



The Scottish Parliament
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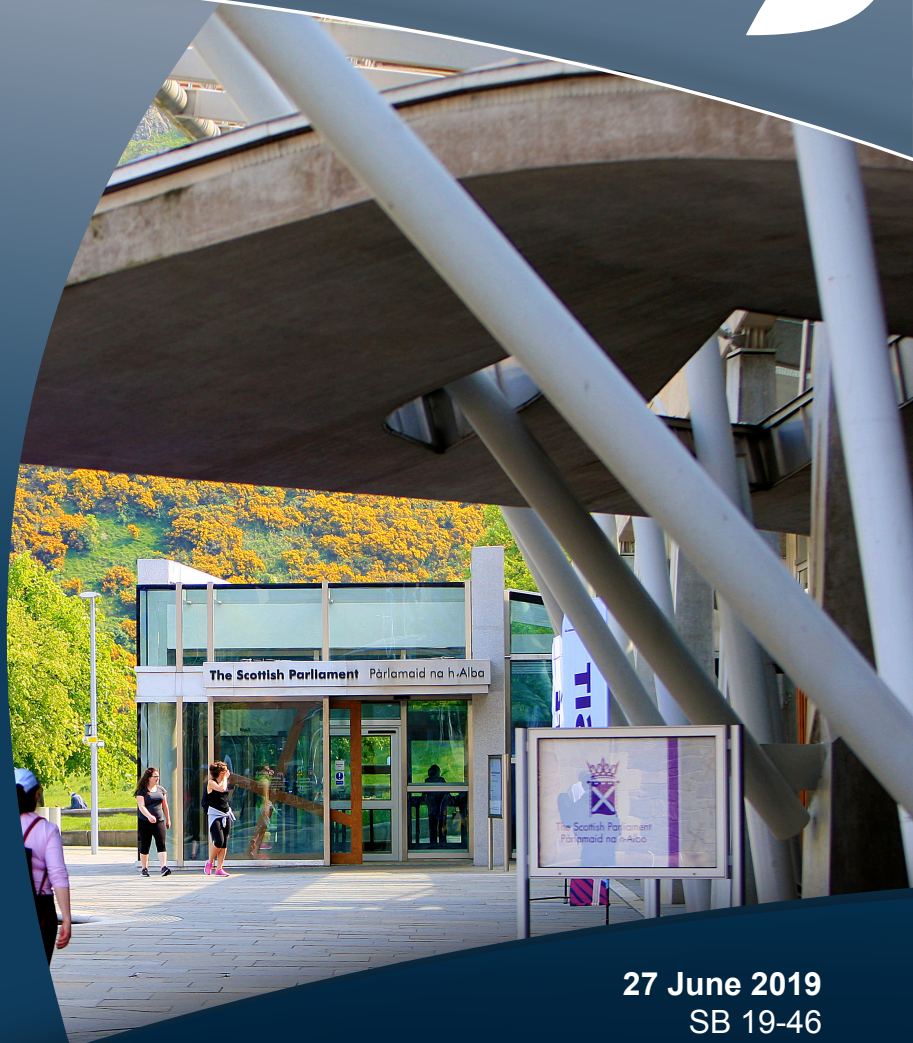
SPICe Briefing

Pàipear-ullachaidh SPICe

20 Years of the Scottish Parliament

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This is a special briefing to mark the 20th anniversary of the Scottish Parliament. This briefing provides an overview of the path to devolution; the work of the Parliament to date, and considers what may be next for the Scottish Parliament.



27 June 2019
SB 19-46

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The road to devolution

1918

Women acquire the vote

Women finally won the right to vote and stand in Parliamentary elections, with the first woman MP being elected in 1919.

1939

The transfer of the Scottish Office to Edinburgh

St Andrew's House in Edinburgh became the headquarters of the Scottish Office and the functions of the government department were transferred from London to Edinburgh.

1979

The Scottish assembly referendum



Following a report on the Constitution, the UK Government brought forward proposals to create a Scottish Assembly.

1989

The Scottish constitutional convention

From the 1979 referendum onwards, there was a growth in the number of campaigns supporting some form of devolution for Scotland.

1997

"Scotland's Parliament" white paper published

As part of its election manifesto, the Labour Party committed to consult people on proposals for devolution.

1997

Referendum on devolution

The Scottish devolution referendum was held on 11 September 1997. It asked whether there should be a Scottish Parliament and whether the Parliament should have tax-varying powers. The result was "Yes–Yes".

1998

The Scotland Act is passed



The Scotland Bill establishing the Scottish Parliament and the Scottish Executive was passed by the UK Parliament and received royal assent on 19th November.

1999**The first Scottish Parliament election**

The first elections to the Scottish Parliament were held on 6th May. The result led to a Labour/Liberal Democrat coalition.

2000**First bill passed by the Scottish Parliament**

On the 8th September 1999, the Mental Health (Public Safety and Appeals) (Scotland) Bill was passed. The bill was introduced by the Scottish Executive.

2001**First member's bill passed**

On the 28th September, the first member's bill was passed: The Sea Fisheries (Shellfish) Amendment (Scotland) Bill was introduced by Tavish Scott MSP.

2003**First committee bill passed**

On the 4th October, the first committee bill was passed: The Protection from Abuse (Scotland) Bill. The bill was introduced by the Justice 1 Committee.

2003**Second Scottish Parliament election**

The second Scottish Parliament election was held: more MSPs were elected from smaller parties and as independent MSPs. Labour and the Liberal Democrats formed another coalition.

2004**The opening of new Scottish Parliament building**

The new Scottish Parliament building was officially opened on 9th October 2004 in the presence of Her Majesty The Queen.

2006**1000th public petition lodged**

Presented by All Saints Secondary School on 3rd Oct, called for the Scottish Parliament to urge the Scottish Executive to investigate the public health implications of cheaply available alcohol.

2007**Third Scottish Parliament election**

The third Scottish Parliament election was held on 3rd May: it led to the first minority government being formed by the SNP.

2009**10th anniversary of the opening of the Scottish Parliament**

On 1st July, the 10th anniversary of the official opening of the Scottish Parliament was marked by a visit from Her Majesty The Queen and a birthday party for 10 years olds born in Scotland on 1st July 1999.

2011**Fourth Scottish Parliament election**

Elections to the fourth Scottish Parliament were held on 5th May 2011. It led to the first majority government with the SNP returning 69 MSPs.

2012**The Scotland Act 2012**

The Scotland Act 2012 was passed at the UK Parliament, transferring more powers to the Scottish Parliament.

2014**The Scottish Independence Referendum**

The referendum on Scottish independence was held on 18 September 2014. Turnout was 84.6%. 44.7% voted for independence; 55.3% voted for Scotland to remain in the UK.

2016**The Scotland Act 2016**

Scotland Act 2016 was passed at the UK Parliament which saw the transfer of further powers to the Scottish Parliament.

2016**Fifth Scottish Parliament election**

The fifth Scottish Parliament elections were held on 5 May 2016. The Scottish National Party won the largest number of seats (63), but lost the majority they held in the preceding Parliament. The Conservative Party came second with 31 seats, their best performance at any Scottish Parliament elections.

2017**New fiscal powers used for the first time**

The Scottish Parliament uses its new fiscal powers, devolved under the Scotland Act 2016, to set income tax rates and bands, for the first time.

2019**20th anniversary of the opening of the Scottish Parliament**

The Parliament celebrates its 20th anniversary. Her Majesty the Queen makes an address at the Parliament on Saturday 29th June.

