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Accountability in the UK devolved parliament and assemblies

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Introduction

The process of devolution in Northern Ireland, Scotland and Wales has adopted accountability as one of the key principles that underlie the operations of the devolved institutions. Indeed accountability has been considered a fundamental concept (Glynn, 1993: 15), and 'an enduring and key notion' (Gendron et al., 2001: 282) in public sector management. The term 'accountability' means in general that someone is responsible for rendering an account about something to someone else. However, this term has been described as elusive (Sinclair, 1995: 219) and its scope and meaning has broadened into different directions beyond its basic definition of providing an account for one's actions (Mulgan, 2000: 555). Moreover, specific institutional arrangements impinge on the meaning attributed to accountability (Stone, 1995). In the academic literature, its definition exists in a variety of forms being shaped by social and political contexts (Day and Klein, 1987: 2). Thus, accountability 'reveals chameleon qualities' as at least five forms of accountability can be identified (Sinclair, 1995: 223): political, managerial, public, professional and personal.

Day and Klein (1987) argue that the distinction between political and managerial accountability sets the framework in order to understand the nature of the problems encountered when trying to define the boundaries of what accountability is. Within the concept of political accountability they identified different models, which are the expression of the evolution of social political democracy (Day and Klein, 1987: 10). Within this framework political accountability is defined as 'about those with delegated authority being answerable to people, whether directly in simple societies or indirectly in complex societies' (Day and Klein, 1987: 26). Managerial accountability instead is conceived as 'making those with delegated authority answerable for carrying out agreed tasks according to agreed criteria of performance' (Day and Klein, 1987: 27). Within the general criterion of answerability, the activities performed by individuals differ, therefore the basis upon which holding to account are different. Stewart (1984: 16–19) elaborates a concept of accountability as a 'ladder' which moves from 'accountability by standards to accountability by judgement':

• **Accountability for probity and legality** aims to guarantee that funds have been used according to previous plans and observing the appropriate rules. It also aims to ensure that decisions have been taken within the realm of power/authority.

• **Process accountability** aims to ensure that the procedures used to carry out a task are adequate.

• **Efficiency accountability** is focused on the way in which resources are used (best value for money).

• **Performance accountability** aims to ensure that the performance achieved meets the set standards.

• **Policy accountability** regards mostly the operations of central governments. It is concerned with the assessment of the policies implemented by governments and their standards, for which governments are accountable to the electorate.

Much of the debate around the need to ensure accountability within parliaments, governments and civil servants, in Britain, started three decades ago (Day and Klein, 1987). It was argued that the straight-line relationship of accountability (i.e. civil servants are accountable to ministers, and ministers are accountable to parliament) was fractured (Day and Klein, 1987: 33). Indeed the growing complexities and scale of governmental activity have intensified the need of accountability within parliaments, governments and the civil service (Stewart, 1984; Day and Klein, 1987; Glynn, 1993; Power and Brazier, 2001). The field of public accountability, specifically the formal relationship between parliamentary institutions and governments, has expanded the concept of 'what to account for' and how to do so, as Heald (1983: 155) clarifies:

> The growth in the public sector, both in terms of its scale and the diversity of its activities, has outstretched the traditional machinery of public accountability, heavily dependent upon the formal relationship between the executive and the legislative. There have emerged alternative views of what accountability entails, involving different answers to both the substance and the form of the account. The concepts of accountability, which now dominate the debate, are political accountability, managerial accountability and legal accountability.

