



Constitution: Questions from Assembly Members

Introduction

Following Professor Nicola McEwen's session on constitutional considerations in Weekend 1, the Assembly members developed a list of questions at their tables. The full set of questions is listed below. The questions have been grouped into themes.

Some questions were addressed during the Question and Answer session on the day (see website for video footage of this session) or via follow up materials now available on the website (Fact Sheets/Explanation of Terms). Some questions have not yet been addressed but will be considered during the course of the Assembly process.

To explain which questions have been addressed, they have categorised:

* = Question was addressed by Nicola in the Question & Answer Session (see website for video footage of this session)

** = Question has been addressed in the Fact Sheets and Explanation of Terms that Nicola has prepared following on from the session (see website)

*** = Question has not yet been addressed, but will be considered during the course of the Assembly process.

THE CONSTITUTION

Please give clear description of what the constitution is and where it is * , **

What are we referring to when you say a constitution – I've never seen it – where is it? * , **

Can you explain some of the words used eg. Constitution - What does the constitution mean? * , **

What is in the Scottish constitution? * , **

Why are we not taught about our constitution in school? *

Why don't we have a written constitution? How do we make these decisions without these guidelines? **

Why does Westminster have so much say in our constitution? How do we balance that? ***



POWERS

How did Scotland arrive at the powers we've got and how do we get more? (...devolution) **

Could the Scottish Parliament have more power? **

How are decisions made for and about Scotland? **

What is the current balance of power between the UK and Scotland? **

How does devolved powers get agreed? **

How does the Scottish Government interface with foreign and EU policy? **

What is the process for the UK Parliament taking powers back? ***

Has the Scottish Parliament ever sent powers back or refused to take powers? ***

How are the reserved powers contest in UK parliament? ***

Westminster approval to changes? Education – any changes? ***

Why doesn't the Scottish Government have the powers to raise the living wage? ***

Why have tax powers increased? **

How are we using the devolved powers over benefits? ***

Does Scotland really have its own fishing policy? ***

What is the process for the Scottish Government over specific reservations and general reservations (reserved powers)? **

Are there plans for the Scottish Government to step in to resolve the pensions issue? ***

How does tax raising work, in particular with pensions? It needs simplifying. ***

What is the difference between the Scottish Government and Scottish Parliament? *, **



CONSTITUTIONAL OPTIONS - GENERAL

What more powers could we have? **

How does Scotland go about getting more powers? **

What extra powers might we ask for? **

How do we find out what the options are under status quo, federalism, devolution, independence?
What are the options? **

How do they decide what method to use? ***

Could you tell us more about the difference between federalism and devolution? **

Devo max / versus federalism / versus Indy *, **

How politically feasible are the different constitutional options? ***

If we got full tax raising powers, would Scotland be better or worse off? Can we pay for ourselves?

Does it have to be so complicated and time consuming (the process of change)? ***

What is the measurable desire for constitutional change? ***

How could we build 'facts and truth' into constitutional debate? (It's seen as absolutely necessary!!!)

CONSTITUTIONAL OPTIONS – MORE DEVOLUTION

What devolution in Scotland looks like? How would they take this forward? **

Devolution – what extra powers might we get? What's possible? **

What does more devolution for Scotland mean? – which powers would logically come next? **

What would come with devolution? **

What is the maximum devolution for Scotland? **



CONSTITUTIONAL OPTIONS – FEDERALISM

Can you explain some of the words used federalism? what does federalism mean? What is the time frame for doing this? *,**

What does federalism look like to the people of Scotland? *,**

What are the benefits of federalism? *,**

What are the benefits of federalism to Scotland? *,**

What is federalism/what would it mean for us? *,**

What is federalism in the context of the UK? *,**

What does federalism mean in more detail? *,**

Explanation of federalism and how it will impact the UK? *,**

CONSTITUTIONAL OPTIONS – INDEPENDENCE

How much revenue do we generate in Scotland? What would the budget deficit be if there was independence? ***

Would we gain automatic entrance to EU in case of independence? ***

If we have independence does that mean Scotland has complete power over its own affairs? **

What would Scotland's finances look like if we were independent? ***

Need more detail on the breakdown of votes on Indyref ***

What other benefits will we obtain if we had independence if we're already getting more tax powers than we've ever had? ***

Can you say more about the 1970s referendum? **

Is there a will for another referendum? ***



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REVENUES / SUBSIDIES

Taxation why can't Scotland raise all its money through taxes? How does taxation work? *, **

How much subsidy from the UK? From the EU? **

Scottish Government has 22% of taxation. What about the other 78%? **

How do we make up the deficit? Reference to the figures. ***

Are we a net contributor or a net beneficiary ie. Are we self-sufficient or not? ***

COMMISSIONS – GENERAL

Explain the different types of Commission ie. Smith / Calman **

Who decides who is on a commission? And more information about what it is? **

How do we choose between a commission and a vote (and how does the Commission work?) **

Who decides who is/was on various commissions? **

What were the recommendations of previous Commission? **

Why aren't real people involved in Commissions? **

Who decides who serves on Commissions? **

COMMISSIONS – SMITH

What if anything changed because of the Smith Commission? **

Did the Smith Commission match what was in the Vow? **

Why was the Smith Commission rushed through so quickly? **

Did they follow through on the Vow? **



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PUBLIC / MEMBER UNDERSTANDING

Could we have a glossary of terms? *, **

We need to know what all this means for us / speak in plain English. **

Explain to ordinary folk what is going on – normal language **

Delivery and access of information for people not easy? **

How can ordinary people get all this info explained to them and do they think they can change things? **

Adults feel unaware of basic changes/powers over time and the path to change and context. **

Can be interested in politics but too difficult to access information / too difficult to understand **

We need more information on the broader context to know what is relevant to the Scottish Citizen

CITIZENS' ASSEMBLY

Where does the Assembly fit into it all? ***

What power will the Citizens' Assembly have? What are we being asked to decide? ***

Should Scotland have a second chamber of lay people based on the model of Citizens' Assembly, for a valued part of how changed is agreed? ***

POLICY

How do we create work opportunities for young people who want to work rather than study? ***

What is happening with the minimum wage for foster carers? ***

Still paying tax, no matter to which Parliament, but the rich stay rich and poor stay poor. ***

FOLLOW UP QUESTION

Replacing House of Lords with a House of nations? Would that house of nations be unelected or made up of people like in this room? *