



OFFICIAL REPORT
AITHISG OIFIGEIL

Standards, Procedures and Public Appointments Committee

Thursday 15 December 2016

Session 5



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STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE
10th Meeting 2016, Session 5

CONVENER

*Clare Adamson (Motherwell and Wishaw) (SNP)

DEPUTY CONVENER

*Patrick Harvie (Glasgow) (Green)

COMMITTEE MEMBERS

*Tom Arthur (Renfrewshire South) (SNP)

*Clare Haughey (Rutherglen) (SNP)

*Daniel Johnson (Edinburgh Southern) (Lab)

*John Scott (Ayr) (Con)

*Alexander Stewart (Mid Scotland and Fife) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Miles Briggs (Lothian) (Con)

Emma Harper (South Scotland) (SNP)

John McCormick (Commission on Parliamentary Reform)

Fiona McLeod (Commission on Parliamentary Reform)

CLERK TO THE COMMITTEE

Douglas Wands (Clerk)

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Standards, Procedures and Public Appointments Committee

Thursday 15 December 2016

[The Convener opened the meeting at 09:45]

Decision on Taking Business in Private

The Convener (Clare Adamson): Good morning and welcome to the 10th meeting in session 5 of the Standards, Procedures and Public Appointments Committee. I remind everyone to switch off mobile phones and other electronic devices, as they may interfere with broadcasting.

Agenda item 1 is a decision on taking business in private. Do members agree to take in private item 5, which is a discussion of the evidence from the commission on parliamentary reform?

Members *indicated agreement.*

Cross-party Groups

09:45

The Convener: Agenda item 2 is an evidence-taking session on proposed cross-party groups. I warmly welcome Miles Briggs, from whom we will take evidence on a proposed cross-party group on Scottish horse racing and bloodstock industries. I invite the member to make an opening statement.

Miles Briggs (Lothian) (Con): Good morning and thank you for the opportunity to address the committee. In 2015, the horse racing industry in Scotland continued to make a considerable contribution to the Scottish economy. Direct annual expenditure has been estimated at £55 million, with a wider economic benefit of approximately £173 million. The sport helps to maintain a total of 870 full-time equivalent employees in Scotland, both directly and indirectly, and plays a vital part in Scotland's buoyant leisure industry.

The popularity of horse racing at Scotland's five racecourses—Musselburgh here in my region, Perth, Kelso, Ayr and Hamilton—continues to grow, with more than 308,000 attendees last year. With spectator numbers in Scotland increasing by 13 per cent since 2012, which reflects the on-going promotional activities of the racecourses, horse racing is now Scotland's second most attended spectator sport.

The purpose of a cross-party group on Scottish horse racing and bloodstock industries would be to promote a better understanding among members of the Scottish Parliament of the role that horse racing and the breeding of horses, including for export, play in relation to the Scottish economy, the jobs market, tourism industries, sports events and festivals. The group also aims to help members realise the future economic opportunities that horse racing and the bloodstock industries present for Scotland.

I welcome the opportunity to address the committee and I hope that it will consider positively my proposal for a cross-party group. I am happy to take questions.

The Convener: Thank you. I invite questions from members.

Alexander Stewart (Mid Scotland and Fife) (Con): I was surprised to find that horse racing is the second-largest spectator sport. The registration form says that you plan to deal with legislation and possibly introduce it or amend any negative impact that it could have. What examples do you have of that in reality?

Miles Briggs: The group is looking to have oversight of legislation that is coming on horse

racing and bloodstock industries in Scotland and at United Kingdom level. I hope that the cross-party group will present an opportunity to link with the all-party parliamentary group on racing and bloodstock industries at Westminster, so that we have the sort of communications that to date have not really existed. That will focus on, for example, areas to do with the movement of horses—which, with Britain leaving the European Union, is an issue that is already generating discussion in the industry. I hope that the cross-party group will be a forum to allow MSPs to understand the issues better.

Alexander Stewart: From it, we will all be more informed about the process. The group will bring issues to the Parliament and other bodies to ensure that we get the full information on the process.

Miles Briggs: Yes—I hope so.

John Scott (Ayr) (Con): What sort of meetings do you expect to hold and what subjects do you expect to discuss at them? I should declare an interest as I intend to be part of the group, given that I represent Ayr.

Miles Briggs: Ayr racecourse in your constituency is a key aspect of the local economy. The group will focus on the economic benefits of racing in Scotland, which are perhaps not widely known, and we will also focus on the opportunities for horse racing that we are not realising in Scotland. I hope that that will be a key aspect. We will particularly focus on how to promote the industry in Scotland. We have a great offer but, unlike Ireland, we are perhaps not capitalising on it. I think that, early on, the group will want to consider how Scotland's tourism bodies work with Scottish horse racing to promote that.

