meadows, a key Commission official concerned with Objective 1:

“He said that it was important that we had an efficient start to the programme. If the programme does not get off to a good start and money is clawed back by the Commission in 2002, there is a danger that this will become an annual event.”

The Conservative Economic spokesman Alun Cairns, said he was worried about implementation, referring to concerns expressed during a visit to Brussels with Ronald Hall, the Head of Cabinet at Commissioner Michel Barnier’s office in the European Commission:

“I was alarmed to hear Ronald Hall say that, of all the Objective 1 regions, he was only extremely concerned about the implementation in Wales and our ability to fulfil the objectives.”

Health

The main headline issue affecting health during the quarter was the continuing waiting list problem. Stark figures released in May showed that while in the whole of England only seven people were now waiting more than 18 months for surgery, in Wales the number was 4,273 (*Our Second-Class Service, Western Mail, 18 May*). The statistics reflect a history of relative under-investment in Wales:

- 11,341 patients are waiting more than a year for treatment in Wales (population 3 million) compared with 48,100 in England (population 55 million).
- The number of patients waiting for treatment since April 1997 has fallen by 100,000 in England but increased by 12,000 in Wales.
- England is reducing its lists for a first outpatient appointment, while in Wales there has been a 546 per cent increase in those waiting to see a specialist since Labour came to power.

Health Secretary Jane Hutt responded by saying £40 million of extra health spending as a result of George Brown’s budget had been made available to tackle waiting lists and emergency pressures. “This puts the NHS in a good position to tackle the matter and that is what we are going to do,” she said (*Western Mail, 18 May*).

A headline issue that was prompted by the Assembly itself was the determination of members to press ahead with extending free eye tests in Wales, at a cost of £1.8m, despite an instinctive caution, and indeed advice to the contrary, from the civil service. The issue was flagged up in December by Plaid Cymru as its condition for allowing the minority administration to have its overall budget for the forthcoming financial year approved. When the matter was considered in the Health and Social Services Committee in March, however, the Chief Medical Officer, Dr Ruth Hall, advised against an extension since she was of the view that it would fail to result in any health gain in Wales. A majority of members on the Committee, including Health Secretary Jane Hutt, decided to ignore this advice. The decision came a week after the fall of Alun Michael as First Secretary in a vote of no confidence, and his replacement by Rhodri Morgan. If Alun Michael had still been in place it is unlikely that the eye test decision would have been resolved in the way it was. In the event the eye tests issue emerged as one defining question among a small number of policy areas where the Assembly as a corporate body managed to exert some authority over the Executive and civil service.

Budget deficits among the Welsh Health Authorities and Trusts were another ongoing preoccupation. Here a windfall at the end of the financial year enabled an early resolution. The £99 million extra funding offered to health spending in Wales as a result of Gordon Brown's March budget (plus an extra £11 million found from reserves) enabled the accumulated £80 million budget deficits of the Health Authorities and Trusts to be set aside. A few weeks earlier Health Secretary Jane Hutt had said they would have to come into the black by 2003-4.

Education

The vexed question of performance-related pay for teachers continued to be a pre-occupation of the Pre-16 education Committee which had sought independent legal advice on the issue - from Gerard Clarke, of Blackstone Chambers, Temple. This challenged the Assembly Secretary, Rosemary Butler whose own legal advice had been that she had no recourse but to follow policy laid down by the Secretary of State for Education and Employment. On 12 April the Committee heard that that their own legal opinion concurred, except that the Secretary of State was not bound to apply the same system in Wales as that in England.

Accordingly the Committee resolved, by five votes to four, that the Committee Chair, William Graham, should write to the Secretary of State, seeking him to establish a different system in Wales in which the "pay threshold point for teachers in Wales be those that are contained in the performance management system".

The Committee minutes record that taking its own legal advice had set a precedent:

- The process had added value to Subject Committee work and established the principle that each Committee could seek its own legal advice when it chose to do so.
- The Committee had demonstrated that it was not prepared to accept advice without undertaking its own investigations where it thought necessary.

Agriculture

On 13 March the first agreement under the Tir Gofal agri-environment scheme was signed, between the Countryside Council for Wales and a farm near Sennybridge. Agriculture Secretary Christine Gwyther described it as a “landmark event” in the Assembly’s drive to promote a new, sustainable model of farming in Wales (Assembly Press release, 13 March). The first agreement, which involves restoring hedgerows and planting new areas of broadleaf woodland amongst other projects, will be worth £4,000 a year for five years. It will be followed by some 600 similar agreements in the coming year.

The Assembly has increased the Tir Gofal budget from £4 million to £7.5 million in 2000-01 and from £7 million to £10.9 million in 2001-02.

In April a three-year £600,000 contract for the establishment of a Centre for Organic Excellence at the Welsh Institute of Rural Studies, University of Wales, Aberystwyth, was announced (Assembly Press release, 12 April). It will support organic farmers in Wales by co-ordinating training and conversion. Since the Assembly’s Organic Farming Scheme was launched in October 1999, 265 conversion applications have been approved. The budget for the scheme was increased by £1 million to £3 million in March to allow all the applications to be approved (Assembly Press release, 2 March)

Transport

A £750,000 grant was awarded at the end of February to Wales and West Passenger Trains Ltd. towards the cost for a year of an extra daily return train between Cardiff and Holyhead via Chester, Wrexham and Llandudno. The objective was to test the demands for the extra service and the benefits it can bring.