*(Heald 1983: 155)*

Thus, parliaments and governments have to provide a form of ‘public accountability’, which takes the shape of an overarching umbrella (Glynn, 1993). It incorporates the different basis of accountability systematised by Stewart (1984) in his 'ladder of accountability', within the three dimensions identified by Heald (1983). Thus, political accountability encompasses (Glynn, 1993: 18–19): constitutional accountability – which is the characteristic of parliamentary systems; decentralised accountability – which allows decentralisation...
of control; consultative accountability – which refers to the involvement of interested parties and pressure groups. Managerial accountability comprises (Glynn, 1993: 18–19): commercial accountability – which relates to publicly owned organisations financed by user charge and not by budgetary appropriations; resource accountability – which calls for the adoption of managerial practices that will promote the efficiency and effectiveness of non-commercial entities by the establishment of an appropriate budgetary control framework; professional accountability – which relates to processes of self-regulation by professional groups employed in the public sector. Legal accountability is made of (Glynn, 1993: 18–19): judicial accountability – which refers to the review of Executive actions at the instigation of an aggrieved individual; quasi-judicial accountability – which refers to the control of administrative discretion, e.g. by review tribunals; procedural accountability – which refers to the review of decisions by an external agency, usually by an ombudsman.

The definitions and representations of accountability so far considered provide a conceptualisation that depicts a hierarchical model. In order to work, the hierarchical relationship needs to rely on a series of assumptions that have been questioned (Day and Klein, 1987) leading to the debate on the ‘accountability gap’ within the relationship between political and managerial accountability.

The ‘accountability gap’

An important aspect of the relationship between the different dimensions of accountability, previously identified, is to be found in the link between political and managerial accountability. This link, which resides in ministerial offices, should be existent and effective. However, when analysing the role of ministers and the ways of discharging ministerial responsibility, Day and Klein argued that ministerial responsibility is divided into two important parts. Ministers are accountable to parliament for the activity of their department. At the same time, they are accountable for the actions of the civil servants that work in their departments. The discharge of accountability to parliament is an expression of political accountability, while the accountability for civil servants’ actions reflects managerial accountability. Thus, the discharge of managerial accountability of ministers depends on the extent to which it is possible within a parliamentary and governmental system to exercise some form of control of the activity.

According to Barberis (1998: 451) there is an incongruity between the practical application and the doctrine of accountability in British government (Barberis, 1998: 451):

Ministers are accountable to the public, via Parliament, for their own decisions and for the work of their departments; civil servants are accountable internally – and only internally – to their political chief. . . . Ministers cannot blame their civil servants when things go wrong
because if ministers could blame the civil servants, then the civil servants would require the power to blame the minister. Such would violate the impartiality and anonymity of the civil service, so undermining the authority of democratically elected ministers. And if ministers are impaired, so too is Parliament since it is through ministers that Parliament seeks to bring the executive to account.

(Barberis 1998: 451)

This incongruity finds its origin in the disregard of agency and public officials’ personal responsibility, which is behind the choice of accountability and obligation (Roberts, 2002: 659). This choice leads to Harmon’s accountability paradox and its relative pathologies (Roberts, 2002: 659):

**Paradox of accountability** If public servants are solely accountable for the achievement of purposes mandate by political authority, then as instruments of that authority they hold no personal responsibility for the products of their actions. If, however, public servants participate in determining public purposes, then their accountability to higher authority is undermined.

**Pathologies generated**

**Atrophy of political authority** Granting public servants the responsibility to establish public purposes makes public servants answerable only to themselves and enables them to covertly manipulate political processes that determine public purposes.

(Roberts, 2002: 659)

This paradox highlights the inherent problems of ministerial responsibility, which are generally recognised and demand new solutions (Barberis, 1998: 452). The questioning of the effective capacity of ministers to being held accountable for the work of the civil service and the need to show to the electorate a clear link between policies and what has been achieved, has increased the demand for greater openness of the political institutions. Different mechanisms for assuring a more reliable accountability needed to be implemented. Thus, a number of initiatives, the New Public Management initiatives, were implemented from the 1980s and onward, which called for enhancing accountability through improving efficiency and implementing systems for measuring and monitoring performance. These are all elements that pertain to the realm of ‘managerial accountability’. In a way, the assumption that efficiency and accountability are ‘two sides of the same coin’ (Day and Klein, 1987: 42) was developing, as the emphasis of the reforming process strengthened the idea that effective political accountability relied on effective managerial accountability. New Public Management initiatives were considered to enhance accountability, extending its scope beyond compliance (Sinclair, 1995: 219). The complexities of the relationship between ministerial
and civil service responsibility (Wilson and Barker, 2003) have been brought into sharper focus by the New Public Management initiatives, which have 'exacerbated and made more visible existing fault-lines in the systems of accountability' (Barberis, 1998: 460).