There are lots of wide-ranging areas around the sport itself and around tourism. Once the cross-party group gets approval, we can look at putting together a strong agenda to take all those issues into account.

Daniel Johnson (Edinburgh Southern) (Lab): Looking through your submission, I see no mention of animal welfare. Is that not something of an omission?

Miles Briggs: Not really. The Scottish Parliament already has a cross-party group on animal welfare, of which I am a member. I would be inclined to say that, although there will always be crossovers between the cross-party group on sport and the cross-party group on animal welfare, those issues will be separate. A similar situation applies with the cross-party group on tourism. The horse racing industry and the bloodstock industry have no specific voice on the animal welfare group, and there is an opportunity for the cross-

party group that I am proposing to give them that voice in our Parliament.

Daniel Johnson: I accept that, and I also accept what your submission says about the impact of horse racing on the economy. However, given that this activity is reliant on animals, there should at least be some acknowledgement of the importance of the welfare of those animals in your considerations, even if it is not one of your primary considerations.

Miles Briggs: There could be such an acknowledgement, but I think that the issue probably fits more within the remit of the cross-party group on animal welfare. As a member of that group, I know that the issue is already on its agenda for future consideration. That is perhaps where we can ensure that horse welfare in Scotland is considered by MSPs.

Patrick Harvie (Glasgow) (Green): I was going to touch on the issue of animal welfare, too. Clearly there are certain aspects of the discussions around the industry—for example, issues such as animal welfare and other ethical issues, including tax avoidance in the gambling industry more widely, about which concerns have been raised—that would not necessarily be voiced by the industry itself. How do you intend to cast the net as widely as possible in terms of external members of the group? Only one such member—Scottish Racing Marketing Ltd—is listed at the moment.

It is reasonable to suggest that cross-party groups are not intended to be voices of commercial interests; they are supposed to bring together a group of people who want to discuss a topic from a range of perspectives, not just from the perspective of those who represent the industry. How do you intend to ensure the widest membership of external organisations that have an interest in the subject but which do not necessarily approach the issue from the perspective of the industry?

Miles Briggs: Following committee approval, I would want all interested parties to be invited. I know that the five racecourses in Scotland already have a network of people with whom they work who are keen to see the group established. As with all cross-party groups, it is important that the group be fully accessible to anyone who wants to come along to it. I hope that the group will be able to take that approach forward.

The Convener: As there are no further questions, I thank Miles Briggs for his attendance this morning. We will consider the issue further under agenda item 4 and will inform him of our decision as soon as possible.

I suspend the meeting for a few minutes to let the witnesses change over.

09:53

Meeting suspended.

09:54

On resuming—

The Convener: I now give a warm welcome to Emma Harper, who is proposing a cross-party group on lung health. I invite her to make an opening statement to the committee.

Emma Harper (South Scotland) (SNP): Good morning. I thank the committee for allowing me to come and speak today.

It has been said that breathing

“is something we all do, day in, day out, every day of our lives. It is so innate that most of us rarely stop to think about it.”

However, for

“millions of people across the UK, breathing is something they have had to think about. These are people for whom the beautiful but delicate organs”

we use to breathe—our lungs—

“do not work as they should. One in five of us in the UK has been diagnosed with a lung disease. Every year, over half a million more people are told they have a lung disease”,

which

“continues to be a major factor in health inequalities. Someone from the most deprived section of society is two-and-a-half times more likely to have COPD”—

or chronic obstructive pulmonary disease—

“and nearly twice as likely to develop lung cancer, as someone from the least deprived section of society. Overall, the burden that lung disease places on our nation’s health and health services is immense – on a par with non-respiratory cancer and heart disease. Yet the amount of resources and attention invested in tackling lung disease trails behind these other ... areas.”

For me, the creation of a new cross-party group in the Scottish Parliament on lung health would allow for the discussion of prevention, care and treatment with regard to respiratory health between members of the Scottish Parliament, people affected by lung conditions, third sector organisations and healthcare professionals. Rather than have one cross-party group for asthma, one for COPD and one for mesothelioma or interstitial pulmonary fibrosis, I propose the creation of one cross-party group to look at lung health in general across Scotland as a matter of concern.

The Convener: Thank you. I invite questions from members.

Daniel Johnson: First, I thank Emma Harper for submitting her proposal. I use an inhaler occasionally, but there are people with more acute conditions than mine that have a significant impact

on their daily lives. I wonder whether your proposed group would consider looking at the issue of the impact of urban pollution. I am thinking in particular of recent European Environment Agency reports and proposals by various cities to ban diesel cars, which is a growing issue. Have you thought about looking at urban pollution such as that caused by particulates and nitrous oxide?