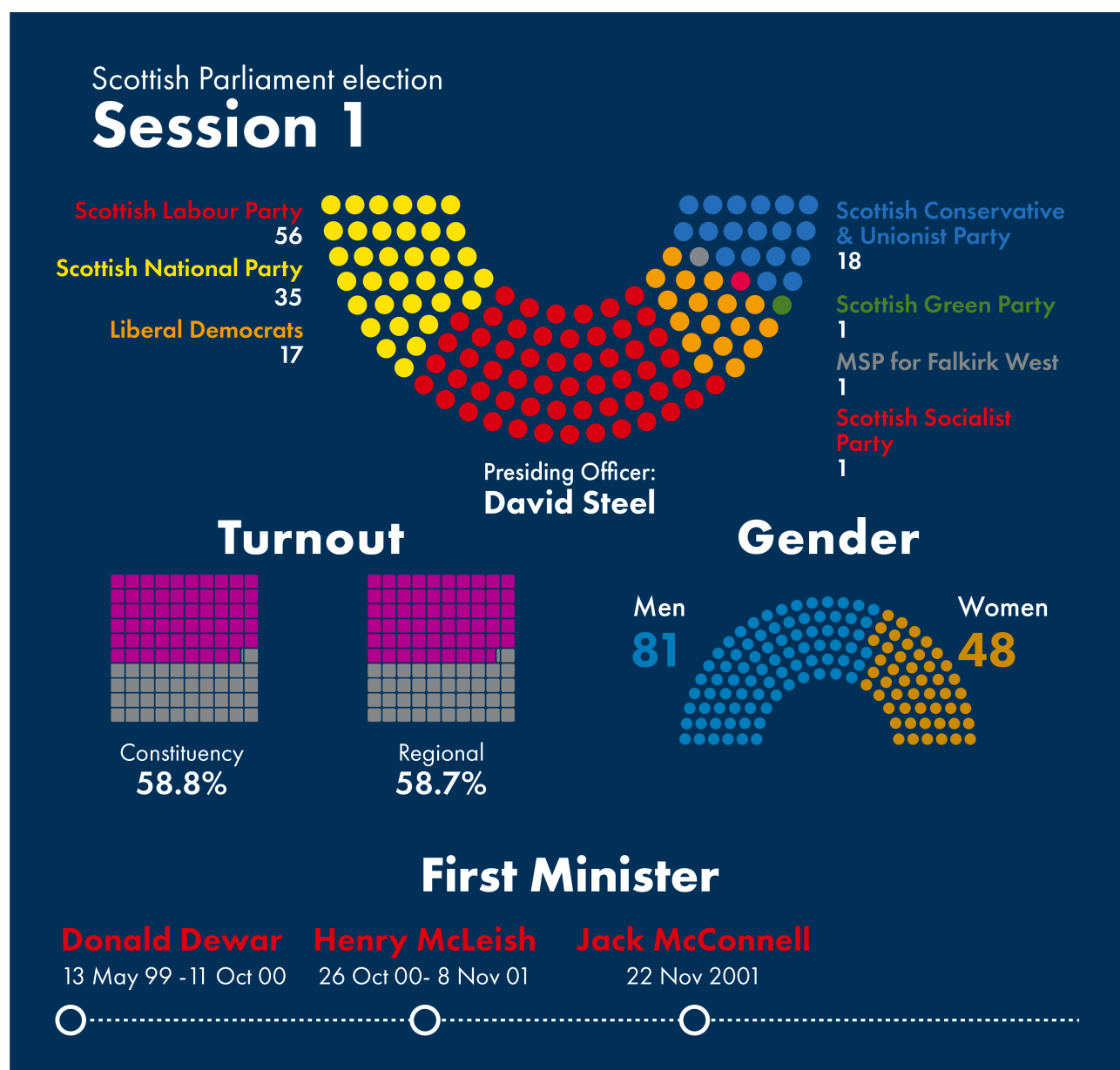
Session 1: 1999-2003

In the first elections to the Scottish Parliament on 6 May 1999, [Scottish Labour](#) gained 38.8% of the constituency vote and 34% on the regional list. This gave them a total of 56 seats, nine short of an overall majority. The [Scottish National Party](#) gained 35 seats, the [Scottish Conservatives](#) 18 and the [Scottish Liberal Democrats](#) 17. One independent MSP was also elected, as were single representatives from the [Scottish Green](#) and [Scottish Socialist](#) parties¹.

In May 1999, Sir David Steel was elected as the Scottish Parliament's first Presiding Officer.

The Scottish Parliament in Session 1

The make up of the Scottish Parliament in its first Session.



Central themes of Session 1

On 12 May 1999, the new Parliament met for the first time. As the oldest-elected MSP, the SNP's Winnie Ewing was the first to take her oath and preside, declaring that: "The Scottish Parliament adjourned on the 25 day of March 1707 is hereby reconvened." ²

On 14 May 1999, the Labour-Liberal Democrat "Partnership for Scotland" agreement was signed, and powers formally transferred on 1 July 1999, when the Queen opened the first Session of the new Scottish Parliament. In a memorable speech at the opening ceremony, Donald Dewar, the first First Minister, said:

"We are fallible. We will make mistakes. But we will never lose sight of what brought us here: the striving to do right by the people of Scotland; to respect their priorities; to better their lot; and to contribute to the common weal."

During the first Session, the Scottish Labour Party made efforts to "differentiate" itself from the then Labour government at Westminster. The Scottish Executive abolished up-front tuition fees (a consequence of coalition negotiations with the Liberal Democrats), while Donald Dewar's successor, Henry McLeish, introduced free personal care for the elderly. ³

More symbolically, McLeish floated the idea of changing the Executive's name to "Scottish Government" in early 2001, although this met with fierce opposition from Scottish Labour MPs at Westminster ⁴.

There was also sustained controversy regarding the cost and timescale of the new Scottish Parliament building at Holyrood, a site chosen in January 1998 by Donald Dewar when still Secretary of State for Scotland. Shortly before the 2003 election, Jack McConnell, McLeish's successor as First Minister, appointed Lord Fraser to chair the Holyrood Inquiry ⁵.

Party political highlights

The first Session of the Scottish Parliament saw several high-profile changes in personnel. Donald Dewar [died on 11 October 2000](#), while his successor, Henry McLeish, [resigned on 8 November 2001](#) following controversy over an office sub-let in his constituency. Jack McConnell was [elected the third First Minister](#) of Scotland on 22 November 2001.

There were also changes in the Scottish Parliament's principal opposition party, the SNP. On 17 July 2000 Alex Salmond, leader since 1990, announced his resignation. Following a leadership election, John Swinney was chosen as Salmond's successor on 23 September 2000. Salmond left the Scottish Parliament the following year, but remained a Member of Parliament at Westminster.

Key legislation

In its first Session, Scotland's Parliament legislated to abolish the controversial Section 28 law. MSPs voted by 99 to 17 with two abstentions to abolish the bar on the promotion of homosexuality⁶.

The Parliament also passed the first piece of land reform legislation in the 21st century, the [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000](#) on 3 May 2000. Further land reform legislation was passed in 2003 when the Parliament voted in favour of the Land Reform (Scotland) Act 2003. This Act established public rights to access land - the 'right to roam'.

On 1st July 2002 free nursing and personal care for the elderly was introduced in Scotland after the [Community Care and Health \(Scotland\) Act 2002](#). It is an enduring legacy of the Parliament's first Session.

The Parliament also passed the [Education \(Graduate Endowment and Student Support\) \(Scotland\) Act 2000](#). The Act came after the Scottish Executive moved to scrap tuition fees in a new funding system devised by the Joint Ministerial Working Group⁷.

Other legislation included the [Freedom of Information \(Scotland\) Act 2002](#) and the first Act of the Scottish Parliament, the [Mental Health \(Public Safety and Appeals\) \(Scotland\) Act 1999](#).

Further information

A [full list of those who contributed to Time for Reflection](#) during the Session.

A full [list of MSPs](#) for Session 1.

[Ministerial statements](#) made in the first Session.

[All legislation](#) in Session 1.

[Committee meetings](#) outside the Parliament.

[Committee membership](#) for Session 1.

[Members' Business debates](#) in Session 1.

[Sewel Motions](#) in Session 1.