A three-month study to establish if a rail franchise for the whole of Wales is the best option was commissioned by the shadow Strategic Rail Authority in March. Commenting, the new Environment Secretary Sue Essex said, “ The Assembly is pressing for a better all-round rail service for Wales and it is our view that a single franchise could achieve this” (Assembly Press release, 8 March).

Bus passes for pensioners and disabled people in Wales will be free from April 2001, with free travel on local buses for these groups available from April 2002.

Tourism

£1.7 million additional funding was awarded the Wales Tourist Board in April to develop its on line tourist management system, aimed at short-break visitors and overseas tourists.

Environment and Planning

The administration has commissioned a scoping study on a waste strategy for Wales to improve information available and consider best practice options. The Better Wales document aims for Welsh households to recycle at least 25 per cent of their waste by 2010 compared with about 3 per cent today.

The administration set new targets for the Planning Inspectorate in Wales to achieve in the next year in handling planning appeals and local plan inquiries. These include:

- 80 per cent of all planning appeals decided by written representations to be determined with 17 weeks.
- 80 per cent of all planning appeals decided by hearings to be determined within 22 weeks.
- 80 per cent of all planning appeals decided by inquiries to be determined within 30 weeks.

5. RELATIONS WITH WESTMINSTER AND WHITEHALL

By John Osmond, IWA, and Bethan Lewis, BBC Wales Political Unit

A flashpoint for tensions between the Assembly administration and Whitehall was provided by the GM foods issue in May. Indeed, it exposed a crack in communications between the administrative machinery in London and Cardiff that suggested a defining moment in the devolution process was in the making.

The dispute was sparked by the Canadian agricultural firm Advanta Seeds revealing that a small proportion of GM rapeseed (no more than a few per cent) had been found in conventional seed sold over the previous few years in the UK, France, Germany and Sweden. The Ministry of Agriculture announced on 18 May that around 500 farms were affected - with an undisclosed number in Wales. GM-contaminated seed has been sown on some 9,000 acres in 1999 and 4,500 acres in 2000.

UK Agriculture Minister Nick Brown told the House of Commons on 18 May that the accidental sowing of GM seeds posed “no threat to public health or the environment” (Hansard). In Wales, however, this was not the point. The Assembly had declared the country a GM-free zone, which was important from a presentational point of view and for the marketing image it was attempting to project.

More seriously it emerged that while the Ministry of Agriculture had known about the contamination for a month - since April 17 - the Welsh administration was only informed on 15 May. Welsh Agriculture Minister Christine Gwyther was incensed and took to the airwaves to express her displeasure. She accused Whitehall officials of acting as though devolution did not exist, indicating that there was a breakdown in communications:

“The Whitehall machine does not recognise devolution ... There is a mindset there that needs to be altered” (*Wales at One*, Radio Wales, 18 May)

BBC Wales followed up this story during the following 24 hours. It interviewed Jonathan Baume, secretary of the First Division Association, the organisation that represents Senior Civil Servants. He was asked whether differing approaches to freedom of information between Cardiff and Edinburgh and London was at the root of the problem. Baume responded that officials were not responsible but took their lead from their political masters - Christine Gwyther was aiming her fire in the wrong direction (*Good Evening Wales*, Radio Wales 18 May).

However, the following morning Sir Peter Kemp, a former Permanent Secretary at the Treasury, said he believed Gwyther’s assessment was probably correct. Senior officials in many departments equated the devolved administrations with local rather than central government and had yet to make a distinction. He said there was a power struggle underway between the bureaucracies in London, Cardiff and Edinburgh, a struggle in which knowledge was power (*Good Morning Wales*, Radio Wales, 19 May). However, a Plaid Cymru spokesperson, Jocelyn Davies AM, criticised Christine Gwyther for attacking the civil service when she suspected that it was Westminster politicians who were behind the problem. She called on the Assembly Permanent Secretary, Jon Shortridge, to draw up a protocol laying out the basis on which information between Whitehall departments and the National Assembly should be shared.

In her interview Christine Gwyther said it was not just the Ministry of Agriculture Fisheries and Food that was proving a problem but other ministries as well. A previous instance had already emerged with the Department of Environment, Transport and the

Regions. In the Local Government Committee's discussions on the Local Government Bill on 10 May, it emerged that there were growing tensions in the Assembly administration's relationship with this department. Peter Law, the Assembly Secretary, said in the course of the discussion:

There are some difficulties in discussions with the DETR. They sometimes seem to feel that devolution is below their radar screens. (*Western Mail*, 12 May).

He said that officials within the Department of the Environment, Transport and the Regions were refusing to amend the Bill to allow the Assembly to decide aspects of how county and county borough councils were organised. Following the discussion on the matter in the Committee, Peter Law stated that he would be writing to the relevant Minister to express the Committee members' concerns about the lack of leeway given to the Assembly to decide matters such as the size of local authority Cabinets.

But agriculture and the GM foods debate proved the most acrimonious area of the Assembly's debates during the quarter. For instance, despite the Assembly Agriculture Committee voting against the approval of GM Maize Seed Chardon LL on 29 March, and the Agriculture Secretary's stated view of wishing to see a GM free Wales, under pressure from Whitehall, Christine Gwyther, approved the inclusion of the seed on the UK National Seed List. It then emerged in early May, that biotech company Adventis were conducting a GM trial in field in Flintshire. There had been some confusion over the location of the site which meant that officials in the Department of the Environment, Transport and Regions had not informed the Assembly Agriculture Department until the error became apparent. In Christine Gwyther's statement to the Assembly on 10 May, she said that the seed had gained consent from the European Union and therefore the Assembly could not prevent trials in Wales.

