





# WELSH LABOUR TAKES CONTROL

Monitoring



**Cynulliad Cenedlaethol Cymru**  
**The National Assembly for Wales**  
**March to June 2003**

Edited By  
John Osmond

In association with:



June 2003

# CONTENTS

<b>SUMMARY .....</b>	<b>1</b>
<b>1. THE ASSEMBLY GOVERNMENT .....</b>	<b>2</b>
<i>JOHN OSMOND AND JESSICA MUGASETH, IWA</i>	
<i>WELSH LABOUR TAKES CONTROL.....</i>	<i>2</i>
<i>THE NEW CABINET .....</i>	<i>3</i>
<i>CIVIL SERVICE IN ‘PURDAH’ .....</i>	<i>7</i>
<i>OBJECTIVE 1 PERFORMANCE CRITICISED .....</i>	<i>9</i>
<i>EDUCATION FUNDING .....</i>	<i>10</i>
<i>LAUNCH OF THE 22 LOCAL HEALTH BOARDS.....</i>	<i>10</i>
<i>LG CLOSURE AND AUDIT OFFICE INVESTIGATION .....</i>	<i>10</i>
<i>REFORM OF OMBUDSMEN’S SERVICE .....</i>	<i>11</i>
<i>NEW ASSEMBLY GOVERNMENT BUSINESS PARTNERSHIP ADVISER .....</i>	<i>11</i>
<b>2. THE ASSEMBLY .....</b>	<b>12</b>
<i>JOHN OSMOND AND JESSICA MUGASETH, IWA</i>	
<i>THE MAY 2003 ELECTIONS .....</i>	<i>12</i>
<i>WALES FIRST ON WOMEN.....</i>	<i>17</i>
<i>PLAID CYMRU LEADERSHIP.....</i>	<i>17</i>
<i>ELECTION OF THE PRESIDING AND DEPUTY OFFICERS.....</i>	<i>19</i>
<i>SHADOW PORTFOLIOS .....</i>	<i>19</i>
<i>STATE OF THE NATION DEBATE .....</i>	<i>20</i>
<i>SUBJECT COMMITTEE CHAIRS .....</i>	<i>22</i>
<i>RICHARD COMMISSION .....</i>	<i>23</i>

**5. RELATIONS WITH LOCAL GOVERNMENT .....37**

*ALYS THOMAS, UNIVERSITY OF G*

## SUMMARY

Welsh Labour resolved to govern alone and dispense with a coalition with the Liberal Democrats following the May 2003 election. This was despite winning just half of the 60 seats in the Assembly, one short of a majority. Plaid Cymru was the main loser in the election losing five of the 17 seats it won in 1999, including the Valley constituencies of Rhondda, Islwyn and Llanelli. The Conservatives gained on the list, moving from nine to eleven seats, while the Liberal Democrats held on to their six.

Labour's decision to go it alone was made easier by Plaid Cymru allowing its Meirionnydd AM, Dafydd Elis Thomas, to be elected as Presiding Officer, thereby according Labour an overall majority. In addition the disappearance of a number of independent-minded AMs from Labour's own side - in particular Ron Davies, the former Caerphilly AM, and John Marek, who was returned for Wrexham as an Independent – added to the party's confidence in retaining its majority.

The most significant innovation in Rhodri Morgan's new Cabinet is the post of Minister for Social Justice and the appointment to it of former Finance Minister Edwina Hart. There was immediate speculation that this represented a demotion since it removed the Minister from her strategic position at the centre of the Administration. On the other hand, the First Minister described the new portfolio as representing the central challenge facing the Administration in its second term. He handed responsibility for Finance and Local government to his close ally, Cardiff North AM Sue Essex. Her former role as Minister for Environment and Planning was combined with Rural Affairs and given to Carwyn Jones. Jane Hutt continued as Health Minister and Andrew Davies as Minister for Economic Development.

The most striking message from the election statistics was the extent to which Plaid Cymru failed to mobilise its supporters. For instance, while the Labour Party more or less held its own in the regional list vote – in numbers it fell by 11 per cent – Plaid's regional vote collapsed by nearly half, 47 per cent. This setback plunged the party into a leadership crisis. Initially Ieuan Wyn Jones insisted he would remain in office. However, when it became clear that at least half of the Group in the Assembly did not support him he immediately resigned, precipitating a one-member one vote leadership election in the party as a whole. Veteran campaigner, party vice-president Dafydd Iwan announced his candidature, along with former Mid and West Wales AM Cynog Dafis, and it was widely speculated that the former South East Wales AM Phil Williams would follow suit. The result will be announced at the party's conference in September.

Fears that Tony Blair's anticipated Cabinet reshuffle later in the year will result in abolition of the Secretary of State for Wales prompted Cardiff West MP Kevin Brennan to table a Commons Early Day Motion in early May in support of the post. Brennan said: "A reliable source – not in the Wales Office – has suggested to me that the Prime Minister is considering dropping the post of Secretary of State for Wales in the nex

# 1. THE ASSEMBLY GOVERNMENT

*John Osmond and Jessica Mugaseth, IWA*

## ***Welsh Labour Takes Control***

With relief Welsh Labour shrugged off its relationship with the Liberal Democrats and resolved to govern alone following the May 2003 election. This was despite winning just half of the 60 seats in the Assembly, one short of a majority. However, the decision was made easier by two factors:

1. Plaid Cymru allowed its Meirionnydd Nant Conwy AM, Dafydd Elis Thomas, to be elected as Presiding Officer, thereby according Labour an overall majority.
2. The disappearance of a number of independent-minded AMs from Labour's own side - in particular Ron Davies the former Caerphilly AM, and John Marek, who was returned for Wrexham as an Independent – added to the party's confidence in retaining its majority over a full four year term.