Session 2: 2003-2007

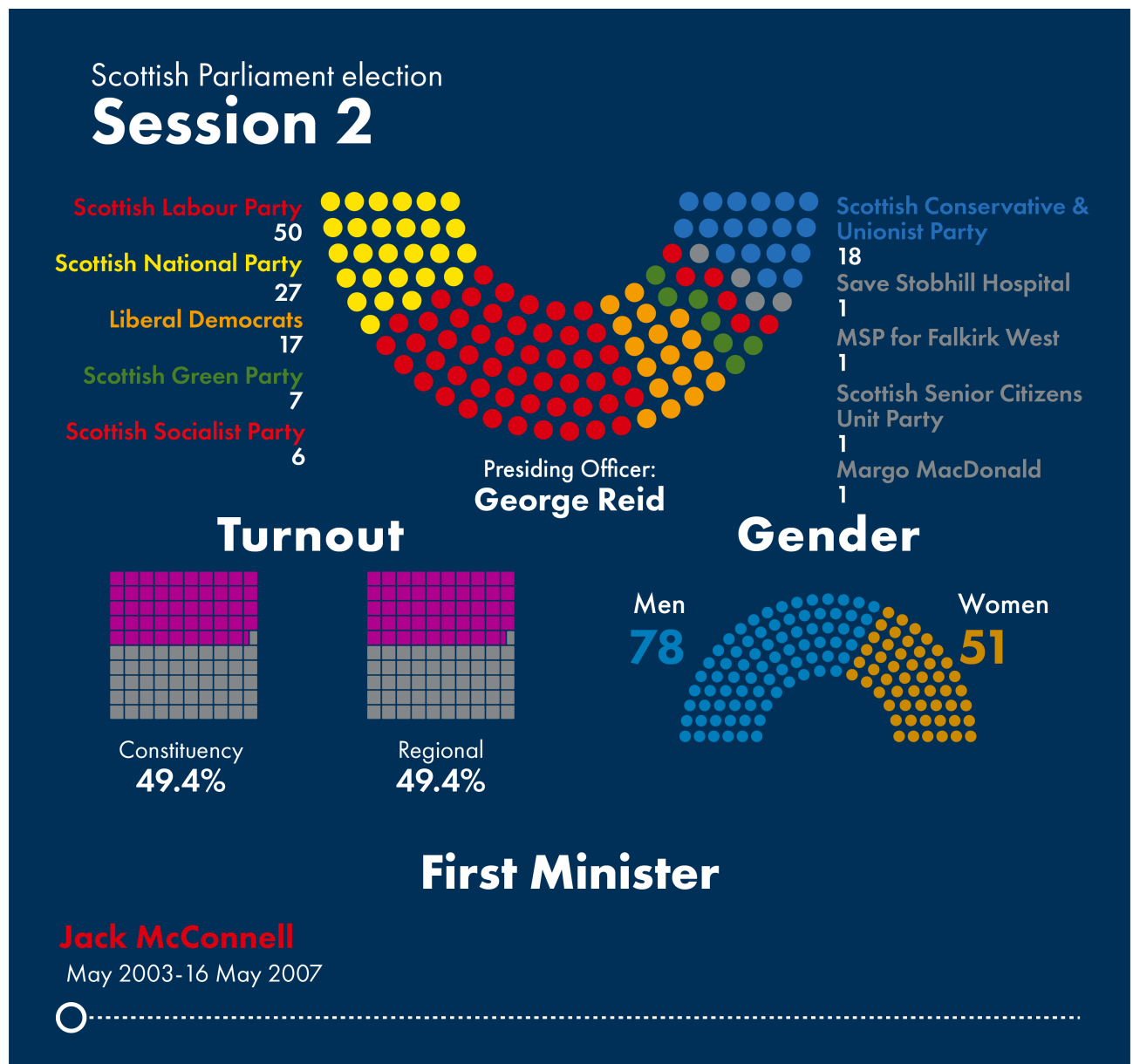
The elections to the second Session saw the most diverse group of parties returned to Holyrood, leading to the Session being referred to as the 'rainbow parliament'. The Green and Scottish Socialist parties both saw a surge in support at the 2003 poll, and the Save Stobhill Hospital and the Scottish Senior Citizens Unite parties also gained a seat each.

Nevertheless, following the second elections to the Scottish Parliament on 1 May 2003, Labour and the Liberal Democrats formed another coalition Executive.

In May 2003, George Reid was elected as the Scottish Parliament's second Presiding Officer.

The Scottish Parliament in Session 2

The make up of the Scottish Parliament in its second Session.



Central themes of Session 2

The Parliament's second Session, much like the first, was relatively stable in constitutional terms although the Scottish Executive tested the boundaries of the devolution settlement.

For example, the [Fresh Talent: Working in Scotland](#) scheme, launched in February 2004, was intended to encourage people to settle in Scotland and thus counter the falling population. Under the *Scotland Act 1998*, immigration was a reserved matter, but agreement was obtained from the [Home Office](#) so that overseas students at Scottish universities could remain in Scotland for two years and seek employment.

In 2005, the Scottish Executive also established a £9 million fund for Malawi. Although international development was a reserved responsibility under the *Scotland Act 1998*, Ministers worked around this by negotiating with the [Foreign and Commonwealth Office](#) and only giving money to Scottish charities rather than foreign governments ⁸.

A more overt transfer of power came as a result of provisions in the UK [Railways Act 2005](#), which allowed Scottish Ministers to determine railway policy instead of the UK [Department for Transport](#), including management of the then [ScotRail](#) franchise, infrastructure needs and fare levels. First Minister Jack McConnell called the move the “most significant devolution of new powers to Scottish ministers since 1999” ⁹.

During the second Session, the Scottish Parliament also moved into its new home at Holyrood. On 9 October 2004 the Queen formally opened the new building (its first meeting had taken place there on 7 September). Noting its “difficult and controversial birth”, the Queen said that was:

“ all the more reason to ensure that with the energy, flair and determination for which Scots are renowned the world over, Holyrood comes to be seen as a landmark of 21st century democracy built securely on the foundations of accessibility, accountability, equality of opportunity and partnership, setting new standards of bringing people and parliament together. ¹⁰ ”

During the Session, in March 2006, Margaret Ewing MSP died.

Party political highlights

Following his party's poor performance in elections to the European Parliament, on 22 June 2004, John Swinney announced his resignation as SNP leader. Having initially denied his intention to run, Alex Salmond was re-elected leader on 3 September 2004 with Nicola Sturgeon as his deputy.

There were also personnel changes in two other opposition parties at Holyrood. Having increased his party's share of the vote at the 2005 UK general election, Scottish Liberal Democrat leader and Deputy First Minister Jim Wallace announced his intention to stand down. Nicol Stephen was elected his successor on 27 June 2005.

And on 31 October 2005, Scottish Conservative leader David McLetchie resigned following a controversy about his expenses. As the only candidate to succeed him, Annabel Goldie became the new party leader on 5 November.

Key legislation

The second Session of the Parliament took a bold step on public health, legislating for a smoking ban in public places under the [Smoking, Health and Social Care \(Scotland\) Act 2005](#).

The Edinburgh Tram project was also legislated for under the the [Edinburgh Tram \(Line One\) Act 2006](#) and [Edinburgh Tram \(Line Two\) Act 2006](#).

The Parliament also passed the [Prohibition of Female Genital Mutilation \(Scotland\) Act 2005](#); the [Housing \(Scotland\) Act 2006](#); and the [St Andrew's Day Bank Holiday \(Scotland\) Act 2007](#).

Further information

A full [list of those who contributed to Time for Reflection](#) during the Session.

A full [list of MSPs](#) for Session 2.

[Ministerial statements](#) made in the second Session.

[All legislation](#) in Session 2.

[Committee meetings outside](#) the Parliament.

[Committee membership](#) for Session 2.

[Members' Business debates](#) in Session 2.

[Sewel Motions](#) in Session 2.

Session 3: 2007-2011

The elections to the Parliament's third Session were a close run thing with the SNP winning 47 seats to Labour's 46 seats. Campaigning for the election had been difficult for Labour, with the narrative of the campaign focusing on the war in Iraq.

