Introduction

I hope that the following response call for views on the Review of Cross Party Groups in the Scottish Parliament will be of assistance to the Committee.

I was involved in founding the Cross Party Group on Animal Welfare in September 1999 when I was employed as Parliamentary Officer by the Scottish Society for the Prevention of Cruelty to Animals, and for much of the period since then I have acted as Secretary of the Group. Conveners since that time have been the late Phil Gallie MSP, Cathy Jamieson MSP, Sylvia Jackson MSP and the current Convener Christine Grahame MSP.

This submission is offered entirely on a personal basis. The views it are my own and are not intended to represent either the Cross Party Group on Animal Welfare or the animal protection charity OneKind (formerly Advocates for Animals) where I am currently employed as Policy Director.

General

Question 1: What do you understand the role of CPGs in the Scottish Parliament to be?

CPGs provide an opportunity for MSPs of all parties, outside organisations and members of the public to meet and discuss a shared interest in a particular cause or subject. This should extend and enhance everyone’s knowledge and understanding of relevant issues.

Question 2: What benefits does the existence of CPGs bring to non-MSPs in terms of engagement with MSPs and the work of the Scottish Parliament?

A structured but informal setting for stakeholders to meet MSPs and debate issues; to bring to light issues that might otherwise escape the notice of MSPs; to hear what other groups are saying on issues of common interest and to support or disagree with their views. CPGs allow MSPs the opportunity to meet a cross section of stakeholders in an area that interests them, at the Parliament, which in theory at least should encourage MSP attendance.
Registration of Cross-Party Groups

**Question 3:** Do you consider that the Code could be clearer on the process for establishing and registering a Cross-Party Group? If so, please provide comments as to any specific elements of the process that, in your experience, could be improved.

The Code is clear on the process for establishing and registering a Cross-Party Group.

**Question 4:** The Code of Conduct requires that a Group’s overall membership profile must be “parliamentary in character”. What do you understand the term “parliamentary in character” to mean in the context of Cross-Party Groups and is the minimum requirement of 5 MSP members sufficient to meet this requirement?

Strictly speaking, I understand this to mean that there must be sufficient representation of MSPs for the discussion and any actions to be of relevance to MSPs’ work and matters of interest to the Scottish Parliament. In a wider sense I assume it to mean that outside groups should raise or present issues of policy or public interest. For example, it would be unparliamentary for a CPG to promote a single commercial enterprise or the interests of an individual – not that I am aware of this ever having occurred or been attempted.

It is probably wise not to be too prescriptive as to how parliamentary character is to be defined, as this could unnecessarily restrict the activities of the group – they should be able to discuss the widest possible range of subjects. Setting a minimum requirement for five MSPs to be in membership is a single objective criterion and should be achievable, at least on paper. There is however a problem in that groups may recruit five MSPs in order to meet this requirement but in practice the MSPs are not able to participate actively due to the other calls on their time. This causes disappointment to associate members who attend the meetings in the hope of engaging with MSPs on matters in which they themselves take a keen interest.

**Question 5:** When applying for recognition, CPG conveners must submit two forms, one of which must be submitted in hard copy. Would it benefit CPGs if the forms were combined and electronic submission was accepted for this single form?

I believe it would be beneficial to make this change.

**Question 6:** CPGs are required to register any financial or material support received from a single source in a calendar year which has a total value of more than £500. This £500 threshold is close to the threshold above which individual MSPs are required to register gifts in their Register of Interests. Do you consider that the £500 threshold is appropriate and should be retained?
On balance it would be preferable to register all financial or material support. The sum of £500 would be sufficient, for example, to pay for a small drinks reception from which a single donor might potentially benefit, and this should be transparent. It is not onerous to register such contributions and it would be more equitable.

**Question 7:** The Rules on All-Party Groups at Westminster require that, where secretariat services are provided by a consultancy or by a charity/not-for-profit organisation, the relevant organisation must agree to make certain information available on request. The information for a consultancy firm is its full client list and for a charity/not-for-profit organisation is a list of any commercial company which has made a donation or donations of more than £5,000 in the twelve months prior to the request being made. Should a similar requirement be introduced for CPGs?

Yes. Again, there is a slight additional bureaucratic burden but this is not an unreasonable imposition and I would suggest that it is outweighed by the need for transparency.