Before the election First Minister Rhodri Morgan had hinted that, even if he were to win a majority of just one or two seats he might still seek a coalition rather than rely

## ***The New Cabinet***

The most significant innovation in Rhodri Morgan's new Cabinet, announced a week after the election on 1 May (see Table 1), is the new position of Minister for Social Justice and the appointment of former Finance Minister Edwina Hart to the post. There was immediate speculation that this represented a demotion since it removed the Minister from her strategic position at the centre of the Administration. On the other hand, the new portfolio was described as representing the central challenge facing the Administration in its second term. Responsibility for Finance and Local government was handed to Rhodri Morgan's close ally, Cardiff

**Table 1: The New Cabinet**

<b>Rhodri Morgan</b> (63) First Minister (Cardiff West)	Responsible for the exercise of functions of the Assembly Cabinet; Responsible for the exercise of functions by the Assembly Cabinet; policy development and the co-ordination of policy, the relationships with the rest of the UK, Europe and Wales Abroad; the maintenance of Open Government. Staffing/Civil Service.
<b>Sue Essex</b> (57) Finance, Local Government and Public Services (Cardiff North)	Responsible for budgeting and managing the finances of the Government; the development of the strategic approach to the delivery of public services; and local government.
<b>Karen Sinclair</b> (50) Assembly Business (Clwyd South)	Responsible for managing the business of the Government in the Assembly; and acting as Chief Whip to the Government's supporters in the Assembly.
<b>Edwina Hart</b> (46) Social Justice and Regeneration (Gower)	Responsible for the Government's programme for regenerating the communities of Wales in particular those suffering the greatest disadvantage: including Communities First, Anti-Poverty initiatives, the Social Economy, the Voluntary Sector, Community Safety and relations with the Police, the Fire Service, Drug and Alcohol Abuse, Youth Justice, Housing, Equality.
<b>Jane Hutt</b> (53) Health and Social Services (Vale of Glamorgan)	Responsible for Health and NHS Wales. Social Services and social care, food safety. Children.
<b>Andrew Davies</b> (50) Economic Development and Transport (Swansea West)	Responsible for innovation and enterprise; industrial policy and business support; inward investment promotion of indigenous companies and regional development, transport, energy, tourism, strategic co-ordinating responsibility for ICT and Structural Funds. Knowledge Exploitation Fund.
<b>Jane Davidson</b> (46) Education and Life-Long Learning (Pontypridd)	Responsible for Schools, Further Education and Skills development, Higher Education, Youth Service and Careers Service.
<b>Carwyn Jones</b> (36) Environment, Planning and Countryside (Bridgend)	Responsible for the environment and sustainable development, Town and Country Planning, Countryside and conservation issues, agriculture and rural development including forestry and food production.
<b>Alun Pugh</b> (47) Culture, the Welsh Language and Sports (Clwyd West)	Responsible for Arts, Libraries and Museums, Sport and recreation, and the languages of Wales



The programme has a lifespan of at least ten years with the long-term intention of tackling the underlying factors that contribute to poverty. In particular, the high economic inactivity that characterises the communities identified is a major underlying reason for their problem

**Table 2: Deputy Ministers**

Brian Gibbons (Aberavon)	Economic Development and Transport
John Griffiths (Newport East)	Health and Social Care with specific responsibility for Older People
Huw Lewis (Merthyr)	Social Justice

The appointment of the three deputy Ministers was accompanied by an effort to award them a salary increase as an acknowledgement of their extra responsibilities. The increase, coupled with an equivalent enhancement for the Conservative and Liberal Democrat leaders in the Assembly, brings them in line with the Chairs of the Subject Committees. As an Assembly Government spokesperson put it:

The new position of Deputy Ministers was consolidated when it was announced that they would be provided with their own offices and secretaries on the fifth floor of the National Assembly building in Cardiff Bay, the floor occupied by the Cabinet and its Secretariat. During the first term Deputy Ministers had no specific facilities of their own.

The overall impression provided by the new Cabinet was an elegant combination of change and continuity: change in the creat 90.0001 .31i4i460 0 12 147.90eta

political purposes. There should be a general presumption against undertaking new campaigns in any area that might be considered controversial in relation to the elections.”<sup>5</sup>

In effect, these outline the two basic principles of political impartiality and ensuring that public resources are not used for political purposes. The rules meant that civil servants could provide only factual information to AMs and Ministers. They were restricted from any work that would attract media attention or could be politically sensitive.

A task of the civil service in Westminster during election periods is to assess the manifestos, liaising with the different parties and drawing up a cost benefit analysis of the policies proposed by the opposition and governing parties. A spokesman for the Assembly Government said that during the election period the Welsh civil service informed itself on the *implications* of manifestos, rather than planning their *implementation*.

One civil servant explained that for her department “the priority has been to archive documents and committees, as well as drawing up forward work programmes of what we think we might be doing next term or what we have to do.”

AMs political researchers were given much more flexibility and privileges than researchers in the Houses of Parliament during an election period. Unlike in Westminster where all employees of MPs are given 48 hours to clear their desks and hand in their parliamentary passes once an election is called, researchers in the Assembly retained their passes which only became invalid on the eve of poll, 30 April. This enabled them to enter their offices and access information from the Assembly. Although they were officially restricted it is much more difficult to administer and police what these researchers were actually doing in the offices than it is in Westminster. Another interesting comparison is that whilst MPs have to give up their title, AMs retain their positions until the day of the election.

The First Minister also issued a briefing paper for Government Ministers’ actions during the election campaign. The statement states that

“Ministers will be expected to maintain a proper separation between their official duties on the one hand and their party or constituency roles on the other...

Ministers will not undertake any high-profile public official engagements, or make any major official announcements. The test is that such Ministerial activity will not take place if:

1. it is likely to attract any local or national media attention other than trivial or cursory references; and/or
2. it deals with a politically contentious issue.

Nonetheless, Ministers will need to continue to handle the routine business of government during the period of the campaign ... Ministers will otherwise be free to manage their campaign commitments as they and their parties see fit, just as

---

<sup>5</sup> Library of the National Assembly for Wales Brief: ‘The Civil Service’

Members in general are. However, they will be expected to avoid making explicit references to their Ministerial office for campaign purposes, or in election publicity, except on a purely factual basis in any biographical note in their election addresses.