“ It was total frustration that politics was being dominated by what was happening at Westminster - and that was everything, from the hand over of Prime Ministerial power to the war, to all sorts of things... that was very frustrating because, ultimately, I cared about this place. I cared about what was happening here and I cared about what we were doing and the choices for the future. That wasn't what was dominating public consciousness. ”

Rt. Hon. Jack McConnell, August 2007 *The Scotsman*, 2007¹¹

The SNP meanwhile focused on independence.

“ We are working hard to earn the trust and support of the people of Scotland and we will trust Scots to take the decision on Scotland's future in an independence referendum. The choice will be yours. That is the fair and democratic way. ”

SNP Manifesto 2007 Scottish National Party, 2007¹²

The result was seen as a tipping point for the SNP and signalled a change to Labour's dominance at Scottish elections.

“ Scotland has changed for ever and for good. Never again will we say that the Labour party assumes it has a divine right to rule Scotland. ”

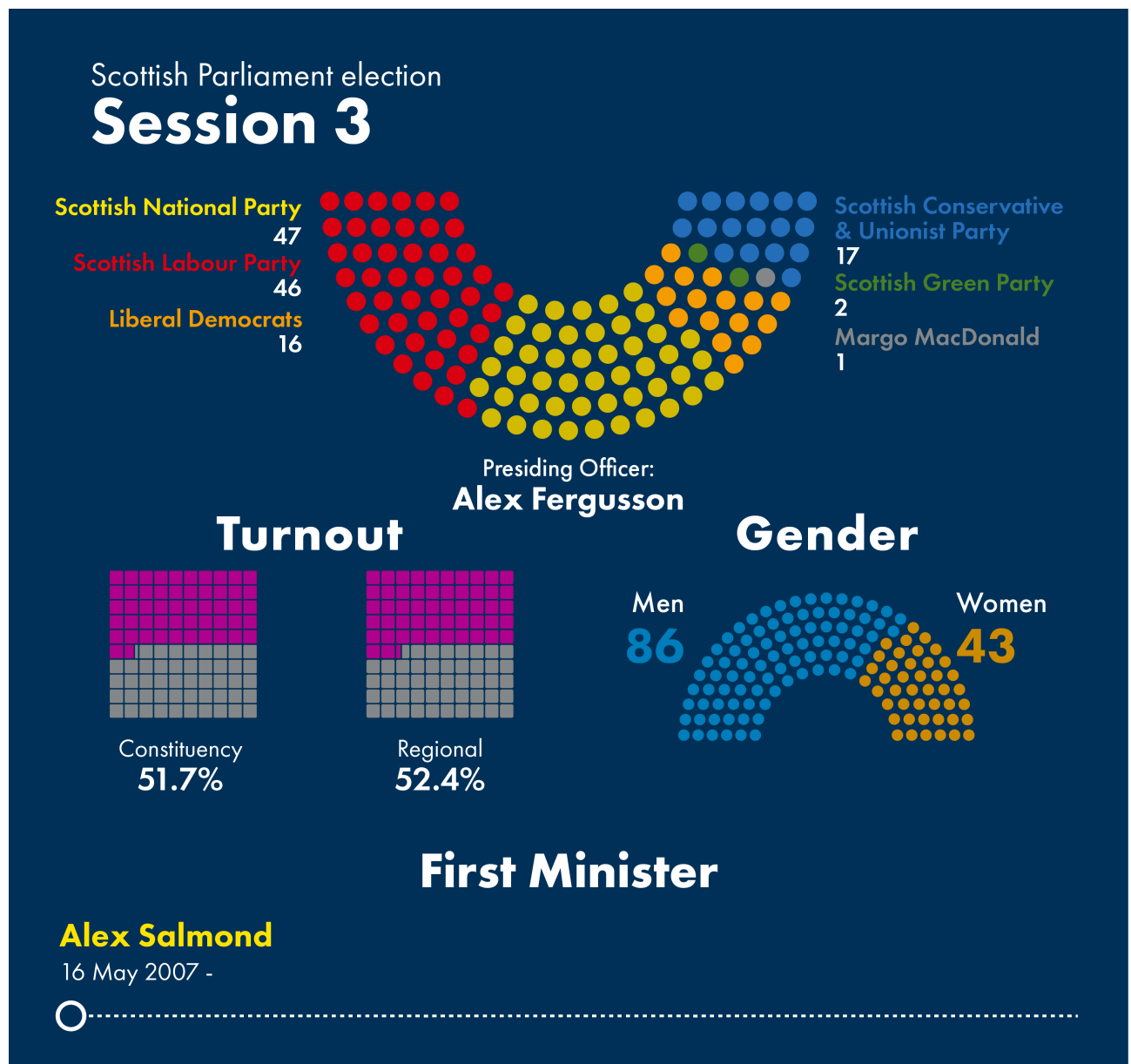
Rt. Hon. Alex Salmond, Friday 4 May 2007, *The Guardian*, 2007¹³

The numbers across the Chamber made collaboration and consensus necessary, albeit the Parliament was less of a broad church than it had been during its second Session.

In May 2007, the Rt. Hon. Alex Fergusson was elected as the Scottish Parliament's third Presiding Officer.

The Scottish Parliament in Session 3

The make up of the third Session of the Scottish Parliament.



Central themes of Session 3

Session 3 saw the first minority government in the Scottish Parliament. The SNP sought a coalition with the Liberal Democrats, but agreement could not be reached because of the SNP's refusal to take the issue of independence off the table. Likewise, a formal coalition with the Scottish Greens proved unobtainable.

The make up of the Parliament meant that even a coalition with the Liberal Democrats or the Greens, would not have provided an overall majority. The 'SNP was initially reluctant, but effectively obliged, to go it alone and form a single party minority'¹⁴.

“ There are advantages in minority government because it clarifies our purpose and it might enhance the parliamentary process. Every single vote is a challenge and the parliament must be light on its feet.”

Rt. Hon. Alex Salmond, 7 May 2007 Carrell, 2007¹⁵

The 2007-2011 Session was Mr Salmond's first leading the Government, being sworn in as First Minister on 16 May 2007. For the first time, "Cabinet Secretaries" were appointed, with Nicola Sturgeon MSP being appointed as Deputy First Minister and Cabinet Secretary for Health ¹⁶ .

Early on in the Session, constitutional questions took centre stage. On 14 August 2007, the Scottish Government published [Choosing Scotland's future: a national conversation: independence and responsibility in the modern world](#). The paper was intended as the first step in promoting a "conversation" on Scotland's constitutional future.

The National Conversation document contained options for constitutional change in Scotland, including further powers for the Scottish Parliament. The publication of the National Conversation document united the three main opposition parties. On 13 August 2007 the BBC reported that the leaders of Labour, the Conservatives and the Liberal Democrats in the Scottish Parliament, Jack McConnell MSP, Annabel Goldie MSP and Nicol Stephen MSP, had "issued a joint statement setting out their opposition to government plans for a white paper on an independence referendum" ¹⁷ .

Discussions between the pro-Union parties on how to take forward their opposition to the National Conversation continued through the autumn of 2007. On 6 December the opposition parties instigated a debate in the Scottish Parliament on "a new agenda for Scotland" ¹⁸ .

" That the Parliament, recognising mainstream public opinion in Scotland, supports the establishment of an independently chaired commission to review devolution in Scotland; encourages UK Parliamentarians and parties to support this commission also and proposes that the remit of this commission should be: To review the provisions of the Scotland Act 1998 in the light of experience and to recommend any changes to the present constitutional arrangements that would enable the Scottish Parliament to better serve the people of Scotland, that would improve the financial accountability of the Scottish Parliament and that would continue to secure the position of Scotland within the United Kingdom, and further instructs the Scottish Parliamentary Corporate Body to allocate appropriate resources and funding for this review. "

Motion [S3M-976](#), Scottish Parliament, 6 December 2007

The motion was carried by 76 votes to 46 votes with 3 abstentions. It was supported by Labour, the Liberal Democrats and the Conservatives and opposed by the Scottish National Party. The two Greens, Robin Harper MSP and Patrick Harvie MSP, and independent, Margo MacDonald MSP, abstained.