The Hansard Society's Commission on Parliamentary Scrutiny explored the issue of how members of parliament (Westminster) exercise accountability. The Commission looked at debates, ministerial questions, inquiries conducted by select committees, and also the work of the National Audit Office and the Ombudsman. In addition, the Commission examined non-parliamentary procedures of holding the government to account such as the work done by courts, regulators, inspectors and judicial enquiries. The result of the enquiry brought to light an inadequate and disconnected system of accountability. Governmental scrutiny appears to lack rigour and systematisation, and little evidence has been found on the ability of parliamentary enquiries to identify responsibility for failing by the Executive, and to make sure that the Executive puts into place adequate measures and follows recommendations.

The report issued by the Commission, *The Challenge for Parliament: Making Government Accountable*, reinforces the concept that Parliament has to remain the leading institution for guaranteeing accountability. It should use better the resources available, both external (for instance the enquiry by external regulators and commissions) and internal (promoting the role of the Select Committees). Better co-ordination of the different activities performed by the members of parliaments is advocated. The report identified seven principles through which objectives may be achieved (http://hansardsociety.org.uk/ChallengeforParliament.html):

- **Parliament at the Apex** Parliament should be the leader institution for scrutinising the government. In doing so it should provide a framework for co-ordinating the activity of the different bodies responsible for monitoring the provision of government services. Members of parliament should incorporate the information provided by these bodies within a more formal and systematic appraisal of the Executive work.

- **Parliament must develop a culture of scrutiny** The Commission suspects that members of parliament do not have a clear understanding of their role in holding the Executive to account. Thus changes in MPs' attitudes and behaviours are advocated. In particular, the commission highlighted the lack of cross-party activities, which leaves the task of governmental scrutiny to the opposition.

- **Committees should play a more influential role within Parliament** The role of the select committees should be pivotal in making parliamentary scrutiny effective. The Commission suggests:
  - a better-defined role for the committees, with specifically defined responsibilities and pre-determined objectives;
committees should take care of monitoring systematically the work of Executive departments and agencies;
committees should provide regular scrutiny of Executive agencies, regulators and quangos;
committee structure should be modified in accordance with new methods of work.

• The chamber should remain central to accountability The commission advocates a central role of the chamber as the locus where ministers should be held to account. As a place of public representation of the House of Commons, it is considered as the main channel for informing and influencing the electorate, thus public interest and attendance to debates should be stimulated and improved. Regarding the content of the debates it is suggested that their capacity for scrutiny needs to be improved, with shorter debates and more time allowed for questions. Backbenchers and members of the opposition party should be given more chances for questioning ministers, and there should be time for cross-party public interest debates.

• Financial scrutiny should be central to accountability The House of Commons is considered to hold a special responsibility for scrutinising tax and spending proposals. The Commission reckons that members of parliament are not fully performing their role in ensuring value for money of the Executive policies and in supervising that money is spent sensibly. Financial scrutiny is recommended as central to the work of parliament and the commission highlighted the need for promoting better procedures, which would provide the members with the necessary resources for exercising financial scrutiny.

• Parliament must communicate more effectively with the public The Commission claims that there is a strong need for improving communications and responsiveness to the public. At parliamentary level it is suggested there is a need to increase media coverage, and to render parliamentary affairs more understandable to the public. The committee should extend their range of consultation and better inform the public about their work.