For all election and party political activities the form of address by which the Deputy First minister and I will seek to be referred to will be our respective party leadership roles, viz. Leader of the Liberal Democrats Party in the Assembly and the Leader of the Labour Party in Wales.”<sup>6</sup>

### ***Objective 1 Performance Criticised***

Criticism is mounting over the allocation of money and the type of jobs created in the Objective 1 programme. According to academic observers nearly half of the jobs created by the funds so far were for administration of the European grants and would last as little as two years. Professor Dylan Jones Evans, of the University of Wales, Bangor, said that each of the 750 Objective 1 projects in Wales would, on average employ three or four administrators, jobs that would disappear once the funding ended:

“I would say that nearly half the jobs created are just for administering these projects.”<sup>7</sup>

Dr Philip Boland, of Cardiff University, who studied Merseyside’s Objective 1 programme between 1994 to 1999, said that while public sector bodies were doing well out of the fund, the private sector was being sidelined. He described the current Welsh programme as:

“... feeding frenzy for the usual suspects – local authorities colleges, training providers, the Welsh Development Agency. One of the problems for Merseyside was the programme degenerated into a bums on seats mentality. Getting people on to training courses and getting them out with a better qualification was all that mattered, not whether that qualification really matched demand in the labour market. That could well be happening in Wales.”<sup>8</sup>

According to figures produced by the Wales European Funding Office, only 1,543 new and existing SMEs have received fina



The plant, once solely run by LG Electronics, was part of what was billed as Europe's biggest ever inward investment in 1996. The project promised to create 6,100 jobs, but only the electronics element started production, reaching an employment high of 2,000. The semicon element never started production. In 2001 the LG Electronics Wales plant entered into a joint venture with Philips, with the creation of LGPD.

Meanwhile, the National Audit Office for Wales is conducting an investigation into £30 million overspend on regional selective assistance that was paid to the LG electronics. The Assembly Government has been in discussions for over a year with the company in a bid to recoup the £30 million. Alun Cairns, the Conservative economic affairs spokesm

## 2. THE ASSEMBLY

*John Osmond and Jessica Mugaseth, IWA*

### *The May 2003 Elections*

The headline story of the May 2003 Assembly elections was of Labour recovering its heartland Valley seats of Rhondda, Islwyn and Llanelli from Plaid Cymru and placing itself firmly back in its traditional saddle of dominance, if not complete control, of Welsh politics.

However, a glance at the statistics summarised in Tables 1 and 2 reveals a rather more complex picture. Certainly Labour fought a shrewd campaign and reaped dividends on election night. However, the figures suggest that overall Plaid Cymru lost the campaign as much as Labour won it. This judgement should also be set against the eight per cent decline in turnout, from 46 per cent in 1999 to 38 per cent. This was a situation which had previously been thought to help Plaid Cymru, the party that had traditionally been the most successful in mobilising its core vote.

**Table 4: Constituency Vote**

	<b>2003</b>			<b>1999</b>		
	Votes	% Vote	Seats	Votes	% vote	seats
Labour	340,535	40.0	30	384,671	37.6	27
Plaid Cymru	180,185	21.2	5	290,572	28.4	9
Conservative	169,842	19.9	1	162,133	15.8	1
				137,857	13.5	3
Independence Party	6,539		1			



A striking message from these statistics is the extent to which Plaid Cymru failed to mobilise its supporters on the regional list vote. While the Labour Party more or less held its own in the regional vote – in numbers it fell by 11 per cent – Plaid’s regional vote collapsed by nearly half, 47 per cent.

Labour put a great deal of effort in two Valley seats it lost to Plaid in 1999: Islwyn, Rhondda. It gained both yet only put its vote up by a few thousand. Elsewhere, in fact in 31 of the 40 seats, its vote actually dropped, due in large measure by the fall in turn-out. In three seats - Conwy, Llanelli, and Carmarthen West and South Pembrokeshire - it won by a hair’s breath. All these statistics point to the conclusion that Labour more or less held its position in 2003, while Plaid fell back significantly.

There was a good deal of comment during the campaign that it lacked the feel of a general election with national themes running across the country. Rather, the impression was one of a series of localised contests, typified by John Marek’s falling out with the Labour Party in Wrexham, as a result of which he deprived his former party of an overall majority in the Assembly.

Plaid Cymru’s underlying failure in the election was that as a nationalist party it did not manage to capture any clear or distinctive national themes. Apart from the Welsh language, which did not play a significant part in the campaign, Plaid Cymru is of course, most clearly identified with its constitutional aspiration of greater self governance for Wales. However, in this election it very deliberately put this to one side, saying that the constitution could be considered at a later date, if necessary by a convention of all the parties. Instead it chose to concentrate on bread and butter health and education issues and service delivery in a way that failed to distinguish itself from the Labour Party.

For its part Welsh Labour, under Rhodri Morgan’s leadership, spoke very clearly to its core supporters in the Valleys with a rhetoric built around free prescription charges for all, free breakfasts for all primary schoolchildren, continuing free bus travel for people over 60, no top up fees at Welsh Universities, and scrapping home care charges for disabled people.

Plaid Cymru (along with the Liberal Democrats and the Conservatives) failed to question any of this despite the fact that, for example, free prescriptions already extend to 88 per cent of the population. Extending the entitlement to the remaining 12 per cent who can well afford to pay will take £30 million away from the Assembly’s overall budget, and probably more since free entitlement for all will undoubtedly expand demand for prescriptions.

For Labour, however, the commitment played perfectly to its traditional supporters in the key target seats of Rhondda, Llanelli and Islwyn. Not only that, the commitment was firmly attached to an intellectual rationale repeatedly articulated by Rhodri Morgan in the months leading up to the campaign. The clearest expression came in his much quoted ‘Clear Red Water’ speech made in Swansea in November 2002. There he stated that free entitlements such as prescription charges stressed the individual’s position as a citizen rather than consumer. He said it underlined Welsh Labour’s objective of achieving equality and holding together:



that the Objective 1 programme must be made to work more effectively in west Wales and the Valleys, Plaid Cymru's sphere of influence and potential growth. Such a strategic approach failed to be emphasised, however, and that points to an underlying issue of leadership for Plaid Cymru. As ever, it faces the challenge of blending much more effectively the different cha

