



Sefydliad Gwleidyddiaeth Cymru

Institute of Welsh Politics

2001 ANNUAL LECTURE

From Assembly to Parliament

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A.M.

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and**

Leader of the Opposition in the Assembly





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The *Institute of Welsh Politics* is an independent and non-partisan research centre established by the Department of International Politics at the University of Wales, Aberystwyth. It was established to promote the academic study and analysis of all aspects of Welsh politics. The work of the Institute focuses not only on the political process within Wales, but also on Wales' political and political-economic relations within Britain, Europe and the wider world.

Since its establishment in 1997 the Institute of Welsh Politics has:

- Received over a third of a million pounds in research funding from the Economic and Social Research Council
- Organised two major conferences drawing international experts on devolved politics together to discuss the results of the 1997 Devolution Referendum and the 1999 Assembly Elections
- Secured £25,000 in corporate sponsorship from a wide range of organisations including BBC Wales, Strata Matrix, GJW Cymru Wales, Strategy Wales and the Welsh Mirror
- Received a grant worth over £40,000 from the Board of Celtic Studies to pursue research into Devolution 1979-1997
- Received funding from the Higher Education Funding Council for Wales to develop Welsh Medium Provision by employing a tutor for three years
- Taught over 200 students in Welsh and English on modules relating to Welsh Politics
- Launched the first bilingual Masters scheme on Welsh Politics and Society which is running for the first time in 2001
- Developed an undergraduate degree scheme in Politics and Welsh Politics to be launched in 2002.

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Preface

The IWP was established to promote the academic study of Welsh politics. It was founded in the conviction that high quality academic research has an important part to play in enriching our nations public life. Enlightened public debate requires a sound factual and analytical basis, and without such debate we can hardly hope to successfully address Wales' many social and economic ills.

The Institute of Welsh Politics' Annual Lecture has already become an established part of the Welsh political calendar providing, as it does, a unique opportunity for a leading political figure to stand back from the political fray and offer a sustained overview of the what he or she regards as the important trends and transformations underway in Wales. The two first lectures in the series were delivered by the two first leaders of the National Assembly, namely Alun Michael and Rhodri Morgan. It is apt that our third invitee is the man who, as President of Plaid Cymru/The Party of Wales and Leader of the Opposition in the Assembly, hopes to follow them into the First Minister's role, Ieuan Wyn Jones.

His lecture focuses on the future of our governmental system. This is a matter of great importance to all of us. A country's constitutional structure establishes the framework for its political life, and as such, ensuring that this structure is suitable and effective is an obvious imperative. But in addition, constitutional orders both embody and underpin the values of those citizens who live in their shadow. They speak to who we are and what we wish to become. Since the Government of Wales Act entered the statute books in 1998 academic commentators have shown an unusual degree of unanimity in criticising the adequacy of the constitutional settlement that it brought into being. It must surely be significant that Ieuan Wyn Jones' practical experience of the working of the National Assembly has led him to echo so many of the critical points raised by these academic commentators. The forthcoming review of the National Assembly will provide a golden opportunity to begin the task of setting the devolved body on a more rational and workable basis. We wait to see whether this opportunity is grasped.

I would like to thank Ieuan Wyn Jones for so readily accepting the invitation to deliver the Institute of Welsh Politics' 2001 Annual Lecture. My thanks also to the Vice Chancellor and Principal of the University of Wales, Aberystwyth, Professor Derec Llwyd Morgan, for chairing the event with his customary aplomb. The organisation of the lecture was left in the capable hands of my IWP colleagues, Dafydd Trystan, Rebecca Jones and, above all, Gwenan Creunant, to whom I extend my grateful thanks.

Finally, and most importantly, I would like to thank the members of the large audience who filled the great hall of Aberystwyth's historic Old College to capacity for the lecture. Their presence and, above all, their enthusiasm, sealed the success of the event.