The analysis and recommendations of the Commission further reinforce the need to develop other forms of accountability. A more informal horizontal relationship (Roberts, 1991) is involved in accountability, which emphasises interdependence between political institutions and its members, and between citizens and their political representatives. Several authors (Day and Klein, 1987; March and Olsen, 1995; Mulgan, 2000; Roberts 2002) consider the process of accountability as a 'dialectical activity'. This activity is shaped by two logics: on the one hand the logic of answering, explaining and justifying, informs the perspective of those who are asked to account for their actions. On the other hand the logic of asking, evaluating and judging, shapes the
point of view of those who hold to account (Mulgan, 2000: 569). Within this process, the role of information is crucial as it forms the 'raw material to account' (Stewart, 1984: 26), which in this context is considered to be 'a source of power, guarded by the institution rendering to account' (Stewart, 1984: 26). Thus, the content of information to be provided, the way in which it is made available to those who hold to account and to a wider interested public, and the right to access, impinge on the effectiveness of the process of accountability mechanisms within parliamentary and governmental institutions. Strengthening the concept of dialogue as a mechanism of accountability is envisaged as a way of rendering the process more transparent, where there would be production and use of information that is less controlled by the accountable institution (i.e. the Executive). In addition, it would create a space where appropriate information could flow freely, a space that would provide an effective forum for discussion and assessment. Finally, it would reinforce traditional accountability mechanism making participants more transparent and visible.

The establishment of the devolved assemblies in Northern Ireland and Wales and the Parliament in Scotland has been interpreted as a way for enhancing democratic control and accountability in the UK (Midwinter and McGarvey, 2001: 47). The devolved institutions offer the opportunity to shape the relationship between parliament/assembly and the Executive more in harmony with the concept of accountability process based on dialogue. Devolution has been presented as a way for fostering a 'new politics' (Hazell, 2003: 286, our emphases):

The 'new politics' has pioneered a new form of civic engagement: it has attempted to build elements of participatory democracy into the work of the devolved assemblies, alongside the traditional forms of representative governments. The advocates of devolution promised that it would usher in a new kind of politics: more consensual, more participatory, more inclusive than the adversarial party politics and political games played at Westminster.

Accountability arrangements in the UK devolved parliament/assemblies

As discussed in the previous chapter on the process of devolution in the UK, the new devolved institutions have made accountability a key principle for their operation. In Scotland the report Shaping Scotland's Parliament issued in January 1999 by the Consultative Steering Group, appointed by the Secretary of State for Scotland for developing the practical operations of the Parliament, included the principle of accountability among the four key operational principles. In this document accountability is defined as follows: 'The Scottish Executive should be accountable to the Scottish Parliament and
the Parliament and the Executive should be accountable to the people of Scotland'.

This simple definition adheres to the straight-line relationship of accountability mentioned in the introductory section of this chapter. In Wales and Northern Ireland there is not such a formal statement of key principles underlying the formation of the new political institutions. However, in Wales the process of devolution has been associated with the strengthening of accountability (National Assembly for Wales, 2001: 1): 'This was a year of beginnings, creating our new and historic institution of devolved government, bringing accountability to the three million people of Wales' (Rhodri Morgan, Welsh First Minister).

In all the devolved parliament/assemblies the arrangements through which accountability is assured and discharged are very similar. The process of accountability has been designed involving three different levels, as shown in Figure 4.1.

The full Parliament/Assembly

The full Parliament exercises its role of scrutiny of the Executive when debating in plenary session the legislative programme announced every year by the Executive, and any time the Executive presents a revised programme during a legislative session. In Scotland, the Consultative Steering Group suggested that the Executive should provide detailed statements regarding its political programme. The annual statement should present the primary aims, the objectives, the policy priorities and the ways (legislative, Executive and administrative) in which the Executive intends to fulfil them. Furthermore, the Consultative Steering Group suggested that the format of the statement could be an annual report, which shows the progress made in the previous year, provides explanation for changes, and it should present data on performance review through the use of adequate performance indicators. The

![Diagram](image-url)

**Figure 4.1** The accountability process in UK devolved institutions.
Executive financial proposals (the budget) have to be presented and discussed separately from the political programme. General debates on matters of public policy can occasionally be held in plenary sessions. These debates can be initiated by the Executive, by non-executive parties, by Committees or by a specified number of members of Scottish Parliament.