"This consent is valid throughout the European Union and the company can therefore conduct these trials anywhere in the United Kingdom with no further approvals required. The Assembly doesn't have legal grounds to prevent this happening. I emphasise that neither does the UK government" (*Assembly Record*, 10 May 2000).

Mike German AM, leader of the Liberal Democrats, queried this statement:

"We cannot hide behind Europe because Austria has already banned T25. When there is a will in Wales not to have a GM environment, why must we follow the lead set by other countries in the European Union which find it acceptable, possible and legal?" (*Assembly Record*, 10 May 2000).

Joint Ministerial Committee

The first meeting of the Joint Ministerial Committee dealing with health matters met in Cardiff in early April. It was attended by Prime Minister Tony Blair, the Scottish First Minister, Donald Dewar, and the Secretary of State for Northern Ireland, Peter Mandelson. First Secretary Rhodri Morgan said the event had enabled the Assembly to highlight innovative approaches being taken to improve the NHS in Wales such as a telemedicine scheme for diabetics run from Llandough Hospital, Cardiff. He added:

“The Joint Ministerial Committee provides an ideal forum for exchanging ideas and developing realistic solutions to the challenges facing the modern health service in a spirit of co-operation and partnership. The JMC shows the constituent parts of the UK working together for the benefit of everyone - it is an example of the devolution principle put into practical effect” (Assembly Press Release, 6 April)

In her monthly report to the Health and Social Services Committee on 15 May, Assembly Health Secretary Jane Hutt listed the following areas where agreement was reached between Ministers to work together:

- A working group of officials will exchange best practice on addressing winter pressures, for example on the use of flu vaccines.
- A comparative examination will be made on how to develop best performance measures and management.
- Wales will take the lead with other administrations in producing a report on how tele-medicine and other tele-health innovations can be used.
- Administrations will co-operate on taking advantage of opportunities presented by Internet technologies.

The Secretary of State for Wales

The Secretary of State for Wales Paul Murphy's response to the House of Commons Welsh Affairs Committees report on European Structural Funds (HC 46, 17 February 2000) was recorded in a special report of the Committee published on 18 May. The report had pressed the Government to make “a clear and early commitment” to providing match funding for the Objective One money designated for west Wales and the Valleys. In his response Murphy said his officials were still working with those of the Chief Secretary to the Treasury, Andrew Smith, to look at match funding as part of the spending review concluding in July:

“The Prime Minister has confirmed that he will not let Wales down. The Prime Minister made clear during his visit to Wales that the Government will not squander what it has won for Wales.”

However, this was dismissed by Plaid Cymru MP Elfyn Llwyd, a member of the Welsh Affairs Committee as “an anodyne response hardly worth the name whitewash” (*Western Mail*, 18 May).

The Assembly Cabinet minutes for 27 April revealed that problems had arisen in co-ordination between the administration and the Office of the Secretary of State for Wales (OSSW):

“The Secretary of State for Wales had announced in Welsh Grand Committee on 4 April how the money from the Prime Minister’s Agriculture Summit could and would be spent in Wales, in advance of the actual decision being made by the Assembly. This was unfortunate and highlighted the need for OSSW to liaise closely with the Assembly to agree in advance the terms of statements directly concerning the Assembly’s area of responsibilities. The First Secretary would discuss with the Secretary of State how this could best be done” (Cabinet minutes, 27 April, Assembly website).

6. RELATIONS WITH THE EUROPEAN UNION

By Bethan Lewis, BBC Wales Political Unit

Objective 1 remained high on the agenda in the Assembly's formal business and in terms of its political salience. Following the Commission's critical response to the original document, the revised Objective 1 Single Programming Document was considered in the Economic Development Committee on 27 and 29 March and in a plenary meeting on 12 April. Graham Meadows, a senior official from the European Commission was present in the meeting on 29 March to provide the Commission's perspective on the document and Structural Funds issues in general. He emphasised the need to get the start of the programme right and to concentrate on quality delivery and this was referred to by some Assembly Members in the debate on Objective 1 when expressing concern at the delays in the process. On the central issue of match funding, there was no change in the new document despite the fact that the Commission had expressed concern that there was no commitment to spending for the whole programme. The crucial paragraph remained:

“It is anticipated that for 2000, there will be sufficient match funding from initiating sponsors to cope with the projects expected to require payment in that year. The likely match funding position for 2001 and beyond is being revised and will form part of the wider considerations in the context of the next Comprehensive Spending Review” (*Objective 1 Single Programming Document 2000-2006*, p.359).

There was some consternation that only an hour was allowed for the plenary debate on Objective 1 due to previous items overrunning. A bid by Ieuan Wyn Jones, Plaid Cymru Business Manager, to extend the session by half an hour was rejected by the Presiding Officer due to the Assembly's commitment to family friendly hours. The opposition parties expressed concern at their lack of involvement in the process and at delay in the process of finalising the document as well as various aspects of the document's content. However, the government's amended motion was adopted – Labour and the Liberal Democrats voting in favour, with the Conservatives and Plaid Cymru abstaining. The First Secretary continued discussions with the Commission on the issue of financial allocations to infrastructure which remained a stumbling block. The Government was eager to maintain its original allocation, while the Commission wanted a reduction. A final Commission Decision on the document was expected in early June with the first financial commitments being made in July.