Dr Richard Wyn Jones

Director

Institute of Welsh Politics

Department of International Politics

FROM ASSEMBLY TO PARLIAMENT

Thank you very much for the invitation to deliver this lecture to the Institute of Welsh Politics in the University of Wales. I am here tonight as President of Plaid Cymru and Leader of the Opposition in the National Assembly.

I mention this specifically, and intentionally, because one of the early students of this university, Thomas Edward Ellis, who subsequently became the MP for Meirionnydd, was the grandfather of nationalism in recent Welsh history. It was his ideas about the nature of modern nationalism, and the need for a measure of self-determination for Wales, that were partially achieved when the Assembly was established in our own time.

I called him the grandfather and I hear some of you ask, if so, who is the father or mother? Well, the answer to that question is the topic for another lecture – some time in the future perhaps?

All of us here tonight have our own memories of the night of September 18th 1997. The tension that night, the torturous swinging between despair and hope, sadness and joy, certainly deserves a place in the mythology of Welsh political history.

I spent that evening at the Park Hotel in Cardiff. I shall never forget the feeling of relief and elation when the last-gasp result was announced from Carmarthenshire. I'm sure that there were similar feelings throughout Wales as dawn broke that morning.

However fragile the majority – less than 7,000, or 0.6% of the vote, no one can deny that it represented a complete sea change in Welsh political life in the 18 years since the dreadful result of the 1979 referendum.

No one doubted that part of that change was due to a reaction against 18 years of Tory government in Wales, especially so among Labour Party supporters and voters.

But it represented something else, too. It was a clear indication of a growing consciousness during the same period of Wales as a nation.

And moreover, the desire for greater unity within Wales, and the sense of belonging to a national society that brought together north and south, town and country, Welsh-speaking and non Welsh-speaking.

So, for all sorts of reasons, hopes were high. A new dawn was breaking in Wales, an opportunity to open a new chapter in our history, and politicians were working together to find solutions to Wales's problems.

Along with this, there was huge anticipation about what the Assembly could do to bring about practical improvements in Wales; bread-and-butter issues, as the pundits call them.

When he said that it was a very good morning for Wales, Ron Davies was certainly expressing the feelings of many on that September morning.

So what went wrong?

How long ago those days seem now.

A little over a month ago the South Wales Echo ran a headline proclaiming '*Scrap the Assembly!*', based on a poll of readers. The poll claimed that 46% were demanding the extinction of the Assembly – although it was also true that a substantial percentage, and a clear majority of those under 40, wanted to see the Assembly's powers strengthened and extended.

Can I make it perfectly clear, nice and early, that I have not come here tonight to support the call for the Assembly to be wound up.

Even so it would be utter folly for any politician to ignore the strong negative attitude which exists towards the Assembly in Wales today.

One can say positive things in its favour. The establishment of the first ever elected governing body in our history was an important turning point. It is the clearest indication that Wales wanted to continue as a nation. The Assembly is a more open and accountable body than any system involving a Secretary of State appointed by the Prime Minister. And far more accountable than in the period between 1979 and 1997 when secretaries of state represented a party that had never had the approval of the people of Wales. And a large number of Secretaries of State who didn't even represent Welsh constituencies. And I do want to give the government of the Assembly credit for some measures it has introduced. Here's a list of a few of them, in the areas of education and health:-

Education

- Establishing ELWa as a national body to co-ordinate post-16 education and training
- Eliminating tests for 7 year-olds
- Ending the practice of publishing school performance tables

Health

- Providing free prescriptions and dental examinations for under 25s
- Creating the post of Children's Commissioner for Wales
- The promise to build two community hospitals, in the Rhondda and Porthmadog using public finance rather than PFI

And in the field of economic development, it was the existence of the Assembly that ensured that all the information about how European money was being handled became public knowledge.

Even so, the question cannot be avoided: What went wrong? Where did the high hopes of those early days go? Who can deny that most people in Wales associate the Assembly with something bordering on boredom and disappointment?