Another mechanism for enacting accountability is the vote of no confidence. Any member should be able to present a motion for a vote of no confidence either in the entire Executive or in a named minister. In Scotland, this motion, which needs to be supported by a specified minimum number of at least twenty-six MSPs, has to be debated and voted upon. If the Executive does no longer have the support of the Parliament, the First Minister must tender his/her resignations and the Scottish Ministers must resign. If the Parliament approves a motion of no confidence in a named Minister, this does not cause the resignation of the named Minister.

The committees

The role of the committees is central to the issue of accountability. The Scottish Consultative Steering Groups suggested that the committees should be able to scrutinise the work of the Executive through different methods. First, it was recommended that committees should have the power to conduct enquiries and take oral and written evidence from Ministers, civil servants and others.

Second, committees play an important role during the policy development and the pre-legislative process. The Steering Group devised a recognised policy-development stage, which would provide committees with a strong role in considering legislation (Report of the Consultative Steering Group, 1998, section 3.5:3): 'A formal, well-structured, well-understood process would not only deliver a scrutiny stage pre-introduction, but would also allow individuals and groups to influence the policy-making process at a much earlier stage than at present' (Report of the Consultative Steering Group, 1998, section 3.5:3).

Individual ministers present to the relevant subject committees more detailed information on the related part of the Executive’s annual proposal, defining in depth their purposes and objectives; their arrangements for effecting the plans, whether and who they intend to consult. At this early stage the committee would be able to exert quite a lot of influence on the development of the policy, and it would have also the opportunity of expressing any reservations or complaints to the Executive at a stage early enough to have an impact on the Executive’s operation. In this role committees are seen as ‘the revising chamber’ (Report of the Consultative Steering Group, section 3.5) as they scrutinise draft legislation, exercising a monitoring and enforcing role to ensure that all requirements are met.

Third, committees are involved during the process of introducing bills. After a bill has been debated and voted upon in plenary session (Stage 1) the
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bill is then referred to the relevant committee. In this stage (Stage 2), committees prepare a report to the Parliament as to whether or not the Bill should be approved, and comment also on the Memorandum that accompanies the bill.

Fourth, committees hold important financial management functions in the budgetary process. Subject committees have the power and the opportunity to make recommendations on spending priorities and commission specialised reports which are prepared to tightly controlled budgets. The Finance Committee holds a key role in the budgetary process. It is responsible for addressing overall budget priorities; it is required to gather and consider the views of the subject committees and individual MSPs, and to scrutinise the expenditure proposals of the Executive. The results of the Finance Committee's analysis inform the debate of the Plenary on budgetary issues. The Executive should then take the outcome of the plenary debate into consideration in their financial plans. The Audit Committee holds the leading role for analysing the financial audits reports of the spending agencies that are accountable to Parliament (for instance the Departments of the Executive, NDPBs and Health Service Bodies). In addition, it examines reports commissioned from experts which cut across different subject areas, working jointly with the relevant subject committees when required.

The subject committees, the Finance and Audit Committees are able to scrutinise the accounts and the Scottish administration has to be held accountable to Parliament for the way in which public money is spent. The Principal Accountable Officer and the senior officials, nominated by the Principal Accountable Officer for different areas of administration, have to answer to Parliament for their operations, through the Finance Committee, the Audit Committee and the subject committees. Furthermore, if the Committees are reviewing a specific issue for which the presence of the Accountable Officer is considered of help, in addition to or instead of the Accountable Officer the manager with specific responsibility for that issue can attend the committees and can be called to give evidence, both to provide examples of good practice and to justify actions when errors occur. This measure is evidently in contrast with the procedures before devolution, where Accounting Officers enquired into officials' work only when something appeared to have gone wrong. This new arrangement should allow committees to establish co-operation with the administration strengthening the accountability process, through the promotion of a free flow of information between Parliament and the administration, and the openness and transparency of the government.