Clwyd West	Alun Pugh	Labour	436 (1.97%)
Conwy	Denise Idris Jones	Labour	72 (0.34%)
Cynon Valley	Christine Chapman	Labour	7,117 (42.70%)
Delyn	Sandy Mewies	Labour	1,624 (9.62%)
Gower	Edwina Hart	Labour	5,688 (24%)
Islwyn	Irene James	Labour	7,320 (35.73%)
Llanelli	Catherine Thomas	Labour	21 (0.09%)
Meirionnydd Nant Conwy	Dafydd Elis Thomas	Plaid Cymru	5,826 (38.35%)
Merthyr Tydfil and Rhymney	Huw Lewis	Labour	8,160 (44.29%)
Monmouth	David Davies	Monmouth	8,510 (30.62%)
Montgomeryshire	Mick Bates	Liberal Democrat	2,297 (11.79%)
Neath	Gwenda Thomas	Labour	4,946 (22.29%)
Newport East	John Griffiths	Labour	3,464 (20.27%)
Newport West	Rosemary Butler	Labour	3,752 (17.51%)
Ogmore	Janice Gregory	Labour	6,504 (38.82%)
Pontypridd	Jane Davidson	Labour	6,920 (28.36%)
Preseli Pembrokeshire	Tamsin Dunwoody- Kneafsey	Labour	1,326 (5.81%)
Rhondda	Leighton Andrews	Labour	7,954 (34.58%)
Swansea East Swan	Val Lloyd	Labour	3,997 (22.96%)

<b>Plaid Cymru</b>	Laura Anne Jones	Conservatives
	Michael German	Liberal Democrats
<b>South Wales West</b>	Dai Lloyd	Plaid Cymru
	Janet Davies	Plaid Cymru
	Alun Cairns	Conservatives
<b>No change</b>	Peter Black	Liberal Democrats

### ***Wales First on Women***

The elections brought about a record-breaking feat for the National Assembly with Wales becoming the first legislative body in the world to be made up of equal numbers of men and women. This achievement was praised by all the party leaders, led by Rhodri Morgan in the first plenary session of the new term. He said:

“We understand that it is the only legislature in the world that is perfectly balanced between men and women. We should note that. It is a message that should ring around the world. We are proud of that fact, we have every right to be proud of it, and the people of Wales have every right to be proud of having set that new world record. I hope that we will not be the only legislature that is perfectly balanced between men and women in four years’ time, when we next face the electorate.”<sup>15</sup>

### ***Plaid Cymru Leadership***

Within days of the election Plaid Cymru’s setbacks plunged the party into a leadership crisis. Initially Ieuan Wyn Jones insisted he would remain in office, at least until his current term as President came to an end in September 2004. In the wake of the first meeting of the party Group in the Assembly, on the Tuesday following the election, an aide told the Press Association that his leadership had won unanimous support.<sup>16</sup> However, this was immediately denied by the Group’s head of communications, Emyr Williams, who said the leadership issue had not been discussed.<sup>17</sup>

The evening of the following day a group of Plaid AMs met at the home of Helen Mary Jones, the new Plaid list member for Mid and West Wales to discuss the party’s defeat. Present were Dr Dai Lloyd, list member for South West Wales and chairman of the Group, Janet Davies, list member for South West Wales, and Janet Ryder, list member for north Wales. The following morning Dai Lloyd met with Ieuan Wyn Jones and told him there was questioning about his leadership and the way the campaign had been run. At least two other AMs – Ceredigion member Elin Jones, and

---

<sup>15</sup> *Assembly Record*

the new member for Caernarfon Alun Ffred Jones - had by now joined those who were doubtful about the leadership. Later that day Ieuan Wyn Jones announced his resignation, declaring that without the backing of the majority of the group in the Assembly he could not continue.

In an article in the *Western Mail* that day Dafydd Wigley, the former Caernarfon AM and Ieuan Wyn Jones's predecessor as President, voiced the concerns of many in the party about the style of the campaign Plaid Cymru had fought and the messages it had relayed. With local and European elections forthcoming in 2004 he said the party could not let matters drift:

“It seems that disillusion with the National Assembly may have hit Plaid members even harder than others. Plaid supporters may have had greater expectation, with a consequently greater disillusion. If so, this is really ironic – since the Assembly represents the Labour model of devolution, not the far more radical package, favoured by Plaid. There is a further irony. Plaid played down the constitutional arguments, putting more emphasis on being able to run the present system better than Labour. Yet opinion polls showed significant public support for the Assembly to be developed into a Scottish-style Parliament. Instead, Plaid put much emphasis on the policy areas indicated by focus groups as being of greater significance to the electorate. The party consequently campaigned on the NHS. While the NHS was clearly the most important, cam

### ***Election of the Presiding and Deputy Officers***

The first meeting of the National Assembly, held on 7 May, saw the unanimous re-election of Dafydd Elis-Thomas in to the post of Presiding Officer. The election for Deputy Presiding Officer went to a secret ballot after both Peter Law (Labour, Blaenau Gwent) and John Marek (Independent, Wrexham) were nominated. Peter Law nominated himself and was seconded by Jocelyn Davies of Plaid Cymru. The Conservative list AM William Graham nominated John Marek who then seconded himself, to some amusement in the chamber since Labour did not wish to be seen doing so. However, in the vote Marek undoubtedly received a large number of Labour votes since the party did not wish one of its

Economic Development and Transport	Elin Jones
Environment, Planning and Countryside	Rhodri Glyn Thomas
Education	Helen Mary Jones
Health and Social Care	Dai Lloyd
Finance	Alun Ffred Jones
Local Government and Public Services	Janet Ryder
Social Justice and Regeneration	Leanne Wood
Culture, Sport and the Languages of Wales	Owen John Thomas

**Table 9: Welsh Conservatives Shadow Appointments**

Leader	Nick Bourne
Economic Development and Transport	Alun Cairns
Education and Lifelong Learning	David Davies
Local Government, Environment and Planning	Glyn Davies
Welsh Language and Culture	Lisa Francis
Social Justice	William Graham
Finance	Mark Isherwood
Sport	Laura



“Over the coming four years, we will turn the vision of a healthier, wealthier and smarter Wales into reality. The foundations were laid in the last Assembly, and we will now carry the work forward with the endorsement of the people of Wales.”<sup>22</sup>

His administration would “continue to expand economic prosperity across Wales.” Further, “the main theme of this new administration will now be that of anti-poverty and anti-inequality action”. Rhodri Morgan took the opportunity, once again, to market Edwina Hart’s new cabinet post of Social Justice Minister saying that she would be at the “cutting edge” of the Assembly Government’s activity. The First Minister highlighted his manifesto commitments of free prescriptions, breakfast and leisure centre access and committed the government to continue the “unparalleled investment in public services”.