And what about all that supposed goodwill about a new type of politics that was about to begin in Wales? Where's that gone? Wasn't 'inclusive politics' meant to be one of the watchwords in the New Wales we were about to see?

Despite genuine aspirations, there was no inclusive politics in the Assembly's activities from the earliest days. We can say that today, and offer some reasons why it had no hope of succeeding. And to do so we must look in more detail at the Assembly's structures and at the ethos of the civil service.

The Assembly is a corporate body, and in theory, therefore, every member is responsible for every decision made in its name. That is why, thus far at any rate, all documents and consultation papers are published in the name of the Assembly.

But despite this theoretical ownership of decisions, ordinary members have no control over them, because all responsibility for them has been delegated to the First Minister, as has been the case since the early days of the institution (clause 62 Government of Wales Act 1998). And following on from this, the First Minister transferred all specific duties to departmental ministers, such as Economic Development, Health, Education and so on. And the ministers themselves, in turn, delegated some responsibilities to civil servants (clause 63 Government of Wales Act 1998).

Because we had agreed to establish a Cabinet to govern within a corporate body model, it was inevitable that those members who were not members of the Cabinet would be effectively excluded from the process of government. Moreover, when you consider that it is part of the ethos of the civil service to serve the government rather than the legislature, you can see why any idea of making inclusive politics work was a pipedream.

The great hope, of course, was that this type of politics would be seen at its best in the work of the subject committees. And several attempts have been made in this respect. But Rosemary Butler, who was pre-16 Education minister at the time, let the cat out of the bag when she said that she would listen to what the committee had to say, 'in the same way that she would listen to any other body or institution with whom she was consulting' (and apologies if I am not quoting her verbatim). Although she was severely and roundly criticised for saying so, the evidence since then shows perfectly clearly that the committees are not partners in the process of policy-making, but rather one body among many who contribute to that process.

And although the Assembly has the right to delegate responsibilities to these committees (clause 62 above) this has not happened thus far.

Some committees are more successful than others in the influence they exert on Assembly policy. This isn't because of the process itself, but because of the relationship

between a minister and the committee chair, or the minister's willingness to listen to what members have to say.

So, although we, as a party, believed that there were distinct benefits in the original concept of inclusive government, we must accept that the concept is dead, and under the present system, that any hopes of reviving it are scarce.

We, as a party, were clear from the outset that the Assembly's powers were far too limited. But neither we nor anyone else fully realised quite how weak they were, nor how much confusion there would be about those powers that were devolved.

Take the controversy over the Nant y Gwyddon tip in the Rhondda, for example. We as a party promised to hold a public enquiry into the matter at the time of the Assembly election campaign in 1999. We didn't believe for a second that there would be any question about the Assembly's powers to hold an enquiry. After all, the controversy was directly to do with devolved areas such as the environment and local government.

But when an attempt was made to set up such an enquiry there were immediate difficulties. Because the Environment Agency had a responsibility for matters such as tips, and the Agency in turn was accountable to Westminster, we were advised, within the Assembly, that we had no right to hold a public enquiry. And just to muddy the waters even more, government solicitors were under the impression that these powers existed! If there's lack of agreement within the Assembly about its powers, how much hope does anyone from outside have of understanding what's going on?

The Assembly's Powers

Because the 1998 Act transferred responsibilities that had belonged to the Secretary of State for Wales, by far the greater part of them are administrative. Although members, the press and the media concentrate on the work of the plenary and the committees - naturally enough in one respect - very little of what is done in the Assembly's name becomes public knowledge.

I have carried out a little research in this area. I estimate that between 60 and 70% (or two thirds) of the decisions Assembly ministers or civil servants make, are carried out on the basis of circulars or guidance notes sent to councils and other public bodies, such as the Development Agency, Health Authorities and Local Authorities. This happens in exactly the same way as it did in the old Welsh Office. And these decisions do not become public knowledge or topics for discussion within the Assembly.

I said estimate, because the government is under no obligation to keep a register or a record of what they do in this area. And unless the minister wished it, no decision has to come before the plenary or the committees.