**Question 8:** Following a general election, CPGs have 90 days within which they can re-register, provided that there is no significant change to the information registered in the previous Session. Due to the changes in MSPs that arise following an election, the process that must be followed for re-registration is largely similar to that for the initial registration of a Group. The Parliamentary timetable also means that the re-registration period carries into the summer recess, during which the election of office bearers cannot be carried out, meaning that CPGs wishing to re-register must arrange and hold their first meetings before the start of the recess.

What are your views on whether—
- the re-registration provision should be retained, and if so
- the re-registration period should exclude days when the Parliament is in recess?

The re-registration process is helpful to existing Groups as it provides continuity. However, the period should definitely exclude recess days as it can be difficult for MSPs to find an evening or lunchtime during the parliamentary week, in between an election in May and the summer recess starting at the end of June. This would apply particularly to newly-elected MSPs who are not yet familiar with all of the CPGs and might not yet have an interest in the subject matter.

Following the last election in 2011, the CPG Animal Welfare, for which OneKind provides the secretariat, did manage to arrange a short formal meeting of MSPs for the purpose of re-registration. However it might be argued that this was not the best use of MSPs’ time as no substantive business was discussed and it was not worthwhile for external members to
travel long distances to attend such a meeting. If the first meeting could be held after recess it could more easily incorporate additional business.

**Operation of Cross-Party Groups**

**Question 9:** The Code states that “to maintain and guarantee the Parliamentary nature of CPG meetings, at least 2 MSP members of a Group must be present at every meeting”. Is the 2 MSP quorum sufficient to ensure the Parliamentary nature of CPG meetings? Should there be a requirement that the MSPs present should represent more than one of the political parties represented on the Group?

It may well be questioned whether the two-MSP quorum is sufficient to ensure the Parliamentary nature of CPG meetings, and clearly every CPG wants more than to MSPs to attend. However, as long as there are so many groups in competition for MSPs’ time, it might be unrealistic to require that a greater number of MSPs attend meetings. It would also be unfair on external members, many of whom travel considerable distance to attend evening meetings. The CPG Animal Welfare ensures that detailed minutes are taken at all meetings, so that the information can be shared with all members even if unable to attend.

**Question 10:** Should CPGs be required to hold a minimum number of meetings per year? If so, what should the minimum number be?

If CPGs are not active, they are not providing MSPs and stakeholders with opportunities to engage on matters of mutual interest. But again, as long as there are so many CPGs and so much competition for MSPs’ time from CPGs and other events, real difficulties arise in finding time and space for meetings. The CPG Animal Welfare attempts to meet four times per year, and would probably meet more often if it were not for these congestion issues. If a minimum number of meetings is to be set, it should probably be no more than three.

**Question 11:** All Groups are required to hold an annual general meeting and to elect office bearers every twelve months. As Groups must elect officer bearers for the purpose of both initial registration and re-registration, do you consider that there would be any benefits to introducing a single date by which all Groups must hold their AGM? For example, if the Parliament’s first meeting of a Session was on 11 May, would the 11 May in each successive year be a suitable date by which an AGM must be held?

I suspect this would lead to further congestion in the Parliamentary calendar and on room bookings as groups tried to meet the deadline, and in turn would exacerbate the pressure on MSPs to attend multiple meetings, possibly in one evening. I would recommend maintaining the staggered approach.

**Question 12:** The Code currently provides that there are limitations on the use of Parliamentary resources to support CPG meetings. What are
your views on these limitations? (Note: this does not apply to CPG events which are subject to the same terms and conditions as any other MSP-sponsored event held under the SPCB events policy.)

The limitations can be restrictive particularly as it is common for an outside organisation, very often a charity such as OneKind, to provide secretariat services. It used to be thought that there was some kudos or advantage to be gained from providing the secretariat to a parliamentary group but in reality providing this service is mainly an administrative task rather than a source of any special influence or access. To facilitate smooth administration it would be helpful if CPG officials, including designated persons from outside organisations, could have the ability to carry out some functions direct.