On 25 March 2008 the Commission on Scottish Devolution was formally announced by the then Secretary of State for Scotland, Des Browne MP (the proposal for the Commission had received the UK Government's support in January 2008). The Commission's terms of reference echoed the Scottish Parliament motion.

" To review the provisions of the Scotland Act 1998 in the light of experience and to recommend any changes to the present constitutional arrangements that would enable the Scottish Parliament to serve the people of Scotland better, that would improve the financial accountability of the Scottish Parliament and that would continue to secure the position of Scotland within the United Kingdom. "

The Scottish Government opposed the Commission as it had the motion seeking its establishment.

The Commission's final report, *Serving Scotland better: Scotland and the United Kingdom in the 21st century*, was published on 15 June 2009. Amongst its 24 recommendations on "strengthening devolution" were the transfer of further powers, including some taxation. A [House of Commons Library briefing](#) looks at the Commission in more detail.

Beyond the constitutional question, student funding was an issue which came to the Parliament more than once. The Parliament scrapped up front tuition fees in 2000 and the [graduate endowment tax](#) in 2008; but the issue of student support came back to the political forefront ahead of the 2011 election campaign after the UK Government- the Conservative and Liberal Democrat Coalition- controversially increased tuition fees in England to £9000.

John Swinney MSP was challenged by MSPs as Cabinet Secretary for Finance. In 2010, it came to light that Mr Swinney had allowed the ability for the Scottish Parliament to vary tax by 3p in the pound to lapse. Opposition MSPs combined their votes to pass an amended parliamentary motion accusing SNP ministers of "an abuse of power" by failing to sustain Holyrood's tax powers and misleading parliament over the issue ¹⁹.

"I have apologised to parliament for the fact that I did not share information with parliament in a fashion that I should have. I have learned the lesson of that and I hope that is accepted by parliament today."

John Swinney MSP, Scottish Parliament, 24 November 2010 ²⁰

The Session also saw Scotland's first non-white, and first Muslim MSP take office. Bashir Ahmad, was elected as an SNP member for Glasgow. He swore his oath in both Urdu and English, wearing traditional Pakistani dress. Mr Ahmed opposed forced marriage, but died during the Session in 2009 ²¹. His death came before the Parliament considered, and passed, the [Forced Marriage etc. \(Protection and Jurisdiction\) \(Scotland\) Bill](#).

The end of the Session saw a record 20 MSPs stand down. Amongst them were Wendy Alexander; Lord McConnell; Lord Stephen; Cathy Jamieson; Margaret Curran, and Robin Harper ²².

Party political highlights

The Labour leadership was in flux following the 2007 election results and the third Session saw a number of MSPs take the reins. Jack McConnell resigned as leader in August 2007; Cathy Jamieson MSP was acting leader until September 2007. Wendy Alexander succeeded unopposed as leader but her leadership lasted just nine months; she resigned in June 2008 as a controversy emerged over campaign donations. Iain Gray emerged as leader in September 2008, a position he held for the remainder of the Session.

The Scottish Liberal Democrats also had a change of leadership in the Session with Nicol Stephen resigning in July 2008. Tavish Scott was elected party leader on 26 August 2008, in a contest with parliamentary colleagues Ross Finnie and Mike Rumbles.

Key legislation

The Parliament considered 62 Bills in its third Session. 53 of those were passed and are now on the statute book.

One of the most well remembered issues debated by the Parliament in its third Session is that of the graduate endowment tax. In 2008, the Parliament voted in favour of scrapping the one off tax of £2289 by 67 votes to 61 when it passed the [Graduate Endowment Abolition \(Scotland\) Bill](#). Labour and the Conservatives voted against abolition, after they failed to force the Scottish Government to set up a review into university funding. Elaine Smith MSP broke ranks with the Labour whip and voted in favour of abolition.

Regulations made under the Housing Act 2006 established the tenancy deposit scheme for tenants, and the [Forth Crossing Bill](#) became the first (and still the only) [hybrid bill](#) to be considered by the Parliament. [The Climate Change \(Scotland\) Act 2009](#) was also passed by the Parliament. The legislation [set targets](#) for greenhouse gas emissions.

The Parliament also discussed assisted suicide for the first time as Margo MacDonald MSP introduced the [End of Life Assistance \(Scotland\) Bill](#) in January 2010. The Bill fell at its stage one debate in December 2010 by 85 votes to 16 with 2 abstentions.

A [full list of Bills considered by the third Session](#) is available on the Scottish Parliament's website.

At the UK Parliament, [the Scotland Bill](#) was introduced to deliver the recommendations of the Commission on Devolution by transferring further powers to Holyrood.

Further information on Session 3

A [full list of those who contributed to Time for Reflection](#) during the Session.

A full [list of MSPs](#) for Session 3.

[Ministerial statements](#) made in the third Session.

[All legislation](#) in Session 3.

All [Members Business' debates](#) in Session 3.

[Committee meetings](#) outside the Parliament.

[Committee membership](#) for Session 3.