In Northern Ireland there are three types of committees: statutory committees (also called departmental committees), non-statutory committees, which consist of standing committees (permanent committees of the Assembly) and ad hoc committees. According to the Belfast Agreement, statutory committees are designed to work in partnership with each of their 'target' departments, in conformity with the principle of power-sharing. Similarly to the Scottish subject committees, they have advisory, consultative and policy
development functions, and are responsible for scrutinising policies and legislation brought forward by each of the Executive’s departments. In addition they will have a role in the initiation of legislation and are specifically given the following powers (First Report of the Northern Ireland Commission, 2002):

- consider and advise on the Departmental budget and annual plans in the context of the overall budget allocation;
- approve relevant primary legislation and take the committee stage of relevant primary legislation;
- call for persons and papers;
- initiate enquiries and make reports;
- consider and advise on matters brought to the committee by its minister.

Amongst the statutory committees, the Finance and Personnel Committee, similar to the Scottish arrangement, holds a key function in the accountability process. This committee has the responsibility for advising and assisting the Minister of Finance and Personnel in the formulation of policy, policy development, and has consultation role with respect to matters within the minister’s responsibilities. In addition, this committee has the central role of prompting the scrutiny of the budget proposals, considering and advising on departmental budgets and annual plans, and co-ordinating the Assembly Committees’ responses to the Executive’s Position Report to the Assembly (Developing the Programme for Government and the Budget for 2003–04, Resources Issues, 2002).

In Wales, as in Scotland and Northern Ireland, there are subject committees and standing committees, but unlike the Scottish and Northern Irish counterparts, there are four regional committees, which look after the interests of the regions. Every area of the Assembly responsibilities is covered by one of the subject committees. They hold the following functions:

- contribute to the development of Assembly policy in their area of interest;
- scrutinise administration related to the implementation of Assembly policy;
- scrutinise the expenditure connected with the implementation of Assembly policy;
- review the discharge of public functions by public, voluntary sector and private institutions in their policy areas;
- take decisions in exceptional circumstances.

(The National Assembly for Wales, 2001)

Each Assembly Secretary is a member of the subject committee that covers their areas of work, in order to have direct contact with and immediate feedback from the committee. Differently from Northern Ireland and Scotland, the Welsh Assembly does not have a finance committee. The scrutiny of the
budget proposals is dealt by the subject committees, which are invited to provide their views on their spending priorities during the Budget Planning Round, and to examine and comment on the draft budget.

**Individual members**

Individual members of the parliament/assemblies can obtain information and hold the Executive to account through oral and written Parliamentary Questions. The submission of oral and written questions, which are intended to be used for obtaining information and not for political point scoring, has to follow a specific procedure (defined in the Standing Orders).

**Interest groups**

Having adopted a policy of openness, transparency and involvement of the citizenship in their operations the new parliament/assemblies can be easily approached by lobbyists' groups, and are more open to tight scrutiny of the media. Indeed local press can exercise strong pressure on members of parliament/assemblies and executives, as it increases their visibility to public opinion.

**Accountability and the views of 'who holds to accounts' and 'who is held to account'**

The empirical research aimed to explore what is the comprehension of the different actors in the UK devolved institutions (i.e. politicians, civil servants and external experts) of the concept of accountability, and to map their notions according to the different dimensions of accountability previously illustrated in the introductory section to this chapter. The interviewees were asked to explain what they understood accountability to mean and what it signifies to them. Most of the participants held a broad view of accountability, and for the majority of them the most important element of accountability resides in the realm of public/political accountability, i.e. giving account to the electorate. The process of accountability is identified according to the straight-line relationship between electorate, parliament, government and civil service, where the line of accountability is considered clear and straightforward: the assemblies/parliament are accountable to the electorate, the ministers to the assemblies/parliament, and the civil servants are accountable to ministers for their work on the ministers' behalf.