His speech was attacked by all the Opposition parties for its lack of detail and being a rehash of the Labour manifesto rather than a programme for government with explanations on how it would implement its policies. Plaid Cymru leader Ieuan Wyn Jones said they had

“... expected the Government to outline in detail how it hoped to see Wales developing during the next four years and the future of the Assembly and its powers. We expected a framework that we could examine so that the Opposition parties could hold the Government to account and challenge and support it when appropriate. Unfortunately, the Government did not give us such a vision.”<sup>23</sup>

Nick Bourne, leader of the Welsh Conservatives, attacked the First Minister for “complacency”:

“Labour talks of social justice, prosperity and well-being but has delivered rising student debts, longer hospital waiting lists and declining relative prosperity. The rhetoric continues, but the reality is failure.”<sup>24</sup>

The Welsh Liberal Democrat leader also questioned the lack of detail:

“In the United States, the debate on the state on the nation is an opportunity for the President to state the priorities of his Government. In the United Kingdom, a debate on the Queen’s Speech follows the election of the Government, when the Government’s priorities in the legislative time allocated are clearly stated. There is no reason why we should not have a similar programme of government before us today in Wales. It is not good enough to do nothing more than provide a link to the Labour Party’s website. This Government is lazy.”<sup>25</sup>

---

<sup>22</sup> *Assembly Record*, 20 May 2003.

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*

The effectiveness of Labour's majority was displayed by the amendment votes, of which five out of the seven fell by 29 votes to 26, while the motion to accept Labour's programme for government was carried by three votes.

### ***Subject Committee Chairs***

The panel of chairs from which the chairs of the Subject Committees are selected, was elected in plenary and shown in Table 11. As this report was being published there were indications that Labour was pressing for the Subject Committees to meet once a month, rather than at fortnightly intervals, as was the case during the first term. According to a *Western Mail* report Opposition representatives at a meeting of the Panel of Chairs were informed of this plan at a behind-closed-doors meeting towards the end of May.<sup>26</sup> These meetings are normally confidential. However, the proposal was so controversial amongst the Opposition parties that it was promptly leaked to the press.

**Table 11: Subject Committee Chairs**

Christine Gwyther (Labour, Carmarthen West and Pembroke)	Economic Development
Janice Gregory (Labour, Ogmore)	Social Justice
Anne Jones (Labour, Clwyd South)	Local Government
Rosemary Butler (Labour, Newport West)	Culture
Alun Ffred Jones (Plaid Cymru, Caernarfon)	Environment, Planning and Countryside
David Melding (Conservative, South Wales Central)	Health and Social Services
Peter Black (Liberal Democrat, South West Wales)	Education

The election of the members and chairs to the Assembly comm

His Liberal Democrat counterpart, Kirsty Williams, agreed, saying:

“I have always strongly believed that it is the National Assembly’s Committees that have carried out some of its best and most important work. It is unacceptable that Committees will not meet until the first week of June, at the earliest.... We must move hastily to rectify the situation.”<sup>28</sup>

The Plaid business spokeswoman, Jocelyn Davies did not however support the objection brought forward by Jonathon Morgan because the Business Committee met for the first time that morning, so members did not know before then how many Members would be sitting on each Subject Committee. Therefore, in her opinion it was impossible to propose Committee membership in plenary that day. Although Karen Sinclair agreed the need for the committees to be in place as soon as possible she said:



since they were beyond the current powers of the Assembly, including policies on non-devolved and controversial issues such as asylum seekers.

## ***Health***

On health, the parties were split between the Welsh Conservatives and the rest. Labour, Plaid and the Liberals all called for more staff and more services free at the point of use ranging from free dental treatment and prescriptions to eye tests for all. However, the Conservatives took a different perspective, pledging to diminish the role of the Assembly Government in hospital affairs and concentrating on improving performance through competition. In fact the Conservatives advocated the New Labour policy of establishing foundation hospitals funded through public-private partnerships to encourage competition. They also proposed establishing an all Wales health organisation to monitor the hospitals, therefore effectively taking the politicians out of day to day management of the service. All the other parties were keen to highlight the extra investment from the public purse they would make to improve services.

Following the failure of the Labour party to deliver its 1999 commitments on reducing waiting lists, it was no surprise that only the Conservatives dared to publish detailed commitments on waiting times although Labour pledged that no-one will wait more than 24 hours to see a member of primary care team.

All but one of the parties, Plaid Cymru, laid down targets for themselves in the amount of extra staff they would recruit. Plaid preferred to focus on the actual structure and long term commitments to overhauling the NHS and the benefits that that would bring to Wales. Their National Capacity Plan would provide short, medium and long term goals for more doctors, nurses, dentists and other health professionals as well as more beds. As part of their long term strategy Plaid also promised a package to encourage GPs to stay in deprived areas.

All the parties recognised the relationship

In line with its commitment to overhaul the public services Plaid Cymru pledged to begin a consultation on a National Curriculum for Wales as well reducing bureaucracy for teachers and boosting Welsh medium education, something the Liberal Democrats claim they would do by establishing a National Centre for Welsh Medium Education.

Tuition fees were a recurrent issue in all the manifestos. Labour ruled out the introduction of top-up fees for universities for the next Assembly term, while Plaid and the Liberal Democrats pledged their complete abolition in Wales. The Conservatives along with the other opposition parties, called for powers on tuition fees to be devolved to the Assembly.

In terms of manifesto commitments in education, Labour's main policy was one of continuation of developing the consultations and pilot projects already in place, the early years centres, the Welsh Baccalaureate and the discussions over top-up fees. Plaid had a more radical notion of developing a National Curriculum for Wales

Labour's manifesto commitments for business concentrated on highlighting existing programmes such as the creation of Finance Wales and the broadband Wales project. One departure was its innovative idea for creating a 'Knowledge Bank' for entrepreneurs.