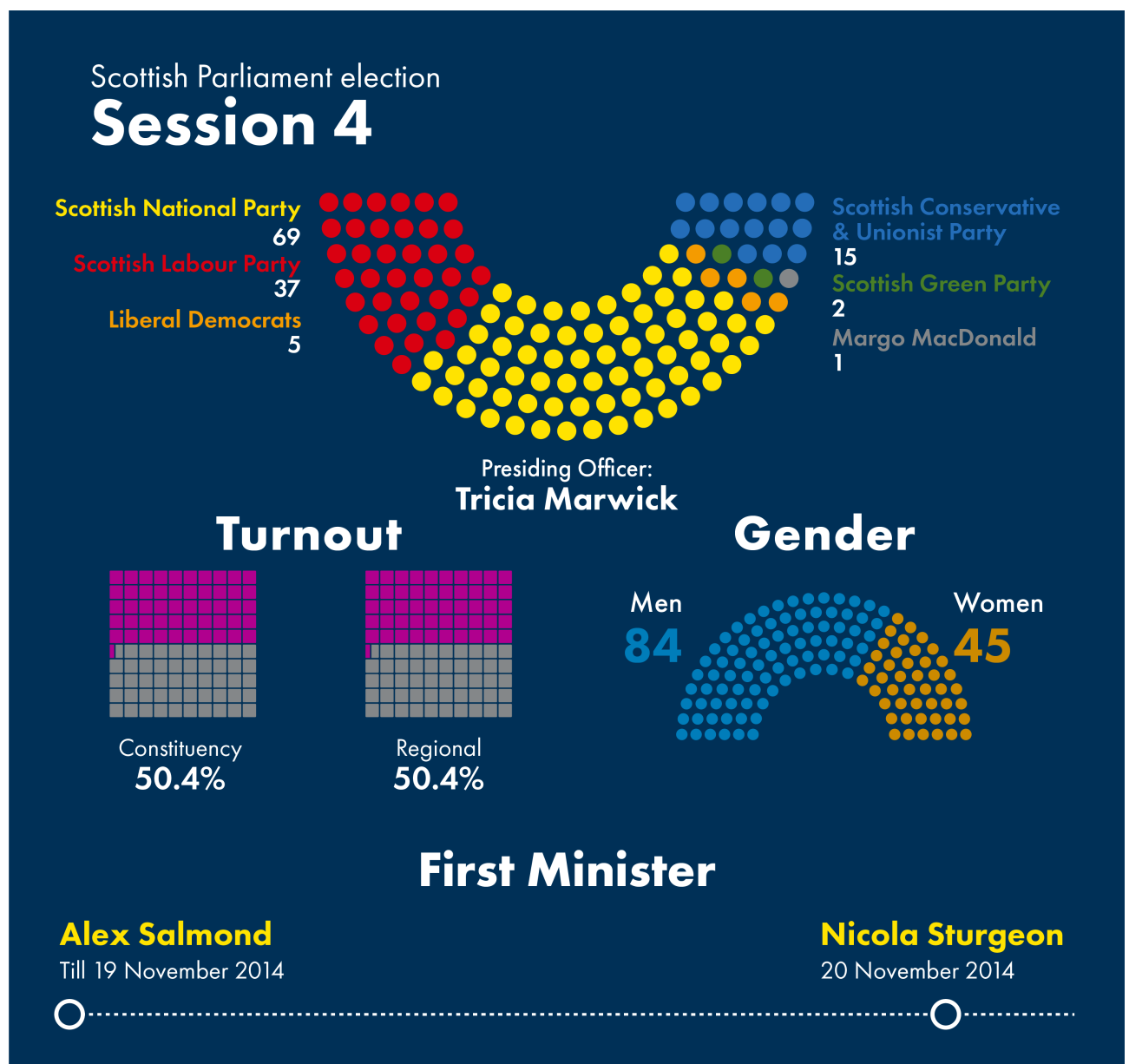
Session 4: 2011-2016

The 2011 elections saw the SNP win a landslide and secure the first majority government in the Parliament's history. Scottish Labour lost nine seats; the Conservatives lost two, but it was the Scottish Liberal Democrats who, in an electoral backlash for the unpopularity of the Westminster Coalition, lost 11 seats.

The Rt Hon Tricia Marwick MSP was elected as the Presiding Officer for the 4th Session of the Scottish Parliament on Wednesday 11 May 2011.

The Scottish Parliament Session 4

The make up of the Parliament in Session 4.



Central themes of Session 4

Independence dominated Session four with Alex Salmond and the SNP maintaining that they had the 'moral authority' to hold a referendum on independence²³.

The Prime Minister, David Cameron was equally firm in stating his position that 'on the issue of the United Kingdom, if they want to hold a referendum, I will campaign to keep our United Kingdom together, with every single fibre that I have.'²⁴

The [Edinburgh Agreement](#), concluded by the UK and Scottish Governments on 15 October 2012, set the terms for an independence referendum.

“ The United Kingdom Government and the Scottish Government have agreed to work together to ensure that a referendum on Scottish independence can take place. The governments are agreed that the referendum should: ”

- have a clear legal base; ”
- be legislated for by the Scottish Parliament; ”
- be conducted so as to command the confidence of parliaments, governments and people; and ”
- deliver a fair test and a decisive expression of the views of people in Scotland and a result that everyone will respect. ”

The [Edinburgh Agreement](#), 2012

On 26 November 2013, the Scottish Government published [Scotland's Future](#), its white paper on independence. Meanwhile other parties promised further powers for the Scottish Parliament if it remained in the UK. The poll was held on 18 September 2014; Scotland remained a part of the United Kingdom with 55% to 45% voting to keep the Union.

On 19 September 2014, following the independence referendum, Prime Minister David Cameron announced that Lord Smith of Kelvin had agreed to oversee the process to take forward the commitments on further powers for the Scottish Parliament.

The [report of the Smith Commission](#) was published on 27 November 2014. A [SPICe briefing on the Smith Commission report](#) is available. In May 2015, [the Scotland Bill 2015](#) was introduced at the UK Parliament with the UK Government stating that the Bill would 'make the Scottish Parliament one of the world's most powerful devolved parliaments'²⁵. The Scottish Government's position was that the Bill did not go far enough²⁶. The Scotland Act 2016 devolved, amongst other things, new taxation powers, social security powers and powers over equal opportunities²⁷.

Former leader of the Scottish Conservative Party, David McLetchie MSP, died in August 2013²⁸. Brian Adam MSP died on 25 April 2013, and Helen Eadie MSP died on 9 November 2013. Margo MacDonald MSP died on 4 April 2014

Party political highlights

Labour leader, Iain Gray MSP, announced he would stand down in the autumn of 2011 after his party lost seven seats. He very narrowly avoided defeat in his own constituency surviving an SNP challenge by 151 votes. Johann Lamont MSP succeeded as leader, a position she held until 2014.

Scottish Labour saw a further change of leadership when Johann Lamont MSP resigned in October 2014. Jim Murphy was elected as leader in December 2014. As he was not an MSP, Kezia Dugdale MSP, Deputy Leader of Scottish Labour, had the role of asking the First Minister questions. Jim Murphy stood down as leader in June 2015. Kezia Dugdale was elected Leader of the Scottish Labour Party on 15 August 2015.

In May 2011, Annabel Goldie stated her intention to resign as leader of the Scottish Conservatives. She stood down in November 2011 following the election of Ruth Davidson as her successor.

The Liberal Democrats also saw a change in leadership after the bruising election results. Newly elected MSP, Willie Rennie, was elected unopposed as leader in May 2011.

Alex Salmond MSP was the most high profile departure from the front benches in the Session. On the day after the 2014 independence referendum Mr Salmond announced his intention not to stand for re-election as leader of the SNP at the party's National Conference in November, and to resign as First Minister thereafter. Nicola Sturgeon MSP was the only leadership candidate and succeeded as both leader of the party and First Minister towards the end of 2014.

Key legislation

[The Scottish Independence Referendum \(Franchise\) Bill](#) was introduced on 11 March 2013. The Bill set the franchise for the referendum and in doing so extended the franchise to allow 16 and 17 year-olds to vote.

[The Scottish Independence Referendum Bill](#) was introduced on 21 March 2013. The Bill set out the date of the referendum; the question; the ballot paper to be used; the conduct of the referendum and the rules on campaigning for the referendum.

In addition to tackling the constitutional question, the Parliament passed landmark legislation on health with the integration of health and social care through the [Public Bodies \(Joint Working\) Scotland Act 2014](#) and minimum pricing of alcohol through the [Alcohol \(Minimum Pricing\) \(Scotland\) Act 2012](#). Legislation was also passed on [land reform](#) and in 2015 [the franchise was extended to give 16 and 17 year olds the right to vote at Scottish elections](#).

Margo MacDonald MSP brought a second Member's Bill which sought to make it legal in certain circumstances to assist a person to commit suicide. The [Assisted Suicide \(Scotland\) Bill](#) was introduced on 13 November 2013. Patrick Harvie MSP took the lead on the Member's Bill after Margo MacDonald passed away on 4 April 2014. The Bill fell following its stage 1 debate on 27 May 2015. It did, however, gain more support than its predecessor in Session with 36 votes for and 82 against.

One of the most notable pieces of legislation of the Parliament was the [Marriage and Civil Partnership \(Scotland\) Act 2014](#) which allowed same sex couples to marry.

At Westminster, the [Scotland Act 2012](#) gained Royal Assent on 1 May 2012.

Further information on Session four

A full [list of those who contributed to Time for Reflection](#) during the Session.

A full [list of MSPs](#) for Session 4.

[Ministerial statements](#) made in the fourth Session.

[All legislation](#) in Session 4.

All [Members Business' debates](#) in Session 4.

[Committee meetings outside](#) the Parliament.

[Committee membership](#) for Session 4.