Participants recognised, however, that accountability is a multifaceted concept, which can be defined in different ways and involves different bases upon which one is held to account, and the different people to whom one has to render an account. At one level, accountability has been defined as 'political', which is associated with the process of representative democracy and with the role of the governments who have to account for their actions to the 'ballot
box'. On a different level accountability has been defined as 'ministerial', when referring specifically to the duties of ministers to account for their decisions and actions to the assemblies/parliament. And finally, there is the recognition that there is a 'managerial' accountability, which meant being able to identify who is responsible for doing what and to ensure that it is done, and also being capable and having power to monitor the use of public money.

Among the participants, there is a general acknowledgment of the benefits of devolution in strengthening the process of accountability within parliament/assemblies and the Executive. These improvements are associated with an increased level of scrutiny of the work done by ministers. The level of scrutiny has increased as a result of the enhancement of the opportunities for understanding what a politician does, or is supposed to do. The political structure allows having a focused group of people who are concerned with specific national issues.

The positive effects of devolution in strengthening accountability have been attributed not only to the increase in the level of scrutiny of the Executive and civil service's activity, mostly exercised by committees, but also to an increase in the flow of information, openness and dialogue between parliament/assemblies, the Executive and the civil servants. This has been described by the majority of the interviewees as a learning process, where ministers and civil servants try to engage with members of parliament/assemblies in building together an information system that meets their different needs. The new political structure favours the creation of more targeted information, which flows through a formal channel. It also allows facilitating and promoting less formal channels of communication especially between civil servants and members of the assemblies/parliament, which seems to have increased the opportunities to hold ministers and civil servants to account.

However, there are some sceptical comments on the effectiveness of the accountability process and the procedures of communication and provision of information. Some members considered the provision of information too unstructured, with too many documents (for instance programmes for Government and budgets) that do not tie up together. Some members felt that the volume of information is really high but its quality needs improvements in term of being sharper and more focused. In the Northern Ireland context, the criticism of the system is concentrated not only on the quality of information provided by the Executive, but also on the way in which its composition is determined. Criticisms have been raised about the way in which the Executive is appointed and how it operates. The assembly does not appoint ministers and they do not have any legal or political obligation to take into account what the committees might suggest. This lack of a 'sense of collective responsibility' reflects on the ability of the committees to exercise properly their role in enhancing co-operation and dialogue among the political institutions.

Other problems related to the capacity of the system to hold ministers to account, specifically related to the role exercised by the committees have been
highlighted by some Welsh Assembly Members. It is entirely a ministerial decision whether or not to take into consideration the suggestions made by the committees. To make the matter more complicated ministers are members of the committees. The thinking behind the arrangement of having a minister sitting in the committee of the relative area of responsibility, which is to be found only in the Welsh Assembly, is that this would build stronger links between the Executive and the parliament. Dialogue and co-operation would be enhanced, making ministers more accountable. However, there is always the possibility that ministers do not take on board the advice of the committees. Even more problematic, this arrangement could lead, paradoxically, to a decrease in ministerial accountability, as ministers could exert some pressure on the committees’ members.

Similarly, some doubts on the effective discharge of accountability of the Executive through parliaments and committees have been raised in the Scottish context. Some civil servants suggested that the media play a more fundamental part in the process of discharging accountability than having debates in parliament and committee hearings. The extent of the media interest in what the Scottish Parliament and the Executive do has increased dramatically, forcing politicians to consider an additional level of accountability: a ‘practical accountability’.

**Conclusion**

Devolution and accountability are strongly interconnected. The process of devolution has been advocated and welcomed by its architects and supporters as the way forward in order to strengthen political and managerial accountability. The empirical analysis of how politicians, civil servants and other actors involved in the devolved institutions understand and make sense of the changes in accountability, showed the merits and achievements of the process as well as the problems that still remain to be resolved.