But so what, you might say – these decisions don't have any legal force, do they? But that would be a big mistake. It's called 'soft law' and every decision is open to judicial review. And since hardly anyone knows about them, more often than not we don't know to what extent they differ from decisions made by government departments in England.

In truth then, the concept of each member being responsible for the decisions taken - the corporate body concept - is nothing more than a sham. That's why it is so vitally important for the public, and media, to understand that all the decisions taken are taken by the government of the Assembly, and only those minority of decisions taken by the Assembly as a whole in plenary should be described as Assembly decisions.

Given these constraints, it was impossible for the idea of 'inclusive politics' to work. Looking at our experiences of two and a half years, it is now clear that it could never work. Despite the fact that in theory, the civil servants work for the Assembly, in practice they work almost exclusively for the ministers. They do not see it as their role to give advice to other members as this would lead to a conflict of interest. They could hardly give one piece of advice to their ministers, and a separate piece of advice to a member who would then want to use it against the minister in other circumstances.

Indeed members are denied access to civil servants except under the most stringent guidelines. And this confirms the ethos of civil servants that their job is to provide advice to ministers and indeed to protect their ministers when they come under pressure or scrutiny from other members.

And, looking back on it, that's how it should be. Civil servants need to maintain their impartiality and be able to give advice to ministers whatever the political affiliation of those ministers. But, for inclusive politics to work, members not only need to feel included in the decision-making process, but they also need access to the advice which lies behind those decisions. That cannot happen as things stand.

Secondary legislation

We knew from the outset, of course, that the National Assembly would not have primary powers. But what about secondary legislation?

We were told, during the referendum campaign and afterwards, that this model of devolution would enable Wales to both be pioneering and inventive with secondary legislation.

But how much uniquely Welsh secondary legislation do you think the Assembly has passed? And how much secondary legislation has been passed during the last two years that's different to England?

The evidence shows that more Statutory Instruments have been passed in Westminster than in the Assembly since the latter came into force. And I'm talking here about Statutory Instruments that are specific to Wales alone, i.e. in policy areas where devolution exists!

In 2000, for example, the Assembly passed 70 Statutory Instruments – a total of 70 spanning all devolved policy areas. Of these 30 were specifically concerned with education and health. At the same time Westminster passed 40 instruments for Wales in these same two areas.

During the first half of 2001 (up to 31 July), we fared a little better, passing 28 health and education instruments, while Westminster passed 22. This number, incidentally, doesn't include the instruments passed jointly for England and Wales, because the research in this area isn't complete yet. This in itself is a pretty poor reflection on the type of devolution we have.

And recent research says a lot about the nature of the Statutory Instruments that the Assembly passes. I've chosen 50 Statutory Instruments at random, concerned with all devolved policy areas. Half of them were exactly the same – word for word – as the corresponding instruments in England. A quarter of them were worded slightly differently, or had sections appearing in a different order. Only in the remaining quarter were there any significant differences.

Taking as a broad estimate that about half the Statutory Instruments originated from Wales, that makes 12% of the Instruments with any sort of differences.

That's right, twelve per cent. That's how many laws concerned with devolved areas where the existence of the Assembly has had any effect. That's how much the Assembly has to show in comparison with the Welsh Office.

Confusion over powers

As I explained earlier, the National Assembly adopted the powers and responsibilities of the Welsh Office under the Government of Wales Act 1998. It was certainly a step forward in the process of making government more open and accountable.

But one weakness in such an arrangement, which was not immediately evident, was that there was so much ambiguity about the Welsh Office's powers to begin with. Those powers were not clearly and unambiguously set down in black and white.

The Welsh Office had grown substantially since its inception in 1964. Essentially, however, the relationship between it and other government departments in Whitehall was always a flexible one. The Welsh Secretary, for instance, would take certain decisions about health, and other decisions would be taken by the Health Secretary in London.