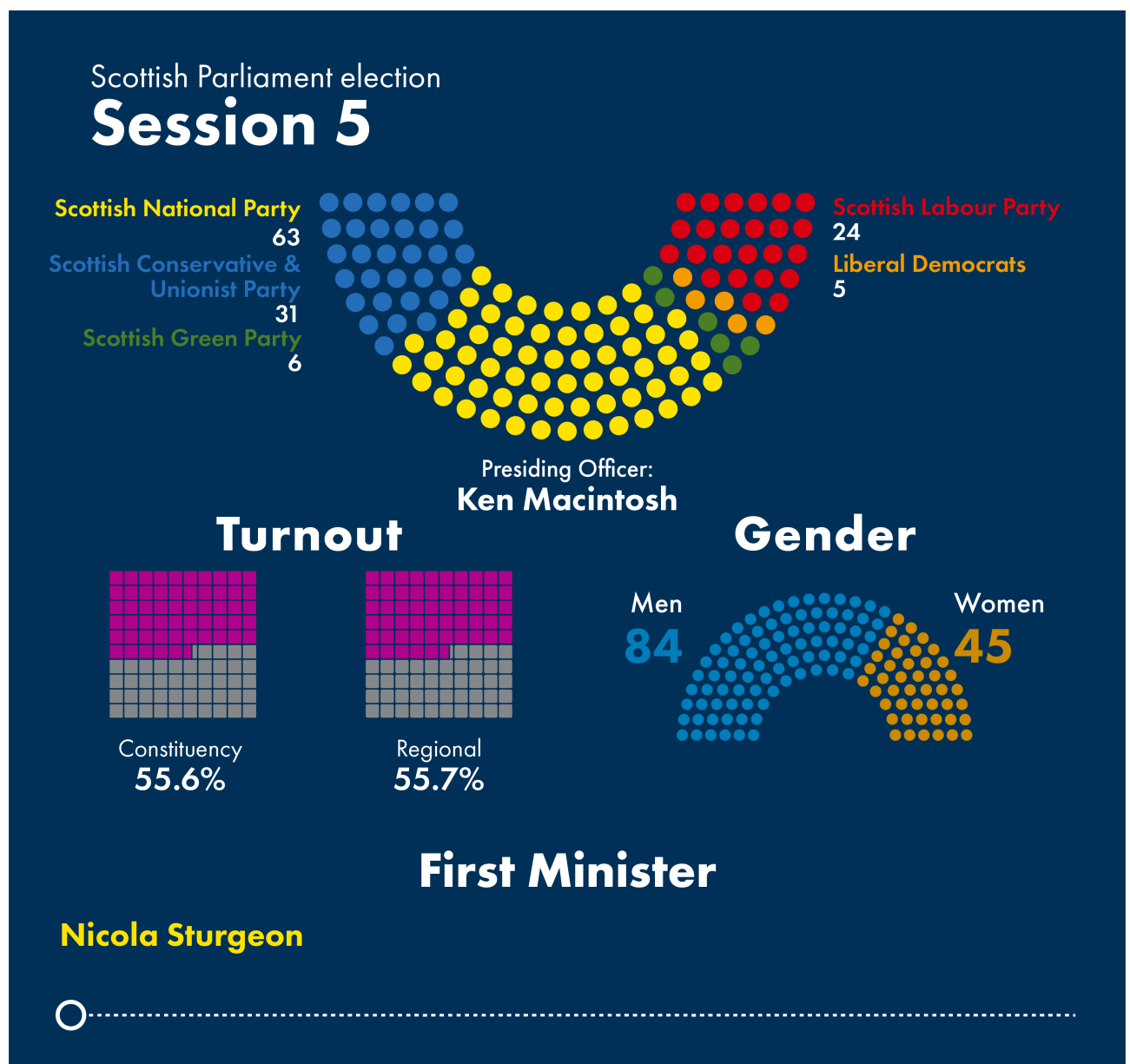
Session 5: 2016-2021

The fifth Scottish Parliament elections were held on 5 May 2016. The Scottish National Party won the largest number of seats, but lost the majority they held in the preceding Parliament. The SNP formed a minority government for the second time. The Conservative Party came second with 31 seats, the party's best performance at any Scottish Parliament elections.

Ken Macintosh MSP was elected as the Presiding Officer for the Fifth Session of the Scottish Parliament on Thursday 12 May 2016. Linda Fabiani MSP and Christine Grahame MSP are the Deputy Presiding Officers.

The Scottish Parliament in Session 5

The make up of the Parliament in Session 5



Central themes of Session 5

Constitutional issues - at both the UK and Scottish levels have dominated the fifth Session to date.

On 23 June 2016, the UK voted to leave the European Union (EU) with a majority of 51.9%. In Scotland, 62% of those who voted opted to remain in the EU, with 38% voting to leave.

The Scottish Government published [a draft independence referendum Bill](#) in October 2016. The Bill was subject to a public consultation which closed in January 2017.

On 31 March 2017, the [First Minister wrote to the Prime Minister](#), Theresa May, to request a Section 30 order under the Scotland Act 1998. The request was refused by the Prime Minister on the basis that '[now is not the time](#)' for a second referendum on Scottish Independence.

After several months of uncertainty over the UK's exit from the EU, on 24 April 2019, the First Minister made [a statement to Parliament on 'Brexit and Scotland's Future'](#). There were three key announcements in the statement:

- an invitation for parties represented at Holyrood to attend cross party talks to find areas of agreement on constitutional and procedural change;
- a citizens' assembly to consider the issues around the future of Scotland, and
- legislation "to set the rules for any referendum that is, now or in the future, within the competence of the Scottish Parliament".

The Cabinet Secretary for Government Business and Constitutional Relations, Michael Russell MSP, made a statement [Next Steps on Scotland's Future](#) on 29 May 2019. The [Referendums \(Scotland\) Bill](#) was introduced on 28 May 2019.

On 26 June 2019 the Cabinet Secretary for Government Business and Constitutional Relations, Michael Russell MSP made a statement '[Progress on Establishing the Citizens' Assembly of Scotland, Scotland's Constitutional Future](#)'.

The Parliament used its new fiscal powers, devolved under the [Scotland Act 2016](#), to set income tax rates and bands for the first time in February 2017 ²⁹.

Serving MSP Alex Johnstone died in December 2016 ³⁰ and former Presiding Officer and Conservative party MSP Sir Alex Fergusson in July 2018 ³¹.

Party political highlights

On 18 November 2017 Richard Leonard was elected leader of the Scottish Labour Party following the resignation of Kezia Dugdale on 29 August. In April 2019 Kezia Dugdale announced that she would stand down as an MSP later in the year ³².

Tavish Scott MSP announced his departure from Holyrood on 26 June 2019 ³³.

Key legislation

To date, the Parliament's fifth Session has passed legislation including the [Gender Representation on Public Boards \(Scotland\) Act 2018](#); the [Islands \(Scotland\) Act 2018](#) and the [Health and Care \(Staffing\) \(Scotland\) Act 2019](#).

The Parliament also voted in favour of a [Lobbying Register](#) under the terms of the [Lobbying \(Scotland\) Act 2016](#).

The [UK Withdrawal from the European Union \(Legal Continuity\) \(Scotland\) Bill](#) was introduced in Parliament on 27 February 2018 and was passed on 21 March 2018. The Bill was subject to legal challenge and the Supreme Court ruled that the Continuity Bill could not become law because of issues of competence³⁴.

The Parliament is currently considering the [Referendums \(Scotland\) Bill](#); the [Climate Change \(Emissions Reduction Targets\) \(Scotland\) Bill](#) and the [Scottish National Investment Bank Bill](#) amongst others.

A [list of all Bills being considered by the Parliament](#) is available on the Scottish Parliament's website.

Reflections on 20 years of devolution

With the 20th anniversary of the Scottish Parliament, many well-known figures involved in politics have reflected on the Parliament's first 20 years; below are some of their thoughts.