Emma Harper: Absolutely. Rather than look at individual disease processes, the group would look at themes, and one theme that we have identified is that of air pollution and air quality. I am a member of a sub-group of the Environment, Climate Change and Land Reform Committee that is looking at the issue of air quality. It is a way of considering the issue through the parliamentary committee structure, but it is also a theme that the proposed cross-party group would seek to address.

The Convener: As there are no further questions, I thank Emma Harper for her statement. We will consider the proposal for the cross-party group later in our agenda and inform her of our decision as quickly as possible.

Emma Harper: Thank you.

The Convener: I suspend briefly again for a changeover of witnesses.

09:58

Meeting suspended.

10:00

On resuming—

Commission on Parliamentary Reform

The Convener: We move to item 3, which is an evidence session on the commission on parliamentary reform. I give a warm welcome to John McCormick, the chair of the commission, and a warm welcome back to the Parliament to Fiona McLeod, a commission member, who is sitting on the witness side of the table for a change.

I invite Mr McCormick to make a short opening statement.

John McCormick (Commission on Parliamentary Reform): Thank you very much, convener. I am delighted that you have invited me and Fiona McLeod to speak about the commission's work. It is good to have the opportunity to share what we have been doing since our first meeting, which was just five weeks ago.

As you know, the Presiding Officer established the commission and announced it on 26 October. Our remit is fairly broad—to ensure that the Parliament has the right procedures, checks and balances in place for the most effective conduct of parliamentary business; to look at clarifying its distinct identity from that of the Scottish Government; and, underpinning all that, to look at the Parliament's engagement with the public and wider society and look to increase that engagement. We are aware that we are carrying out the work against the background of the many changes that have taken place since the Parliament was opened in 1999—changes in the Parliament, including changes to its responsibilities, and changes in wider society.

There are 11 members of the commission—there have a representative from each political party in the Parliament and six members from civic Scotland, who represent a diverse range of experience. We have agreed to loosely plan our work in three phases.

Between 7 November and December, we have been in our planning phase. Our fifth meeting—the last one before Christmas—takes place in the Parliament tomorrow. At the meetings, we have been hearing about how the Parliament currently works, its challenges, the future of scrutiny and what engagement might look like in the future. We have heard the views of a number of experts and we have heard from people who have worked with the Parliament about what that experience was like.

Our next phase is the engagement phase, which will take place between January and March. We plan to meet people across Scotland. We will hold our own meetings across the country and we will attend others that are already planned by different groups and organisations.

At the outset, we wrote to more than 200 groups and we immediately had more than 50 offers of support. We will work with those groups and participate in an approach to assessing engagement and people's views of the Parliament.

We launched a request for written views on 24 November, with a deadline of 15 February. On our website, we list a range of ways to contribute to our work, including an online survey and a discussion toolkit. I am told that the discussion toolkit is the sort of thing that can be used in any group, small or large, anywhere—even in a pub setting, in a corner—so that we can get people in communities across the country to take part and give us their views. It will be a great start for us to have that information.

As I said, we have a range of events set up. Last week, we met 48 former MSPs and heard their views. That was very interesting. We hope that current MSPs will contribute to our discussion over the next few months.

At our meeting tomorrow, we will consider undertaking research on comparisons with other Parliaments and sub-national legislatures in relation to scrutiny. Of course, we will also use the wealth of data that the Parliament has collected on aspects of parliamentary business.

Our final phase will be between April and June, when we will consider the evidence that we have gathered, analyse the research and data, and consider a draft report. We have been charged with reporting to the Presiding Officer in June. We want our report recommendations to be challenging but realistic and practical.

I think that that is enough from me, convener. We are happy to answer any questions that the committee might have.

The Convener: Thank you. I am sure that there will be a number of questions from members.

Patrick Harvie: It is probably fair to say that all of us, as individual members of the Scottish Parliament and of the committee, welcome the commission's existence and look forward to seeing its conclusions. We are happy to have the opportunity to have a discussion with you at early doors.

I will start with the remit, because it seems to be the most obvious starting point. When I saw it, my reaction was that the second and third points, on increasing engagement and clarifying the identity

of the Parliament as distinct from the Government, make complete sense.

Will you say something about how the commission interprets the first point, which is on the Parliament being

“assured it has the right checks and balances in place for the effective conduct of parliamentary business”?