Of course, a flexible arrangement can work satisfactorily enough between different departments of the same government. But it's another matter altogether when two different government bodies, both democratically elected, argue with one another about who has the right to decide on an issue.

Because the Assembly's powers derive from hundreds of different statutes, they are notoriously difficult to define.

And as if that weren't bad enough, there have been examples of the UK government rescinding powers, such as in the Local Government Act, where a responsibility transferred by one act was withdrawn under a later one. Once again, we find the London government acting contrary to the spirit of devolution.

During my period as chair of what was then known as the Agriculture and Rural Development Committee, I saw at fairly close quarters what the result of confusion over the powers of the National Assembly could lead to. It led to early disillusionment of the value of the Assembly as a body which could react quickly to events, and to the questioning of the value of the institution which could not take even the most basic of decisions on its own.

It may seem a long time ago now, but the arguments over the calf-processing scheme had Wales buzzing some two years ago. This was a scheme to help dairy farmers who could not export their calves because of BSE. The UK government refused to continue the scheme, and so the members of the committee wanted to see if Wales could go it alone and reintroduce the scheme ourselves. After a lot of confusion, it became clear that such a scheme could not operate in part of a EU member state, it had to be operated everywhere in the UK.

We then decided to look at whether we could abolish dairy hygiene charges on our own. This was a much less ambitious scheme, which this time fell foul of MAFF lawyers.

And then there was the decision to lift the ban on beef on the bone. When it became clear that the committee was about to recommend its lifting in Wales, MAFF stepped in and rushed its decision to announce a lifting throughout the UK. Whitehall departments were not ready to cede any responsibility to a devolved body - because they still regarded themselves as lead departments in most areas.

A parliament – the only answer

Since I've spent some time discussing the shortcomings of the present devolution model it's important to consider the way forward.

The title of this lecture, 'From Assembly to Parliament', gives a fairly strong indication of the direction I'd like to take, but I need to expand a little on the reasons why I believe that this is now the only answer.

First, the term 'parliament' clearly conveys the sense of a governing body with law-making powers. At its most basic, I want to see the Assembly become a parliament with the same powers as the Scottish Parliament. Broadly speaking, this means primary law-making powers and tax-varying powers.

When one looks in more detail at these powers, one sees that there are areas where a Welsh Parliament could not legislate at present, such as the criminal law. But there would be full legislative powers in those areas which have already been devolved, like health, education and so on. There would be no confusion then, within devolved areas, about where the right to legislate lies.

Under the present settlement, the only way in which the Assembly can maintain or add to its powers is either through a parliamentary bill at Westminster or through a Transfer of Functions Order. The better way by far is a parliamentary bill, because this gives the Assembly an opportunity to have early input into the discussion on the bill and to steer those clauses that are relevant to Wales.

The current bill to amend the Animal Health Act is a classic example of Whitehall ignoring the wishes of the Assembly government. This is a bill to reform the 1981 Animal Health Act, in the wake of foot and mouth. The clauses are far-reaching and controversial, granting the government compulsory powers to destroy animals. Moreover, there are powers to reduce the compensation payable to farmers in particular circumstances, where there is evidence that the farmer has not done enough to prevent the disease from spreading.

According to Margaret Beckett, the UK Secretary of State for the Environment, Food and Rural Affairs

We are mindful of the fact that these are strong powers and that they should be used, if they are ever used, only with great caution
(Hansard 12 November 2001).

In the same debate Margaret Beckett admitted that she had not consulted anyone at all on the content of the bill, and that the bill itself had been drawn up in August this year.

As you know, foot and mouth reached Wales, and Anglesey in particular, in February this year. Even though a unit was established by the Assembly to deal with the disease in Wales, it was soon realised that the necessary powers to deal with matters relating to animal health had not been transferred. As a result, and for operational reasons, the Assembly took 'de facto' responsibility for responding to the disease, although it had to ensure DEFRA's permission in several regards.