The National Assembly's office in Brussels opened on 16 May with Des Clifford, former Head of the Assembly Press Office as the Assembly's representative in Europe. The office is located in the same building as the Wales European Centre, of which the Assembly has become a member.

There had been no meetings of the European Committee since 9 March, with the next meeting scheduled for 8 June. Some Members expressed dissatisfaction with the way in which the Committee functioned and expressed a wish for it take a more active role in scrutinising European documents rather than the broad brush approach adopted thus far.

On 9 May, Plaid Cymru AM Rhodri Glyn Thomas asked First Secretary, Rhodri Morgan, a question in the chamber about how he intended to ensure that Wales' interests were represented in the European Council of Ministers. In his answer, Rhodri Morgan confirmed that a Welsh delegation had twice been present in Council of Ministers' meetings. This was compared to representatives of the Scottish Parliament being present in meetings on 18 occasions. Rhodri Morgan continued:

I would like to ensure that between now and the next Assembly elections in 2003, Assembly presence in UK delegations to the Council of Ministers will be more frequent. However, the issue under discussion must be relevant to Wales. We cannot just decide that we would like to go. It must involve a Welsh interest that requires promotion or defending. (*Assembly Record*, 9 May 2000)

The second Welsh Forum on European Affairs was held on 12 May in the Cardiff International Arena, the theme for the forum being 'Europe and Business'. Former vice-president of the European Commission, Lord Brittan of Spennithorne, and First Secretary Rhodri Morgan addressed the conference with delegates also attending workshops on the Single European Currency, the European Investment Bank and enlargement of the European Union.

7. RELATIONS WITH LOCAL GOVERNMENT

By Bethan Lewis, BBC Wales Political Unit

In February, Rhodri Morgan had appointed Sue Essex as Environment, Planning and Transport Secretary. This meant that Peter Law's previously vast portfolio had now been reduced to Local Government and Housing. In order to comply with the statutory requirement that the committees' portfolios matched those of the Cabinet Secretaries, the Local Government, Environment, Planning, Housing and Transport Committee as was, was disbanded and two new committees were set up. The new Local Government and Housing Committee met for the first time on 5 April 2000 with Gwenda Thomas, Labour Assembly Member for Neath Port Talbot as its new Chair. Amongst the issues considered by the Committee since its inception were Local Government Modernisation and the Local Government Bill and the National Housing Strategy.

The Local Government Partnership Council met for the fourth time on 12 May in Wrexham County Borough Council. A range of issues was on the agenda including the European Structural Funds and the National Housing Strategy for Wales.

However, the major debate involving Local Government and the Assembly was largely played out outside the formal structures. The storm over councillors' allowances which had been brewing for some time, had come to a head in mid March when eight Cardiff County Council Labour councillors who had refused to vote against a motion calling for a review of allowances had the Whip withdrawn from them. Allowances for senior councillors had been increased in December following a report from an independent commission for Cardiff County Council. This pre-empted the Boyne report, commissioned by the National Assembly and Welsh Local Government Association, and published in January. The debate was primarily focused on the allowance of £58,500 awarded to Cardiff County Council leader, Russell Goodway, making him the highest paid councillor in Britain. In contrast, the Boyne report proposed that council leaders should be paid £18,830 and if directly elected, £28,150 for full-time duties.

Later in March, the ruling against the eight members was reversed and there was increasing pressure on the Assembly and Local Government Secretary Peter Law to act to cap allowances. On 29 March a Conservative motion to cap council leaders' allowances was passed by the National Assembly and Peter Law subsequently wrote to Cardiff County Council and called on the authority to revert to the original allowances. He continued,

“As it is, there is plainly a strong groundswell of opinion saying that where the public perceives that the discretion given to local authorities has been abused, the Assembly must be prepared to take formal action as well as urging common sense” (Letter from Peter Law to Russell Goodway, 29 March 2000).

If action was not taken, he threatened to “bring forward early proposals to legislate to limit allowances in Cardiff” (*Ibid.*). The Welsh Local Government Association meanwhile urged the Local Government Secretary not to act to cap allowances and to set up a new panel to examine the issue.

In the plenary meeting on 12 April, the Local Government Secretary announced that he had met with Russell Goodway and a formal letter had followed committing Cardiff County Council to restrict its expenditure on councillors’ allowances. The Secretary also announced that the issue of allowances would be considered in a joint working group of Assembly Members and Councillors, to be chaired by Gwenda Thomas AM. It would comprise of five party balanced Assembly Members and an equivalent number of Councillors and it was expected to complete its deliberations by June. Meanwhile, Russell Goodway accepted a pay cut to around £35,000.

8. POLITICAL PARTIES

By Dafydd Trystan, Institute of Welsh Politics, University of Wales, Aberystwyth

The most striking development of the past months has been the rebranding of the Wales Labour Party. The party's Welsh conference in Llandudno in March witnessed the unveiling of a new image, a strong branding and new logo. No longer the Wales Labour Party, henceforth *Welsh Labour – the true party of Wales*. One can almost hear an echo of earlier comments – not new Labour, not old Labour – but Welsh Labour. The party political broadcast accompanying the conference saw Eluned Morgan MEP draped in a Welsh dragon proudly proclaiming her attachment to socialist beliefs.

