

Briefing on the Smith Commission to take forward the UK Government commitments on further powers for the Scottish Parliament.

October 2014

1. What is the Smith Commission?

During the independence referendum campaign, the pro-union parties made a pledge to fast-track additional devolution of powers to the Scottish Parliament in the event of a No vote.

David Cameron has appointed Lord Smith of Kelvin to head a commission with membership drawn from the political parties in Scotland to consider the shape of further devolution.

The terms of reference of the Commission are:

To convene cross-party talks and facilitate an inclusive engagement process across Scotland to produce, by 30 November 2014, Heads of Agreement with recommendations for further devolution of powers to the Scottish Parliament. This process will be informed by a Command Paper, to be published by 31 October and will result in the publication of draft clauses by 25 January. The recommendations will deliver more financial, welfare and taxation powers, strengthening the Scottish Parliament within the United Kingdom.

2. How will the Commission work?

Quickly. The timescales for the Commission's work are very tight. Political parties will be submitting responses to the Commission on 10 October. Civil society has been invited to submit responses by 31 October.

Civil society's responses will be made on the same date that a command paper is published by the UK Government, setting out its proposals. There will then be a further month of consideration by means that have not been fully set out, before a draft bill is published at the end of November.

3. Who is on the Commission?

Each political party in Scotland that is represented in the Parliament has been invited to delegate two representatives to the Commission. These are as follows:

Scottish Conservatives: Baroness Annabel Goldie MSP and Professor Adam Tomkins

Scottish Labour: Iain Gray MSP and Gregg McClymont MP

SNP: John Swinney MSP and Linda Fabiani MSP

Scottish Greens: Patrick Harvie MSP and Cllr Maggie Chapman

Lib Dems: Michael Moore MP and Tavish Scott MSP

4. What type of submissions is the Commission seeking from civil society?

Civil society has been invited to set out powers that we think should be devolved to the Scottish Parliament, along with an explanation of the benefits of this devolution, and any interdependencies these areas of additional devolution have with other policy. Full guidelines by the Commission for submission can be found [here](#).

5. What will Engender be doing?

Before the referendum, we were discussing the possibility of calling for the devolution of anti-discrimination law with other equalities organisations. Equality Network has co-ordinated a letter to the Smith Commission from a range of organisations asking for this to be considered.

We are now consulting with our members, and women and men who are interested in women's equality more broadly, on the power and responsibility that they would like to see devolved to the Scottish Parliament. We are asking for responses by the end of the day on **Wednesday 15 October**.

We will then be finalising a submission to the Smith Commission, and consulting on its final shape and the technical details within it with our members, other women's organisations, equalities organisations, and Engender's board. We hope to begin this process on **Friday 17 October**, and to publish our submission slightly before the deadline of **31 October**.

We will be sharing information during this process with other women's organisations and campaigns, including the Women5050 campaign, and supporting others' work where we can.

6. What is the approach that Engender will be taking?

As with other equalities organisations and campaigns, we are broadly positive about the possibilities that additional devolution would provide. However, we are concerned, as other organisations are, that the new powers would be coherent. We will carefully consider and analyse all of the responses to our survey on additional powers.

We are also mindful of the fact that devolution of new powers would have the potential to increase the complexity of the devolution settlement, and make it more challenging for Whitehall departments and ministries to get to grips with the Scottish implications of policy development. We are therefore proposing the introduction of something akin to a devolution impact assessment, which would require UK Government policymakers to consider the unintended consequences of their policy on people in Scotland, Wales, and Northern Ireland.

7. How can individuals and organisations share thoughts with Engender on this?

We have created a survey that can be completed by individuals and organisations [here](#). This is open until Wednesday 15 October. We would also be pleased to hear from members and organisations by email to jill.wood@engender.org.uk.

We will also be circulating our draft submission to members and women's organisations for comment.

For further information please contact Jill Wood, Policy Manager, Engender
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About us

Engender is a membership organisation working on feminist agendas in Scotland and Europe, to increase women's power and influence and to make visible the impact of sexism on women, men and society. We provide support

to individuals, organisations and institutions that seek to achieve gender equality and justice.