"For all the gains we've made, there's no way you can look at today's society, today's economy and think we've got it right [...] We need to recognise that people in Scotland are every bit as exasperated as people in the rest of the UK, the people in France, the people in America and so on. All these votes that we're having – people are shouting 'This isn't working for us.' [...] We need to respond to that. But I think the Scottish Parliament can respond to it." Ken Macintosh MSP, Presiding Officer ³⁵

"Over 20 years – and this is thanks to MSPs across all parties – parliament has become the focus of Scottish public life. It's the institution which people look to, to reflect their priorities, values and dreams." Rt. Hon. Nicola Sturgeon MSP, First Minister of Scotland ³⁶

"I regard devolution essentially as a success [...] I think if I had any regret, I would have looked at more ways to keep Scotland and the UK feeling more culturally aligned, but having said that, I think people forget that there was a huge amount of pressure for devolution as an alternative to independence and if we hadn't offered that alternative, you might have had an independent Scotland by now." Rt. Hon. Tony Blair, former Prime Minister ³⁷

"The optimism of 1999 proved to be misplaced and, in the reckoning between ideals and reality, devolution evolved from unionist stop-gap to nationalist handmaiden. It is too late to do anything about it now, though. The Scottish Parliament is here to stay and might yet be the legislature of an independent Scotland. On that day, if it ever comes, we will know this for sure: Devolution killed the Union stone dead." Stephen Daisley, Columnist ³⁸

"I believe that the overwhelming majority of people across Scotland believe that the Parliament has made a positive difference and that the country as a whole is the better for having it. Increasingly, people identify primarily with Holyrood rather than Westminster as the focus of the nation's political and democratic life. And the proposition that there should not be a Scottish Parliament at all, with the country once again solely governed by Westminster, is very much a minority point of view." John Swinney MSP, Deputy First Minister ³⁹

"If it has at times been a bumpy ride, there is little doubt that Holyrood is now, 20 years on, firmly established as the focal point of Scottish democracy. It is where the nation debates, argues, disagrees and, in the end, decides policy in many of the areas that most affect our lives – our schools, our hospitals, our transport links, our environment and, increasingly, our economy." Chris Deerin, Director, Reform Scotland ⁴⁰

"It has become routine to dismiss the achievements of devolution as disappointing, even embarrassing. There have been no dramatic transformations in the economy, no huge improvements in equality; we still see a widening of the wealth gap, social deprivation in cities and poor health statistics, while education, that great symbol of Scottish identity, has done little more than mark time. On the other hand, the shift of power from Westminster to Holyrood was achieved with remarkable smoothness." Magnus Linklater, Journalist, Writer and former Newspaper Editor ⁴¹

"In a sense the real historical significance of 1999 is that the constitutional genie was out of the bottle. There was no going back [...] The much-heralded consensus politics failed to arrive, proving largely the late Scottish Tory leader David McLetchie's point that the essence of politics is conflict." Bernard Ponsonby, Journalist and broadcaster ⁴²

"A quarter of our children are living in poverty. A fifth of our pensioners and most of our disabled community are struggling to make ends meet. The blame for this lies very much at Westminster's door but as a Parliament, we have not been nearly pro-active enough in forcing change." Alex Neil MSP ⁴³

"Scotland always had a distinct system of government in the form of the pre-devolution Scottish Office — an expensive bureaucracy that answered to Westminster. What we didn't have until 1999 was a parliament to make all this government accountable to the people affected. No one would argue that Holyrood is perfect, but Scotland is a better place now than it was 20 years ago. Having more responsive government has helped to deliver this improvement, and all the administrations and parties have contributed." ⁴⁴
Kevin Pringle, Columnist and former senior special adviser to the First Minister

I have "no doubt that Scotland is a better place because of the parliament." ⁴⁵ "Lord Wallace of Tankerness, former Deputy First Minister

"We have, in our Scottish parliament, an institution to be proud of — an accessible and open forum that does good work at levels which are rarely acknowledged. However, it has moved on from its teenage years and needs to justify its existence to those who voted it in. That means acknowledging and addressing weaknesses, rather than brushing them aside. Holyrood needs to think hard about who it is and how it carries itself." ⁴⁶

" We are not even at the end of the beginning. "

Rt. Hon. Henry McLeish, Former First Minister, [Law Society of Scotland conference](#), 24 June 2019

Further developments in devolution. What may be next for Scotland?

As the Scottish Parliament celebrates its first 20 years, and looks to the next, there are important issues for MSPs to debate and decide from procedures at the Parliament itself to wider constitutional issues.

On procedures, the [Independent Commission on Parliamentary Reform](#), was established in 2016 and published its [report](#) in 2017. Whilst some of the recommendations have been adopted, others are yet to be implemented. It is anticipated that this work will continue throughout 2019 and beyond.

Looking ahead, Brexit has the potential to shake up the devolution settlement. As the UK leaves the EU three central issues of importance to the Scottish Parliament are that:

- former EU competences return to the UK;
- the regulatory framework created by EU membership falls away;
- the UK will need to negotiate new international agreements and trade deals.

All these factors will influence the future role of the Scottish Parliament (and the other devolved legislatures in the UK). The Scottish Parliament's Finance and Constitution Committee is leading work with other parliamentary committees to continue to develop the Parliament's role in response to the UK's departure from the EU. A [SPICe briefing Developing the Scottish Parliament's Scrutiny Role after Brexit](#) is available.

Finally, the issue of Scotland's constitutional future is again coming to the fore. A [statement made by the First Minister on 24 April 2019](#), set out the Scottish Government's next steps on Scotland's future. These were:

- an invitation for the parties at Holyrood to attend cross party talks to find areas of agreement on constitutional and procedural change
- legislation “to set the rules for any referendum that is, now or in the future, within the competence of the Scottish Parliament”
- a “citizens’ assembly” to consider the big issues around the future of Scotland

The [Referendums \(Scotland\) Bill](#) was introduced in Parliament on 28 May 2019. This Bill fulfilled the commitment made by the First Minister to introduce framework legislation for referendums. A [SPICe briefing on the Bill](#) is available.

Reflections on what is next is the evolution of devolution

“Brexit surely provides an opportunity to rethink the way UK government business is done. Maybe from the current chaos we could yet see the establishment of a UK council of ministers, with joint decision-making in appropriate areas; a new cabinet department for the nations and regions; and the replacement of the House of Lords with a more

representative senate. It's not too late to seize the opportunity and this 20th anniversary might just be the moment to do so." Lord McConnell, former First Minister ⁴⁷

"For all the undoubted successes of devolution, this has to be a time for taking stock. Scotland must have the option of choosing a different course. The next six months could offer challenges greater than anything we have seen in the last 20 years. In my view they will inevitably require greater powers for Scotland - indeed the full powers that come with independence." Rt. Hon Nicola Sturgeon MSP, First Minister of Scotland ⁴⁸

"In the next 20 years it could be time to look at the relationship between local government and the Scottish Parliament and the Scottish Government because it hasn't fulfilled the promise that was there. We've got to be more forward-thinking, I think policy-making has been very immediate, it's been driven by short-termism, by headlines and not outcomes. I would love to think the parliament might be able to break out of the short-termism and be a much more forward-thinking parliament than it has been." Professor James Mitchell ⁴⁹

"What of the future? The next phase of devolution should, I believe be guided by two principles. One is the need, post-Brexit, to recalibrate Scotland's relationships with the other components of the British state. The other is the need to update Holyrood's toolbox so it can confront the challenges of demographic change, poverty, low productivity and a climate emergency." Kenny Farquharson, Journalist ⁵⁰

"Twenty years on we should reject [an] outlook that diminishes us and retrieve some of the ambition and inspiration that fueled the movement for devolution for the logical next step in democracy. But we should also have a cold, hard look at how Holyrood functions, and take root and branch reforms to make it an inspirational place, a showcase for innovation, openness and ambition." Mike Small, Writer and journalist ⁵¹

"In recent years [the parliament] has been distracted by constitutional debate rather than real action on the issues people care about and need, like jobs, schools and hospitals. The use of new powers over tax and social security has been too limited. While the wealth and incomes of the richest have soared in the past decade, one in four children are growing up in poverty. Twenty years on, that once again must be what drives us to use that power for change." Richard Leonard MSP ⁵²

"Elected politicians will come and go...Political parties may even come and go. But the parliament itself will be there to serve the people of Scotland. And it should be there in a way that can be utterly relied upon and trusted. We are talking about an age of fake news and cynicism generally. The parliament itself should be a bastion of trust." Ken Macintosh MSP, Presiding Officer ⁵³

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House of Commons Scottish Affairs Committee, 7 June 2019: [The relationship between the UK and Scottish Governments \(HC 1586\)](#)

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