Such rebranding is testament to the difficulties faced by Welsh Labour in establishing itself as a distinct Welsh-focused political force. Doubtless the new image will appeal to the voters who either stayed at home, or voted for Plaid Cymru in May 1999, but one suspects, given the polling evidence to be discussed later, that policy initiatives will undoubtedly be required to complement the new image.

In this regard Rhodri Morgan's appointment of four special advisors with more of a policy orientation will undoubtedly go some way to fill the gap, but the evidence also indicates that the new look Welsh Labour party has yet to entice many voters back. Indeed, if anything the polls suggest that Labour continues to lose support in Wales – albeit only marginally. The latest debacle surrounding GM foods will not aid the cause, but Morgan still has time to put in place a strong cabinet over the summer to spearhead his 'operation Phoenix'.

Plaid Cymru in the Assembly have had a difficult path to tread. On the one hand if they are seen as too critical of Morgan's administration, then they might be seen as a destabilising force. On the other hand, if nothing has changed, and worse if nothing will change, then the time will come when Plaid will have to assume again the role of an active opposition party.

The Conservatives have been very much on the offensive over GM foods, placing another censure motion in agriculture secretary Christine Gwyther. Gwyther enhanced her reputation with her robust performance and her criticisms of Whitehall civil servants. Such performances however are unlikely to deter Nick Bourne and the Conservatives who clearly remain at home as a traditional British opposition party.

The continuing issue for the Liberal Democrats in the Assembly is how openly and how formally to co-operate with Labour. While a Scots-style coalition would bring much needed stability, the LibDems in Wales have yet to carve a distinctive niche for

themselves – a task which would be far harder were they part of a coalition administration.

Local Elections

While the focus of the UK media has been firmly on the mayoral election in London and the elections for the English local authorities, there have been a number of local council by-elections in Wales (listed in Table 1 below) which give some indication of how the parties are performing.

Although this handful of local council by-election results cannot give an accurate picture on an all-Wales basis, a number of interesting points emerge. Firstly we find a greater tendency for parties to compete in local elections. In 1999 there were comparatively fewer three and four-cornered contests in Wales. However, given the evident relationship between local council and Assembly votes it would appear that greater attention will in future be given to the local dimension by all four parties.

Table 1
Local by-elections held during April-May 2000

Ward	Prendergast, Pembrokeshire	Rhyl East, Denbighshire	Pendre, Bridgend	Dinas Powys, Vale of Glamorgan	Llandough, Vale of Glamorgan
Lab %	26.7	36.5	33.9	13.6	28.2
Con %	57.3	30.8	13.1	39.2	27.7
PC %	*	5.5	*	42.9	7.6
LibDem %	*	*	48.8	4.3	36.5
Others %	16.0	27.2 (4 candi dates)	4.2	*	*
Turnout %	45	27	35	38	48
Result	Con gain	Lab Hold	LibDem gain	PC Hold	LibDem gain

* Indicates party did not field a candidate

The Liberal Democrats evidently have performed best in these local by-elections, gaining seats on 20 per cent plus swings in both the Vale of Glamorgan and Bridgend. The Lib Dems in the South West of England have been remarkably effective at building local organisation from the bottom-up and becoming challengers in parliamentary contests via a strong local council presence. We may see a similar strategy attempted in Wales. The Conservatives can also take heart from their improving performance across Wales, in both gaining a seat from the Independents on Pembrokeshire County Council and increasing their share of the vote at other by-elections.

The larger parties, however, may have some cause for concern. Plaid Cymru failed to field candidates in Pembrokeshire and Bridgend – an ominous sign for a party with pretensions to be the largest party in Wales. Furthermore, with the notable exception of ‘fortress Dinas Powys’, traditionally a Plaid Cymru local stronghold, the party failed to make an impression in the other seats. Labour must also be worried with its share of the vote continuing to fall since its poor performance in the May 1999 Assembly elections. This concern may be amplified given the comparatively high turnouts in all bar one of these by-elections.

9. PUBLIC ATTITUDES

By Denis Balsom, Welsh Governance Centre, Cardiff University

Since January HTV Wales have been undertaking a series of opinion polls to track responses to the National Assembly for Wales. The interviewing for the latest NOP opinion poll* took place at the end of a difficult few weeks for Mr Blair's government. Ken Livingstone's victory in the London mayoral election was no surprise, nor were the losses for Labour in the English local government elections. Unlike other governments and Prime Ministers to date, Tony Blair appears to have largely escaped the mid-term blues. The latest data in Wales, however, show Labour to have slipped eight points since the general election. Labour remain the party with the highest share of the vote at any Westminster election, but there are signs of recovery for the Conservatives, while Plaid Cymru continues to attract record support. It is too early to predict the likely impact upon seats if voting at the next general election were to match these data, but the Labour Party could not expect to retain its 34 seats at Westminster (out of a total of 40 Welsh seats).

Table 2

How would you vote if a general election for Westminster were held tomorrow?

	May 2000	March 2000	January 2000	General Election 1997
Labour	47	50	56	55
Conservative	23	20	21	20
Lib Dem	12	12	8	12
Plaid Cymru	15	16	13	10
Others	2	2	3	3

Accession to the First Secretaryship by Rhodri Morgan in February was assumed to have overcome the lingering resentment of the previous leadership contest and the shadow it cast over the early days of the Assembly. HTV Wales' previous poll, in March, revealed a huge fund of public goodwill for Rhodri Morgan combined with heightened expectations in his leadership of the Assembly. To date however, no lift in Labour support has materialised. At the same time voters in Wales continue to show a clear pattern of differentiation between their voting intentions for a Westminster election and those for the Assembly. Whilst some movement has been observed in peoples' Westminster intentions, the respective level of support for the parties in any Assembly election appears to have remained fairly static.