### ***Other Manifesto Policies***

All the parties committed to developing the arts in Wales, calling for some form of National Museum of Modern Art and a need to develop a network of museums and galleries across Wales. All recognised the importance that sport plays in developing communities. Transport policy was also a key theme, with all the parties calling for a development in air transport and increased participation for the Assembly in developing an integrated railway infrastructure.

The Liberal Democrats pledged to tackle hardship and poverty in Wales with a £125 million budget increase led by a new Minister for Social Justice. The Conservatives campaigned hard on their pledge to stop the building of the new National Assembly building, with the money saved to be invested in public services, notably a children's

Structure		National Capacity Plan for NHS setting goals for more doctors, nurses and beds		Foundation hospitals monitored by an all Wales Health Organisation
Elderly	Commissioner for Old people. Free access to local authority swimming pools	Seek to implement the recommendations of Royal Commission on long term care of the elderly	Free personal care for elderly	
<b>EDUCATION</b>				
Devolve powers to determine policy on tuition fees	Rule out top up fees in welsh universities			
Welsh Baccalaureate	Extend the baccalaureate to intermediate and foundation stages	Develop a more comprehensive and distinctive baccalaureate curriculum	Extend to 14-16 year olds with an appropriate balance of activities between work experience and classroom attendance	Scrap it
Key stage 2 and 3 tests	Review the need for such tests	Abolish	Review case for abolition of Key stage 2	Retain and Reform
Improve FE and HE recruitment, retention, working				
Increase no-contact time for teachers				
Tackle problems faced by small and rural schools				
Develop comprehensive schools as community resources				



Broadband	67,000 extra businesses and 310,000 homes will have access by 2007	Priority target of service available to 90% of population by 2008	Aggregate public sector infrastructure demand and stimulate provision for broadband infrastructure	Combine public sector usage to aggregate demand, use public sector network to reduce connection and running cost for business. Wireless broadband network
Objective 1		Simplify objective 1 structures and paperwork	Simplify match funding arrangements for structural fund applications	Streamline process. Tax credits to businesses investing in areas

Research and Development

Encourage innovation through a single innovation grant scheme worth over £25m over three years

Create a new R&D centre

Tax credit for R&D or R&D additional regional

## **CULTURE**

## **4. THE LEGISLATIVE PROCESS**

*Sarah Beasley, Cardiff Law S*

The main scrutiny of the Bill is to be undertaken by the Welsh Affairs Committee on behalf of Parliament. It is likely that the Committee will hold one or two oral evidence sessions in June and aims to report on the draft Bill early in July. Scrutiny in the National Assembly for Wales will be undertaken by an ad-hoc Committee. Time will also be made available in plenary for the Assembly as a whole to debate the draft Bill. The Welsh Grand Committee will also meet to discuss the draft Bill and the report of the Welsh Affairs Committee, if it is available. This is due to take place in mid July 2003.

### **The Anti-Social Behaviour Bill:**

The Bill is designed to ensure that the police have the appropriate powers to deal with serious anti-social behaviour. It also provides powers for local authorities and tho the approp

Whilst the Commission for Healthcare Audit and Inspection will be an England and Wales body, the reviews and investigations of health care provided by NHS bodies in Wales will be the responsibility of the Assembly. However, the Commission for Social Care Inspection (CSCI) will be an England only body. The Bill does, however, confer social care functions, similar to those of the CSCI, on the National Assembly for Wales.

### **Community Care (Delayed Discharges) Act 2003**

This Act received Royal Assent on 8 April 2003. All parts of the Act affect the powers of the National Assembly for Wales. Part 1 relates to delayed discharge payments. It empowers the National Assembly to make regulations for cases where both the local authority and NHS body involved in a case of delayed discharge are located in Wales. In cases involving an English local authority and a Welsh NHS body, or a Welsh local authority and an English NHS body, the power to make regulations is given jointly to the Secretary of State and the Assembly.

Part 2 of the Act deals with local authority community care services. Here, the power to make regulations relating to local authorities in Wales rests with the National Assembly. Of particular note is section 16, giving the Assembly discretion over which care services or services to carers are to be provided free of charge.<sup>31</sup>

The commencement provisions in the Act are also worth noting. Section 20(2) confers a power to commence Part 1 of the Act. Although it authorises this Part to be commenced in relation to England and Wales at separate times, the expectation in the Explanatory Notes is that Part 1 will commence in England only in the first instance. The remainder of the Act comes into force in England and Wales on Royal Assent.

### ***Debate on Future Primary Legislation Bids***

Standing Order 31 provides for three (or more) Assembly Members or a Minister to table a motion calling on the UK Government to bring forward primary legislation on matters specified in the motion. The Assembly can then consider the proposed motion, and if approved, its terms can be communicated to the Secretary of State for Wales.

On 22 January 2003, the Assembly adopted a proposal from four Members for a Bill which would enable the Assembly to prohibit smoking in public places. This was the first occasion that Assembly Members had made use of this procedure. The Assembly Government's proposals for primary legislation set out below are in addition to that initiative:

---

<sup>31</sup> Subject to the general constraints imposed by section 15 of the Act.

## **Education (Miscellaneous Provisions) (Wales) Bill**

The Bill would enable the Higher Education Funding Council Wales (HEFCW) and

The powers sought in this Bill would enable the Assembly Government to develop and implement policies for the promotion and encouragement of safe, efficient and econom

necessary to be made during the ordinary election period for the proper discharge of Assembly functions.

Standing Order 22 also provides for the delegation of Ministerial functions<sup>33</sup> to the Permanent Secretary by ensuring that any references in the Standing Order to “the Cabinet” and “Minister” include a reference to the Permanent Secretary.

Provision was also made for the Permanent Secretary to lay before the Assembly, at the end of the ordinary election period, a statement detailing any orders made on behalf of the Assembly during that period and his reasons for making the orders. Such a statement ensures that Members are still able to exercise their right under Standing Order 22 to table a motion, within 40 working days of the statement being laid, instructing the Minister to consider revoking the order.