A positive aspect of devolution resides in the fact that it enacted a process of search for and experimentation of different mechanisms and procedures through which to regulate and shape the operations of the political institutions and the relationship among them. The level of accountability, both of ministers and civil servants has dramatically increased because of the enhanced level of scrutiny exercised by the members of the parliament/assemblies. Contrary to the Westminster arrangements, subject committees are given an important and central role in the function of scrutiny of the Executive’s operations, which seems to be seriously exercised by the committee members.

In addition, committees have the opportunity of participating more in the legislative process. This opportunity reflects positively on the accountability process at different levels. First, on a formal level, committees can impact upon the decisions taken by the Executives, as they have specific roles and statutory responsibilities for advising ministers, consultation at policy development
and pre-legislative stages, and key financial management functions in the budgetary process. Second, on an informal level, the operational mechanisms devised by the devolved institutions work in favour of developing a process of dialogue between the political actors (ministers and members of the parliament/assemblies), civil servants and the public. These mechanisms impinge upon the content of the information that is shared between parliament (those who hold others to account), Executive and civil service (those who are held to account). The arrangements made in order to empower committees and individual MSPs, the resources made available to them – for instance the creation of a parliamentary research centre in Scotland (SPICe) – do impact positively on the accountability process. They provide a better flow of information and a less controlled availability of it to committees as well as backbenchers. Civil servants have a more direct contact with the members of the parliament/assemblies, as committees can invite them to give evidence and to answer questions. In this way there is less ministerial interference in the relationship between parliament and officials, a positive aspect that provides a fertile ground for establishing more collaborative work and less confrontational exchanges between committees and the civil servants.

However, the experimentation with new mechanisms and operational procedures is considered still a work in progress, a thought expressed by many politicians, civil servants and other members involved in the work of parliament/assemblies. Concerns have been expressed in the quality and the amount of information that is available to individual members and committees. The quantity should be less and the quality could be improved in order to allow members to exercise properly their role of holding to account. Furthermore, criticisms have been raised over the ability of committees to hold ministers and civil servants effectively to account. The range of critiques varies extensively. On the one hand, some members express a very strong disbelief in the system, which is thought to be lacking in collective responsibility, as expressed in the case of the composition of the Northern Ireland government. On the other hand, less strong but still critical views on the committees are expressed with regard to the inability of members to fully understand their role and to take full advantage of the potential of the system in terms of challenging and influencing seriously the Executive’s decisions.

Even though there is still progress to be made in strengthening political and managerial accountability, overall it is possible to say that the process of devolution has increased accountability. The devolved institutions have set up formal procedures at different levels (parliamentary, committee and individual), with the specific aim of overcoming the ‘accountability gap’ criticised in the Westminster model. In addition, there is a renewed awareness among the members of parliament/assemblies of the importance of their role not only in scrutinising governments but also in collaborating with the Executive and the civil servants. It remains to be seen how far the willingness of members of the Scottish, Northern Ireland and Welsh parliament/assemblies will progress in shaping effectively a ‘new kind of politics’.
Notes

1 The different models of political accountability identified by the authors are the following: Athenian; Feudal; Transitional; Simple modern; Complex model. These models move from a simple and direct concept of accountability to a more complex system of links between different administrative tiers related to the complex and diverse role of the state.

2 Stone (1995) argues that ministerial responsibility is part of a broader principle of administrative accountability, and that the latter has been at the centre of a significant and complex process of change. Thus, the author sustains that five main concepts of accountability are needed to better 'comprehend the practices which now constitute administrative accountability' (Stone, 1995: 523). Parliamentary control, managerialism, judicial/quasi-judicial review, constituency relations and market, are identified as the relevant and multiple systems of accountability, which coexists within administrative accountability. The issue, thus, becomes how best to combine these different systems of accountability without impairing the effectiveness of the administrative work.


4 The memorandum is a document that explains the need for the legislation, the options considered, the consultative process undertaken, the best estimated costs, benefits and financial implications, and the degree of consensus reached (Report of the Consultative Steering Group, 1998, section 3.5.7).

References


