STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS
COMMITTEE

REVIEW OF CROSS-PARTY GROUPS

WRITTEN SUBMISSION RECEIVED FROM MARGARET MITCHELL MSP

• Question 1:

The role of CPGs is to bring those individuals and organisations with an interest in a particular topic together. CPGs facilitate and encourage communication and debate. They have the ability to establish dialogue with, and to bring issues to the attention of, MSPs.

• Question 2:

It was noted by the secretary of the CPG on Adult Survivors of Childhood Sexual Abuse that this particular engagement opportunity with MSPs is important as most members of a CPG would never have the opportunity to engage with the particular MSP members of the group otherwise. It also fosters a better understanding of how the Scottish Parliament works which is vital.

• Question 3:

The code could be clearer, especially for those MSPs and staff who are embarking on the process of registering or re-registering a CPG for the first time. In particular, although the registration form asks for the elected officers, the fact that the group must meet first in order to do this is not expressly stated and this can cause confusion. It should also be highlighted that officers can be elected electronically.

• Question 4:

CPGs are ‘parliamentary in character’ in that they have MSP members and meet within the parliament. However, the term ‘parliamentary in character’ has led to misunderstanding about the role of MSPs within the CPG. There is the idea that CPG meetings will have lots of MSPs in attendance and the level of involvement and related work that is sometimes expected by group members of MSPs can be very high and unrealistic.

In particular it needs to be made much clearer that although CPGs meet in the parliament and have MSP members, CPGs they have no official or semi-official parliamentary powers or status Their raison d’etre is not intended to be to form a lobbying of MSPs forum. CPGs should be constructive in nature have a clear idea of the issues they were set up to pursue and should be prepared to work with other cross party groups to consider how to develop policies and ideas of mutual interest.
In regards to 5 MSP members this is sufficient to meet the requirement of ‘parliamentary in character’. There are a substantial number of CPGs in the parliament and for each group to have 5 members given the pressure on for example the Liberal Democrats with only 5 members to join CPGs to give the necessary political balance is not tenable. Hence many members only join CPGs on paper rather than having an active participation with the group or interest in the topic which, in effect, makes the group less parliamentary.

- **Question 5:**

This would be extremely helpful, especially if the registration period continues to include the recess period, as electronic submission of one form would be much easier and less time-consuming.

- **Question 6:**

£500 is a reasonable amount. There is great variance in the financial support different CPGs receive but given that £500 is akin to the MSP threshold it seems an appropriate level at which to ask for support to be registered. This transparency ensures the integrity of CPGs in that they are open and accountable regarding their financial dealings.

- **Question 7:**

This is sound to ensure that those proving secretariat services are impartial and not exerting undue influence.

- **Question 8:**

Re-registration should be retained, if a CPG was established in the previous session its members are likely to want to continue their work and re-registration is a simpler way to get the group going again.

The 90 days should most definitely exclude the parliamentary recess as this causes logistical difficulties especially in regards communication between MSP members of the group, the standards team and the non-MSP members of the group that have official roles within the CPG.

It also puts great time constraints on arranging the first meeting date, as although you have 90 days, effectively the initial group meeting can only take place in the weeks following the elections until the end of June. This sentiment was also expressed by members of the CPG on Adult Survivors of Childhood Sexual Abuse, who commented that: ‘in our recent experience [registration] can be problematic following an election, so should exclude recess days.’

- **Question 9:**

Given the ever-increasing number of CPGs and the limited time available to MSPs in which to attend meetings, the 2 MSP quorum is sufficient. At times it can be very difficult even to get a second MSP to attend a meeting despite
plenty of advance notice about the meeting date. In principle, a requirement that the MSPs present should represent more than one political party in order to maintain the cross-party nature of the group is good, however, in practice, when pressed into having to find another MSP to attend the meeting in order to make it quorate, it is from party colleagues that this assistance can often be found. If this was a constant trend of only the same party member attending to make the group quorate then it should be questioned why this was the case.

- **Question 10:**

  Again, in principle, in order for groups to be effective and to be seen to be effective, a minimum requirement for the number of meetings per year should be required. However given the commitments of MSPs and group members to set a minimum number of meetings may not be practical. It would be reasonable for CPGs to have met 3-4 times a year. However, if a group is meeting very infrequently and achieving little or nothing it may be an indicator for its officers and members that maybe they should reconsider the role of the CPG.

- **Question 11:**

  The comment made by the secretary of the CPG on Adult Survivors of Childhood Sexual Abuse was that such a deadline would not be practical as meeting dates are arranged amongst the group to ensure a consensus on attendance, etc. Hence a specific date may not be workable given the meeting schedules of individual groups.

- **Question 12:**

  The limitations as expressed in the Code are not only reasonable but essential and do not in any way restrict the operation of the CPGs or limit their resources.

- **Question 13:**

  Perhaps, if both the Convener and Vice/Co-Convener(s) if MSPs were also to sign the declaration thereby sharing the responsibility for ensuring that the group operates within the Code of Conduct, this would make the CPG more accountable. Given the token membership of some MSPs to allow the group to be established it would not be helpful and may well deter them from lending this support to ask them to report on compliance when they are not actively involved.

- **Question 14:**

  The CPG on Adult Survivors of Childhood Sexual abuse agreed with this suggestion and already produces an annual report on the topics/achievements/special talks/attendance by Ministers, as it evidences to Scottish Parliament the work of the CPG. If all CPGs were asked to provide such details in their annual report it would demonstrate to the parliament and
the public the work that they do and the value or otherwise of them remaining in existence.

- **Question 15:**

It would be of great benefit for members and staff to be updated on the requirements of a CPG such as notification of meetings. Management of CPGs is not a ‘regular’ job in terms of needing to be done weekly hence the necessities can easily be forgotten.

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

No.

**MARGARET MITCHELL MSP**
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