During the following months it became obvious that it would be beneficial for legal powers to be transferred to the Assembly, since we now have experience of dealing with such a serious outbreak. And there is cross-party agreement that this should happen. The person who is most eager to see powers transferred is the Rural Affairs Minister, Carwyn

Jones. One case that makes our lack of power evident is the fact that the Assembly cannot decide whether to re-open livestock markets at present. As Carwyn Jones said in the Assembly on 8 November

The Assembly cannot make that decision [to re-open markets]. We are aware of the discussions and the Assembly is unanimous that it must have such powers for itself.

Although Carwyn Jones called for the Assembly to be given the necessary powers in July, London turned a deaf ear. Exactly a month after Carwyn Jones made his statement, civil servants at DEFRA were preparing a bill that would have been the perfect vehicle for these powers to be transferred. We don't know the outcome of any discussions between civil servants in Cardiff and their counterparts in London. Discussions of this sort remain confidential. But as the Minister had made his opinion known, we can assume that discussions did take place.

And yet the new bill on animal health was drafted as if the Assembly did not exist. The bill was prepared for England and Wales, and written as though the Ministers in DEFRA were responsible for the appropriate subsidiary laws.

So we find ourselves, in the third Assembly session since devolution, and it appears that government departments in London are ignoring the unanimous voice and wishes of the Assembly. During the second reading of the bill in the Commons, the minister did not refer to the role of the Assembly except in passing, and as the bill is now in committee, it would appear that it is too late for it to be amended.

The great advantage of having powers over a bill is that the Assembly can influence its contents, and this ensures the necessary flexibility for the Assembly to work effectively. Rhodri Morgan has himself acknowledged that we now have no hope of changing the bill. As he said in the plenary on 6 November:

We do not need primary legislation for the matters proposed in amendment 15 [the amendment to transfer responsibility for matters concerning animal health]; that could be done through a transfer order. We do, however, support amendment 15. He have already pressed for such a transfer, so it would be logical for us to support the amendment.

The perfectly reasonable question arising from Rhodri Morgan's comments is why DEFRA has refused his request to transfer powers. According to some experts in the field, it is difficult to see how DEFRA will be willing to allow a transfer after the bill has finished its passage through parliament because the powers in the original 1981 act were not transferred when the Assembly was established in 1999.

There is no corresponding problem in Scotland. They already have the necessary powers. And that's why we need the power to legislate in Wales too.

One of the strengths of the 1998 Scotland Act – in complete contrast to the Wales Act – is its simplicity. Scotland has complete control over all devolved policy matters. When any decision is taken regarding health or education, for example, no one is in any doubt that any legislation is a matter for the Scottish Parliament and no one else.

We have already seen how Scottish politicians have been able to use the powers granted to them to the benefit of the people of Scotland. By providing free care to the elderly, they have set a praiseworthy example to the rest of Britain, and the decision to change the situation with regard to students' fees has also been widely welcomed.

These two areas are obvious examples of what can be done. We in Wales may not follow exactly the same path, but we would have the right to develop a system more in keeping with our values. We could make decisions on an education system tailored to the needs of Wales, and decide on fairer and more effective ways of running the health service.

Instead of listing the areas that have been devolved, the Scotland Act lists those areas that are still under Westminster's control. As a result there is an assumption that responsibility lies with the Scottish Parliament unless the act indicates otherwise.

The act also leaves the door open for further devolution within the British structure, by containing provision to transfer other areas as required. Indeed, the far-reaching nature of the act is a testament to the late Donald Dewar's enthusiasm for devolution.

It should also be remembered that the contents of the Scotland Act grew out of extensive discussion with Scottish civic society. The fact is that they spent at least two years discussing the best model for the country.

We had no opportunity to hold similar discussions in Wales. We know that the Wales Act was the fruit of internal discussion within the Labour Party in Wales, and that what resulted was the best that could be achieved by enthusiastic devolutionists in the teeth of some of their fellow members.

We saw how crude that enmity was as the bill made its way through Parliament during 1998. And, of course, that enmity still exists in some quarters.