* NOP conducted 1000 interviews, by telephone, with a representative sample of the Welsh electorate between May 4 to 9, 2000.

Table 3

How would you vote if an election for the National Assembly for Wales were held tomorrow?

	May 2000	March 2000	January 2000	Assembly Election 1999
Labour	41	43	45	37
Conservative	14	14	13	16
Lib Dem	10	10	6	13
Plaid Cymru	32	31	33	30
Others	3	2	3	5

The public's sense of whether the National Assembly is doing a good job has also remained stubbornly fixed at slightly below fifty percent since HTV's series of polls was launched. As with support for the Labour Party, there has been no marked positive 'Rhodri effect' to reflect the massive goodwill that appeared to accompany the new First Secretary into office.

Table 4

Overall, how good a job do you think the National Assembly is doing for Wales?

	Now	March 2000	January 2000
Good	46	46	46
Poor	40	44	41
Don't Know	15	9	3

The poll also set out to review the public's perception of the Assembly's performance in the key policy areas. Very few of those polled perceived that the Assembly had made a positive difference to the way agriculture was being managed in Wales, nor the economy generally. In the areas of education and the health service, however, where the Assembly has been able to make more resources available and launch new initiatives, public perception of the Assembly having made a positive impact is greater. Whilst a majority of opinion still remains to be convinced, these are the first signs of the public accepting that the new institutions and procedures of Welsh politics are delivering more than might have previously prevailed.

Table 5

One year on, do you believe that the national Assembly has made a positive difference to the running of agriculture, the economy, health or education?.

	Yes	No Difference	Made matters worse	Too soon to say	Don't Know
Agriculture	7	42	10	29	11
Economy	11	43	10	29	6
Health	18	43	15	19	5
Education	22	41	7	19	11

Devolution should be much more than a set of statutes. In time, an important shift in mindset and outlook should also occur. Wales should be proud of its new Assembly and of those who serve in it. The HTV/NOP poll asked voters which elected Member they felt to be the best champion for their area - the MP, the AM or their County Councillor. A majority still saw their MP fulfilling this traditional role, though for most purposes the AM and the Assembly is actually the body responsible for domestic political issues. Only 15 per cent of respondents in the survey saw the AM as the best spokesman for their area, even lower than the status given to Councillors. Assembly Members must clearly work harder to improve their image in the community and to have the important work and responsibilities of the Assembly duly recognised.

Table 6

Which elected Member do you consider to be the best spokesman, or champion, for your area?

	All
Your MP in Parliament	51
Your AM in Assembly	15
Your County Councillor	34

Associated with this issue of public awareness and confidence is the importance of the physical presence of the National Assembly. Notwithstanding the aspirations of Swansea, it is largely accepted that the National Assembly should grace our capital city, Cardiff. To symbolise a new, open, politics it was also thought inappropriate to house the Assembly in the nineteenth century splendour of Cardiff City Hall. The compromise, to utilise a modern office building on the dramatically emerging waterfront of Cardiff Bay was only acceptable when linked to the commissioning of an integrated landmark development to

create a spectacular new debating chamber by the renowned architect, Richard Rogers. Public opinion, however, would seem to endorse those who believe that the Assembly can make do in its present accommodation.

Table 7

The recent decision to re-examine the commitment to building a debating chamber for the National Assembly in Cardiff Bay has re-opened the question of where the National Assembly should be sited? In your opinion, should the Assembly be located?

	All
Continue as present, without any further new building	53
Remain in the Bay, but with the proposed new Debating Chamber	7
Be relocated to City Hall in Cardiff	25
Be relocated to another site elsewhere in Wales	15

HTV's series of opinion polls will continue through the year. Whilst it had been expected that Mr Blair might wish to call the general election in the Spring of 2001, the present omens, notwithstanding the birth of young Leo, suggest a more cautious approach. In Wales, of course, we are spared such partisan calculation. The next Assembly election will be in May 2003.

10. PRESS AND MEDIA

Glyn Mathias, BBC Wales

With the National Assembly a year old in May, some of the Welsh media decided to have a go at analysing how much it had achieved in its first year of existence. One headline above all captured the general mood of the coverage - across a front-page editorial in the *Western Mail*:

“Question: What’s the difference between [one-year-old] baby Joshua and the Assembly? Answer: Joshua has teeth.”

The verdict was clear: there had been an expectation that the Assembly could make a real difference to people’s lives in Wales, but its progress had not been so good:

“It has shown little sign of growing into the institution that had been desired. It is not yet strong; it has no real teeth. When it does walk it is still with the aid of reins held by its mother, Mrs Westminster. It is bad-tempered. Too often it is selfish and self-centred. It is not a happy baby” (*Western Mail*, May 6) .