Along with the amended standing order were two temporary standing orders:

1. SO29A related to Assembly subordinate legislation other than Assembly orders<sup>34</sup> or Assembly subordinate legislation to which SO 23 (sections 1 or 2), or SO 25 apply<sup>35</sup>. Again they relate to sections 1 or 2 of the 1968 Act.



## 5. RELATIONS WITH LOCAL GOVERNMENT

*Alys Thomas, University of Glamorgan*

### ***Local Government and the Election***

The National Assembly Election campaign brought a halt to the usual round of meetings and interface within the Assembly and between the Assembly and Local Government. All parties addressed themselves to local government issues in their manifestos.

Labour's manifesto reflected the ongoing relationship between the Assembly Government and Local Government with its focus on working '*with councils to improve services, according to clear goals and targets, together with improving the procurement of goods and services to promote local suppliers*'. It also undertook to encourage more joint working between authorities to improve the provision of services. Other commitments included encouraging councils to take advantage of new legislation allowing easier and more accessible voting, encouraging a new generation of council candidates who reflect the wide diversity in Welsh society, already being pushed by Assemb



affairs. Such ad hoc, individual relationships are complemented by the formal arrangements of the Partnership Council.”<sup>38</sup>

While the personnel remain the same the shake up in Cabinet portfolios, with Sue Essex replacing Edwina Hart as the Minister responsible for local government may well bring a new dynamic to Assembly-Local Government arrangements as they evolved during the first term of the Assembly.

---

<sup>38</sup> WLGA Briefing for Assembly Candidates, *Partnership – Welsh local government and the Assembly*, 2003.

## 6. RELATIONS W

refurbishment and will cost £200,000 per year in running costs, compared to the £100,000 that it costs to occupy its share of the Assembly building at present. The spokesman added:

“Some time ago it became obvious that we needed more room for our staff. This coincided with a need on the part of the Assembly for more office space for committee clerks and support staff for AMs. The Wales Office agreed to help by finding alternative accommodation. It was never entirely satisfactory for the Wales Office to be in the same building as the Assembly: it could cause confusion.”<sup>42</sup>

### ***Welsh Affairs Committee Report on the Legislative Process***

The Welsh Affairs Committee's fourth report on “The Primary Legislative Process as it affects Wales” was published at the end of March. It observed that since devolution, additional powers have been conferred on the National Assembly in a number of ways, which has made the scrutiny and monitoring a complex task. It concluded that greater consistency was needed and that in future where possible:

“... powers should be conferred directly by new legislation rather than by amendments to existing Acts or Orders”.<sup>43</sup>

The Committee also concluded that in a further effort to improve clarity, Bills should have separate parts that set out the law as it affects Wales. Moreover, the Committee argued that:

“... the Government, at the appropriate time and by 2008 at the latest, [should] consolidate the powers of the National Assembly ... with the publication of register of the National Assembly's powers.”<sup>44</sup>

Although the Report welcomed the introduction of a Wales Statement in the Explanatory Notes that accompany Bills, it recommended that:

“... the Government consult the National Assembly on legislation in any of the devolved ,ly’



## **7. RELATIONS WITH THE EUROPEAN UNION**

*Mark Lang, Welsh Governance Centre*

### ***New Head for European Commission's Office in Wales***

The appointment of Janet Royall, a former aide to ex-Labour leader Neil Kinnock, as head of the European Commission office in Wales in May, prompted protests from Opposition AMs in the Assembly.

## ***Convention on the Future of Europe***

The Convention on the Future of Europe, whose UK r



previously ruled out a reference to religious values in the articles relating to the Constitution, continued.

### ***Breton President Vists Wales***

In March First Minister Rhodri Morgan held meetings in Cardiff with Josselin de Rohan, President of the Regional Council of Brittany to foster links between the two European Regions. On his first visit to Wales, M de Rohan addressed a conference on regional governance organised by Cardiff University's School of European Studies. The conference, which was attended by academics and policy-makers, reported the findings of a Cardiff University project that compared the politics and policies of devolution in Wales and decentralisation in the French region of Brittany.

### ***EU Structural Funds***

At the end of March the Welsh European Funding Office (WEFO) submitted its final reports and expenditure declarations to the EC, marking the closure of the 1994 -1999 EC structural fund programmes in Wales. The final spending under the programmes amounted to some £229 million in grants, representing a total investment of over £600 million. The £229m represents 89 per cent of the funding made available to project sponsors under the old programmes, though not all of which was utilised because of changes in projects.

Meanwhile on the current programme, WEFO announced that although they are required by EC regulations to meet the overall funding targets as agreed with Europe, including the requirement that a percentage of the total funding for the ESF programme must come from public sources (Objective 1: at least 44 per cent, Objective 3: at least 51 per cent), the match funding rule may be waved in certain circumstances.

WEFO has decided that in Wales the requirement that individual projects must be supported with at least 10 per cent public match funding will not be applied as an absolute rule. The requirement may be waived exceptionally when it has not been possible or practicable to obtain suitable public match funding.

## 8. PRESS AND THE MEDIA

*Jessica Mugaseth, IWA*

### **Election Coverage**

The war in Iraq dominated both the Welsh and the British media headlines in the first two weeks of the election campaign. Although the *Western Mail* attempted to capture the attention of its readers, coverage was mainly limited to the middle pages of the newspaper. The election was also overshadowed by the slow start of the campaign and international events including the outbreak of the SARS epidemic.

It wasn't until the former Conservative AM Rod Richard became involved that both coverage and interest began to pick up in the election. '*Rod in a Rant- but does he have a point? Was the Western Mail's headline.*<sup>52</sup> In his intervention Richard questioned the competence of health Minister Jane Hutt, said the Liberal Democrats 'were like the Russians' and would support the winning side, while Plaid Cymru and the Tories were like the French, willing to veto anything before they have even seen it. The Conservative leader Nick Bourne also contributed to a number of headlines throughout the election, his comments on Asylum seekers ('Britain 'swamped' by Asylum seekers'<sup>53</sup>) and attack on those receiving state aid in rural areas ('Benefits luring addicts here'<sup>54</sup>) received widespread coverage including in the London-based newspapers.