The Assembly cannot work

Let's look back for a moment or two at how we as a party responded to the very basic change that happened in Wales four years ago. Whatever people say about the powers of the Assembly, its establishment was a significant step as regards the desire of the people of Wales to continue to be a nation.

Having given enthusiastic support to the campaign for a 'Yes' vote in the referendum – despite being clear that the bill was woefully insufficient – we naturally wanted the new order to work as well as it could. We didn't see any conflict between this and the need for a swift and substantial increase in powers.

We aimed to play a constructive role, and following the establishment of the Labour/Liberal Democrat coalition, to act as a constructive and effective opposition, and offer ourselves as an alternative government. And, of course, we shall continue to do so, criticising the coalition government, harshly too, when we see that that is necessary.

But we have now come to the conclusion, too, that the Assembly cannot work in its current form. Not much can be achieved by tinkering with its present powers. We are now convinced that the Assembly's lack of powers – as well as the continuing confusion about those powers – makes it dreadfully difficult, if not impossible, for it to win the hearts and minds of the public.

No matter how hard we look for ways of improving things as they stand, it is impossible to avoid the conclusion that we cannot go very far without a legislative parliament. The people of Wales did not vote Yes in 1997 for a feeble body almost wholly dependent on the goodwill of government departments in Westminster. They voted rather for a new order that could lay firm foundations for the economic regeneration of Wales and improved public services.

Conservative forces in Wales have said, 'We need to learn to walk before we can run'. Our experience of the Assembly shows just how meaningless that sort of argument is. The Assembly is so restricted that it doesn't even have a chance to learn to walk properly.

Having heard what I have just outlined, one might reasonably ask whether it wasn't a mistake for Plaid Cymru to follow the route that it did in attempting to make the Assembly work.

I cannot accept that criticism. We needed to give the institution as it was an opportunity to prove itself. It was our experience of its failure to achieve what is needed that has convinced us that we need to move forward, and quickly too. And what we have witnessed over the last two and a half years has made us more determined than ever to have something better for Wales.

The 2003 Election

One fairly important question comes out of what has been said. Having outlined the weaknesses of the present set-up and the superiority of a parliament, the obvious question is: what steps should be taken to make the Assembly into a parliament? I shall attempt to set out those steps in the time I have left.

We have decided as a party that we shall fight the 2003 election with a commitment to demand a parliament like the Scottish Parliament as the central plank of our campaign, and to say what we would wish to achieve having gained law-making powers.

Every vote for us will be a vote for a proper parliament as they have in Scotland.

And if we form the government, whether alone or as the largest party in government, the first thing we shall do will be to bring a proposal before the Assembly that we demand the same rights as Scotland.

With the Assembly's blessing, we would then begin discussions with the United Kingdom government with the intention of presenting legislation in Westminster for such a parliament.

Our message will be a clear one: Labour's Assembly isn't working. Nothing less than a proper parliament will do for Wales

Conclusion

So there we have it – the battleground for the 2003 election to the National Assembly is clear. We shall campaign strongly for a parliament on the Scotland model, whereas the coalition in the Assembly has only committed itself to

establishing an independent Commission to look at the National Assembly's electoral powers and procedures. The Commission will look among other things at widening the proportionality of the Assembly's constitution, and its associated devolved powers.

The Commission's conclusions will not become available until at least 2004, and as a result it would appear that neither party in the present coalition will fight the 2003 election on widening the Assembly's powers. Since the Tories in Wales have only just come to terms with the fact that devolution has happened at all, one can hardly imagine them fighting for increased powers in 2003.

That said, there are members of all three other parties – yes, some Tories among them – who believe that the Assembly's powers should be increased. The big question is how we can harness that support – I would claim majority support – in the Assembly for moving things forward?

Well, we have started the discussion. By setting out our stall clearly and unambiguously, we have laid down a challenge to the other parties too. We shall see how many of them are ready to meet that challenge. Starting something is half the battle – and the clock has already started to tick.