The Welsh Mirror offered a brief rundown of the events of the last year, with a list of ‘Highs and Lows’ focused primarily on the political dramas involving Christine Gwyther and Alun Michael. But, not surprisingly, it also offered the new First Secretary, Rhodri Morgan, a chance to put a more positive view of the Assembly’s progress:

“A lot of people think the only thing the Assembly did was reduce Russell Goodway’s wages. But a lot of work has been done behind the scenes. Over the next 12 months there will be a lot of expenditure going into everyone’s local hospitals and schools.” (*Welsh Mirror*, May 6)

The demands of providing pictures to back up the story took BBC Wales Today to Baglan Bay, where it reported that the Assembly had approved a new hospital - and to Broughton, where local people were resentful at the Assembly’s failure to agree a £25 million grant to British Aerospace. So a bit of the positive and a bit of the negative, matched by a careful conclusion from reporter, Simon Morris:

“The Assembly, with its limited powers, couldn’t really be expected to make a big impact in just a year, but if it is to retain the support it has got and persuade the doubters, it has still got a lot of work to do” (*BBC Wales Today*, May 5).

HTV’s political programme, *Waterfront*, interviewed Kevin Morgan, chairman of the Yes campaign back in 1997, for his view of the Assembly’s progress. He told the programme

that the Assembly was discovering it did not have the powers it thought it had, but went on to add:

“What is twelve months out of centuries of London government? ... I’m still optimistic” (*HTV*, May 7)

Wales on Sunday used the anniversary to pass a verdict on Labour’s performance. They published an opinion poll, one year on, which showed, they said, that nearly one in four voters were less likely to vote Labour in Wales because of what they called “the party leadership stitch-up”. Their editorial said:

“It is perhaps surprising that so many people remain angry even after the replacement of Mr Michael by the far more popular Rhodri Morgan. Tony Blair’s weasel words of apology last month for his interference in the Welsh Labour leadership contest were too little and too late” (*Wales on Sunday*, May 7).

And, indeed, most newspapers confined their analysis of the development of the Assembly to comments on the Labour party’s problems. This was made easier by the fact that the anniversary coincided with the results of the English local elections and the contest for London Mayor. It was a simple task to wrap up Wales and London together with a common charge against the Prime Minister of “control-freakery”. An editorial in the *Daily Post* opined that democracy was not about imposing favoured political soulmates on the people:

“The London mayoral contest was not the first one in which Mr Blair and his acolytes meddled ... Mr Blair has since admitted he was wrong about Mr Morgan and, in the aftermath of Mr Livingstone’s victory, he spoke yesterday of his willingness to work with the new mayor for the good of Londoners” (*Daily Post*, May 6).

The London broadsheets merely used references to Wales to bolster their attack on the Prime Minister’s handling of Ken Livingstone. The *Sunday Times* was typical in asserting that Downing Street had failed to learn the obvious lessons:

“Mr Blair’s miscalculation is all the more startling because it follows Labour’s near-disaster in the Welsh Assembly elections after No 10’s meddling. Downing Street will have to move fast if devolution is not to become the political black hole that the poll tax became for Margaret Thatcher” (*Sunday Times*, May 7).

The *Daily Telegraph* (May 5) drew a similar straight-line comparison between the handling of Livingstone and Morgan. To say the least, this approach was broad-brush. With recriminations over events in the London mayoral contest being thrown around even before the result, it took a down-the page quote from an unnamed minister in the *Independent* to make the obvious point that there were important political differences between Ken Livingstone and Rhodri Morgan.

“Although Blair admitted candidly last month that he was wrong to block Mr Morgan in Wales, he will not make a similar apology over London. ‘We believe we will be proved right in our severe doubts over Ken Livingstone’, one minister said last night” (*Independent*, May 3).

It was left to the *Welsh Mirror* to try and put a positive spin on Labour’s election setbacks on May 4. Its article based on an interview with Rhodri Morgan did its best to extract a pro-Labour line:

“First Secretary Rhodri Morgan last night admitted Labour’s Black Thursday election losses had dealt a severe blow to the Government. But his message to Premier Tony Blair was not to panic as the Tories were still miles away from a return to power.” (*Welsh Mirror*, May 6)

In the end, it was this political argument which dominated the anniversary, with few successful attempts to analyse in detail what the Assembly had or had not achieved during its first year of existence. To some extent, the quality of the political drama surrounding Ron Davies, Christine Gwyther and Alun Michael meant that, in any case, it was those events that stood out in the public mind.

APPENDIX

NATIONAL ASSEMBLY FOR WALES

LIST OF OFFICE HOLDERS

Presiding Officer
Deputy Presiding Officer

Dafydd Elis-Thomas (PC)
Jane Davidson (LAB)

CABINET AND PARTY SPOKESMEN

LABOUR

PLAID CYMRU

CONSERVATIVE

LIBERAL DEMOCRAT

First Secretary
Deputy Secretary - Education and
Economy
Deputy Secretary - Health and Social
Services
Deputy Secretary - Local Govt,
Environment

Rhodri Morgan
Christine Chapman

Alun Pugh

Carwyn Jones

Dafydd Wigley

Nick Bourne

Michael German

Agriculture and Rural Development
Post-16 Education and Training
Health and Social Services
Local Government and Housing
Economic Development, Industry and
Europe
Finance
Pre-16 Education and Children
Planning, Environment and Transport

Christine Gwyther
Tom Middlehurst
Jane Hutt
Peter Law
Rhodri Morgan

Edwina Hart
Rosemary Butler
Sue Essex

Rhodri Glyn Thomas
Elin Jones
Dai Lloyd
Janet Ryder
Phil Williams

Dafydd Wigley
Gareth Jones

Peter Rogers
Jonathan Morgan
David Melding
David Davies
Alun Cairns

Glyn Davies
Jonathan Morgan

Mick Bates
Christine Humphreys
Kirsty Williams
Peter Black
Michael German

Jenny Randerson

Trefnydd/Business Secretary

Andrew Davies

Ieuan Wyn Jones

William Graham

Jenny Randerson

SUBJECT COMMITTEES

Economic Development

Ron Davies
Val Feld (Chair)
Brian Gibbons
Rhodri Morgan (Secretary)
Clerk: Helen Usher