The *Western Mail's* coverage did increase over the period. However, with a circulation of less than 50,000 it is not surprising that the paper was unable to increase the turnout even after its last ditch attempt on voting day with a full front page spread, and half the paper dedicated to 'Why you need to vote today'<sup>55</sup> which included a version of their own manifesto.

The *Welsh Mirror's* coverage of the election was somewhat minimal, concentrating mainly on criticising Plaid Cymru rather than making any constructive advice for the electorate. Its front page headlines including 'Plaid head for divorce'<sup>56</sup> and 'Plaid Cymruin'<sup>57</sup> and their election day front page stated "The people's message for our next AMs: ITS TIME YOU LOT DELIVERED!"<sup>58</sup>

The BBC team were committed to the election campaign with an interactive website explaining 'What has the Assembly done?', the Voting system and the evolution of devolution as part of their feature 'E03'. In addition it had extra political coverage in

---

<sup>52</sup> *Western Mail* 16 April 2003.

<sup>53</sup> *Western Mail* 22 April 2003.

<sup>54</sup> *Western Mail* 25 April 2003.

<sup>55</sup> *Western Mail* 1 May 2003.

<sup>56</sup> *Welsh Daily Mirror* 24 April 2003.

<sup>57</sup> *Welsh Daily Mirror* 28 April 2003.

<sup>58</sup> *Welsh Daily Mirror* 1 May 2003.

the evenings explaining the progress of the campaign, in-depth reports on the parties and the main policy areas of the campaign. The coverage on the eve of the election included drafting in Huw Edwards as anchorman and live links to the polling stations across the country with politicians at the ready to comment and analyse the results. The BBC1 show was run in conjunction with the Welsh language show on S4C.

HTV, although with a less glamorous set and anchorman, was successful in pulling in the famous names of Welsh politics including Ron Davies, the UK Labour party chairman John Reid and political analyst Dr Denis Balsom. Despite all the time, money and effort invested in to the electoral coverage, as the *Western Mail* put it:

“We had two TV organisations pulling out all the stops to provide exhaustive election coverage – and yet at least 62 per cent of the electorate, it seems, weren’t bothered”<sup>59</sup>

The London press referred to the Labour majority in Wales in its reports on the English Local Elections. *The Guardian* ran an article on the new Assembly’s record-breaking feat of being the first legislative body in the world made up of equal numbers of men and women. In its ‘Women’ section of the G2 supplement the newspaper praised the achievement of the Welsh Assembly describing the parity of women in the assembly as:

“Ground breaking, earth shattering, almost incredible... Better than Blair’s babes, better than anywhere.”<sup>60</sup>

### ***Stabbed in the Back***

The *Western Mail* and the *Welsh Daily Mirror* were in agreement over the demise of Plaid Cymru Ieuan Wyn Jones in the wake of the election. Both newspapers led with the headline ‘Stabbed in the Back’<sup>61</sup>, and described the ‘secret plotting’ which led to the President of Plaid Cymru resigning. Although he initially declared that he was a “fighter not a quitter” Ieuan Wyn Jones decided to stand down after being told that half of the Assembly group had lost confidence in his leadership. The *Welsh Mirror* dubbed this half of the group the ‘gang of six’ - a reference to the six Labour MPs led by Neil Kinnock who campaigned against their party’s policy in the 1979 referendum.0001 2207 c1

## ***Loss of Experienced Members***

The *Western Mail* paid a tribute to three high profile AMs who did not stand for re-election in the elections. The paper noted the important roles that Ron Davis, Dafydd Wigley and Phil Williams had played in the development of the National Assembly in its first term. It described the contribution they had made to the Economic Development Committee a profound loss. Russell Lawson, of the Federation of Small Businesses Wales, was one of several who praised the distinct contributions all three brought:

“Dafydd had great experience of the private sector, something we very much appreciated. Ron was excellent in that he certainly didn’t suffer fools gladly and was very forthright in putting forward his own opinions, while Phil was very knowledgeable about the technological sector.”<sup>62</sup>

## ***ELWa’s ‘Learning Curve’***

The investigative current affairs programme ‘Week in Week Out’ continued its investigation into the financial irregularities that have been engulfing ELWa over the past months. The programme had previously highlighted ELWa’s breach in Assembly accounting rules<sup>63</sup> and in its most recent episode it investigated where the money given to Avanti, an independent TV company responsible for the development of the Pop Factory, had gone. It revealed that it had been allowed to remain in a private company’s bank account for nearly a year gathering interest, while £2.1 million has already been spent on a project that has yet to materialise. The programme also exposed a confidential document showing that ELWa wanted to give another £2 million to Avanti over the next two years, and revealed that previous financial problems surrounding Avanti were not taken in to account by checks made by ELWa. The programme also disclosed that money destined for ELWa’s educational programme budget was transferred instead to its running costs to cover funding deficiencies for staffing costs, a move that needed Ministerial authorisation. In the programme Plaid Cymru’s Education spokesperson Helen Mary Jones said:

"ELWa and the Minister were keen for a high profile, razzmatazz opportunity to show that they were getting the money out of the door and doing something innovative - they didn't do their homework - and that is deeply, deeply culpable in my opinion."<sup>64</sup>

For the Conservatives Alun Cairns said:

"This is devastating news for the Minister and the Minister's hands are obviously all over it because she has approved this transfer. The Minister was

---

<sup>62</sup> *Western Mail* 30 April 2003

<sup>63</sup> For further details see *Dragon debates its Future: Monitoring the National Assembly December 2002- March 2003*, IWA, 2003.

<sup>64</sup> *Week In Week Out*, BBC Wales, 13 May 2003

under tremendous pressure to resign before the election - there are even more scandals than were highlighted before the Assembly campaign and I think the Minister's position is now untenable."<sup>65</sup>

The programme implied that ELWa refused to comment. However the following day ELWa sent out a press statement with a list of the written answers it had provided the programme, as well as various responses to allegations that the programme had made. ELWa said it was:

“... disappointed with their (the programme’s) failure to make any significant reference to our responses in the broadcast and are concerned that misleading and inaccurate impressions may have been given”.<sup>66</sup>

---

<sup>65</sup> *Ibid.*

<sup>66</sup> Correspondence from ELWa, 14 May 2003