For example, under Rule 12 it would be helpful if a designated official could be authorised to book meeting rooms and submit visitor lists direct to the security office. Under Rule 13, it would also be reasonable for CPG officials to have access to the Parliament’s telephone, fax, photocopying, IT facilities and Parliamentary stationery in pursuit of Cross-Party Group business. In practice I have never needed such access, but it could be necessary in certain circumstances. Smaller groups with fewer resources may find that they are not resourced to assist MSPs by providing secretariat services, and this could militate against the setting up and running of a valuable CPG.

The Committee might also wish to consider whether there is public interest in allowing CPGs under certain circumstances to make use of the Parliament’s audio or broadcasting equipment or other provision for the televising or sound recording of their proceedings. Video conferencing CPGs, for example, would help to provide greater accessibility to the Groups and the matters they discuss, and potentially reduce travel which is both a financial and environmental cost.

**Regulation of Cross-Party Groups**

**Question 13:** The Convener of a Group is held primarily responsible for ensuring that the Group operates in compliance with the Code of Conduct and has to sign a declaration to that effect. Do you have any views on whether this should continue or if the provisions should be changed to extend the responsibility to all MSP office bearers of a Group?

Clearly MSPs are better placed to answer this question. As far as I am aware, Convener of the CPG that I have worked with over the years have had no objection to taking sole responsibility. While accepting this responsibility, however, MSPs tend to be interested in the subject matter of a CPG, rather than the administration. Extending the responsibility to other MSP office bearers might spread the burden, such as it is, but might also deter busy MSPs from taking office, which would be counter-productive.

**Question 14:** Groups are required to provide an annual report (submitted within 30 days of their AGM) which includes current membership and
membership changes, a financial statement, the number of meetings held and any additional information that the Group wishes to provide. Should Groups be required to include additional information, such as the topics discussed at each meeting, number of MSP and non-MSP attendees and details of any reports or papers published by the Group?

The CPG Animal Welfare already provides this additional detail and this has never caused our group any difficulty or undue burden. Indeed, the process provides a useful overview of the year’s activities which members appear to welcome.

**Question 15:** At present, the SPPA Committee has not delegated to the Standards clerks any role in ensuring that CPGs are aware of and comply with the key rules relating to the administration of CPGs. What are your views on whether it would be of assistance to CPGs if the Standards clerks were to perform such a role in relation to matters such as the notification of CPG meetings, updates to registration details and deadlines for submission of documentation?

This would be extremely useful.

**Question 16:** Do you have any other comments on the operation of the CPG system in the Scottish Parliament?

Yes. There are a great many CPGs and it must be asked whether continued proliferation is in the interest of either stakeholders or the Parliament. Clearly the principle of accessibility must be observed – in one sense that is the beauty of the system – and it would be difficult for the Committee to find a fair and equitable way to reduce or limit numbers. But it may also be argued that accessibility (in the sense of good quality access to our lawmakers) is already being limited by the fact that MSPs are so thinly spread across CPGs and other commitments in the Parliament.

The very large membership lists of some groups indicate how keen organisations and individuals are to engage with MSPs through CPGs. External members of CPGs bring a vast amount of specialist knowledge and information to the table and it is regrettable to see twenty or more stakeholders attend and make excellent contributions, but very few MSPs present to benefit from their contribution.

One possibility would be to decide to limit the number of groups that are approved in future sessions. The European Parliament has 754 MEPs, but currently only 27 intergroups and at the beginning of each parliamentary term, all intergroups are required to resubmit their applications for establishment, rather than simply re-registering.

Another option might be for the Committee to review the extent to which groups are active and whether all meet the requirement to have five MSP members, if this is retained.
In the shorter term, groups with shared or overlapping interests or memberships might be encouraged to hold more joint meetings. This should benefit external members and MSPs alike, as it would allow for the sharing of knowledge about analogous issues, and it is to be hoped that attendance would increase.

All groups should post minutes and agendas, and annual returns, on the CPG Bulletin. This is a simple transparency measure and a protection against any suggestion that groups can be used for special interest lobbying. Inevitably all CPG members, whether MSPs or external members, wish to promote their own policies and views, but this can be done positively and openly in the group setting, with clear published records of proceedings. It would also be helpful if the rules allowed draft minutes to be published on the CPG bulletin, rather than having to wait for approval of minutes at the next group meeting: this delay means that information on a group’s page can become quite out of date.

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