Phil Williams
Helen Mary Jones
Brian Hancock

Alun Cairns

Michael German

Agriculture and Rural Development

Delyth Evans
Carwyn Jones (Deputy
Chair)
Karen Sinclair
**Christine Gwyther
(Secretary)**
Clerk: Adrian Crompton

Elin Jones
**Rhodri Glyn Thomas
(Chair)**
Janet Davies

Peter Rogers

Mick Bates

	LABOUR	PLAID CYMRU	CONSERVATIVE	LIBERAL DEMOCRAT
Post-16 Education and Training	Christine Chapman John Griffiths Alun Pugh Tom Middlehurst (Sec) Clerk: Julia Annand	Cynog Dafis (Chair) Elin Jones Jocelyn Davies	Jonathan Morgan	Christine Humphreys
Health and Social Services	Alun Pugh Lynne Neagle Ann Jones Jane Hutt (Secretary) Clerk: Jane Westlake	Dai Lloyd Geraint Davies Helen Mary Jones	David Melding	Kirsty Williams (Chair)
Environment, Planning and Transport	Sue Essex (Secretary) John Griffiths Richard Edwards (chair) Carwyn Jones (Deputy Chair) Clerk: Martin Stevenson	Jocelyn Davies Geraint Davies Janet Ryder Gareth Jones	David Davies Glyn Davies	Christine Humphreys
SUBJECT COMMITTEES				
Pre-16 Education and Schools	Lorraine Barrett Huw Lewis John Marek Christine Chapman Rosemary Butler (Sec) Clerk: Delyth Thomas	Gareth Jones Owen John Thomas Pauline Jarman	William Graham (Chair) Jonathan Morgan	Jenny Randerson

Local Government and Housing

Gwenda Thomas (Chair)
Alison Halford
Janice Gregory
Peter Law (Secretary)

Brian Hancock
Janet Ryder
Owen John Thomas

David Davies

Peter Black

OTHER COMMITTEES

Legislation

Huw Lewis
John Marek
Lynne Neagle
Karen Sinclair
Clerk: Jane Phillips

Jocelyn Davies
Dai Lloyd
Owen John Thomas

Nick Bourne

Mike German (Chair)

LABOUR

PLAID CYMRU

CONSERVATIVE

LIBERAL DEMOCRAT

Standards of Conduct

Richard Edwards
Val Feld
Gwenda Thomas
Janet Gregory
Clerk: Brian Mitchell

Janet Davies
Brian Hancock
Gareth Jones

David Melding (Chair)

Christine Humphreys

Audit

Lorraine Barrett
Brian Gibbons
Alison Halford
Jane Davidson
Clerk: Andrew George

Janet Davies (Chair)
Dafydd Wigley
Geraint Davies

Alun Cairns

Peter Black

OTHER COMMITTEES

European Affairs

Rhodri Morgan (Chair)
Val Feld
Christine Gwyther
Alun Pugh

Phil Williams
Jocelyn Davies
Rhodri Glyn Thomas

Jonathan Morgan
Nick Bourne

Mick Bates

Clerk: Andrew George

Equal Opportunities

Edwina Hart (Chair)
Alison Halford
Christine Chapman
Lorraine Barrett
Richard Edwards
Clerk: Andrew George

Janet Ryder
Helen Mary Jones
Gareth Jones

Glyn Davies
David Melding

Kirsty Williams

REGIONAL COMMITTEES

MID WALES

Delyth Evans

Cynog Dafis
Elin Jones

Nick Bourne
Glyn Davies (Chair)

Mick Bates
Kirsty Williams

Clerk: Delyth Thomas

NORTH WALES

Alison Halford
Ann Jones
John Marek
Tom Middlehurs
Alun Pugh
Karen Sinclair

Gareth Jones
Ieuan Wyn Jones
Janet Ryder
Dafydd Elis-Thomas
Dafydd Wigley

Rod Richards
Peter Rogers

Christine Humphreys

LABOUR

PLAID CYMRU

CONSERVATIVE

LIBERAL DEMOCRAT

SOUTH EAST WALES

Lorraine Barrett
Rosemary Butler
Christine Chapman
Jane Davidson

Geraint Davies
Janet Davies
Jocelyn Daives
Pauline Jarman

Alun Cairns
David Davies
William Graham
David Melding

Peter Black
Michael German
Jenny Randerson

Ron Davies
Sue Essex
Janice Gregory
John Griffiths
Jane Hutt

Carwyn Jones (Chair)

Peter Law
Huw Lewis
Rhodri Morgan
Lynne Neagle
Clerk: Martin Stevenson

Dai Lloyd
Owen John Thomas
Phil Williams
Brian Hancock

Jonathan Morgan

SOUTH WEST WALES

Andrew Davies
Richard Edwards
Val Feld
Brian Gibbons
Christine Gwyther
Edwina Hart
Gwenda Thomas
Clerk: Jane Westlake

Cynog Dafis
Janet Davies
Helen Mary Jones
Dai Lloyd
Rhodri Glyn Thomas

Nick Bourne
Alun Cairns
Glyn Davies

Peter Black

23 May 2000