That could be interpreted either as just a bit of a tune-up or as an opportunity to look at some re-engineering, reimagining or reconfiguring of how the system works, particularly in relation to the capacity that the Parliament needs, given that the Scottish Government has new powers to exercise and given that the Parliament’s ability to hold to account a Government that has changed a great deal has not changed much.

John McCormick: When discussing the remit with the Presiding Officer, I was encouraged not to take a narrow interpretation. The remit for any task should not be seen as tramlines and I do not take that approach. I wanted to discuss with the Presiding Officer the ability to range broadly. As items and issues emerge, I and my fellow members of the commission do not feel constrained in any sense from discussing and exploring them.

One of the issues that came up early was capacity, as you would expect—the committee would know that through its work. I take the wide-ranging view that, with the new powers of the Parliament and the powers that might come to it in the future, we want to look ahead to something that will future proof the Parliament in 2020-21. We are looking at what we would need to cope with dramatic change and even more powers coming to the Parliament, in addition to the ones that are being plotted through from the Scotland Act 2016.

We are taking a broad view. We are looking at and evaluating a lot of the work that has been done by parliamentarians, by the committee and by others in the past. We are working with the broadest possible remit, rather than a narrow and constraining one. As we go through the process, conclusions and thoughts will emerge and we will focus on a number of recommendations that we hope will be practical and able to be implemented. There is no point in us not taking account of that. We also hope that our recommendations will be fairly challenging.

We know that the task is big. Many things have changed, and people have been talking to us about everything from the Parliament’s new powers to changes in society and how other legislatures engage with citizens and voters. The social media explosion has changed things a lot. The extension of the franchise has brought new expectations to a range of 16 to 17-year-olds, who

have been speaking to me about what they expect from their Parliament. Things have changed and we want to take account of that, so we need to interpret the remit broadly.

Patrick Harvie: It is helpful and encouraging that you suggest such a broad interpretation. In using the term “future proof”, you hinted that we might encounter and need to respond to a range of potential changes in the future. The Brexit situation does not mean that one particular batch of powers will be exercised by the Scottish Parliament in the future; it means that there is a great deal of uncertainty about the range of powers that the Parliament might be able to exercise. It seems to be a difficult challenge to produce recommendations that will continue to be relevant in the scenarios that we might face.

John McCormick: I can think of a number of ways in which we might do that, but it is too early to talk about them, because we have not yet discussed them around the table.

The Parliament is going through a process of steady change, but a period of quite dramatic change might be coming, so we need to have a number of options for scenarios that will enable us to be flexible. We will come up with a range of suggestions and recommendations—it will not be a tightly wrapped package of tight recommendations—that will come to the committee, which will assess whether they are in keeping with what is happening in the Parliament. We hope that we will deliver a report that at least encourages discussion and thought about a range of ways of approaching the next five to 10 years.

Daniel Johnson: Patrick Harvie touched on the fact that inclusivity is a core part of your remit. I would like to reflect on the successes and strengths of the Parliament and also its weaknesses. One of its strengths is that it has brought power closer to people—that is a key part of its remit. The flipside is that, although it has been successful at providing access for third sector and other organisations, it is less clear whether it has done the same thing for the ordinary citizen.

I am interested in hearing how you might approach that aspect of parliamentary reform. Beyond the Public Petitions Committee, which is our key vehicle for providing access to ordinary members of the public, how can the Parliament be opened up to people? In taking evidence and consulting people, how will you open up the process as widely as possible? You were right to mention groups, but that presumes that people can organise themselves into groups. What does that mean for people who are not in groups?

John McCormick: We are clear that a range of bodies and individuals work closely with and

engage with the Parliament, whether through advocacy or lobbying for different causes. We want to speak to them about their experience of the Parliament; indeed, we have begun to do that. We want to know whether they feel that their engagement has been positive and that things have happened as a result.

We have looked at some research on the issue and we know that it is difficult to track through the influence that people who have come to committees have had on the outcome of the committees' deliberations and whether that has led to legislative change. We do not really know what impact the people who have been to committees over the past five years have had—only a superficial look has been taken at that, and we want to go into that a bit more deeply.

We will go round the country between January and March. We have been contacting groups that have no experience of the Parliament. We have been in touch with groups that represent the interests of Travelling people and people who are homeless. We want to speak to a range of people who do not feel engaged with the Parliament as well as to people who are engaged with it, whose experience as people who know how the Parliament works is valuable to us. We are going for the broadest range of people.

The groups that have expressed an interest in helping us in our work will either have a meeting based on our discussion plan and then give us their response to the questions, or one of us will engage with them to raise issues with them. Those groups will cover the Highlands, the islands, the Borders and the cities. We are making sure that we get in touch with groups as widely as possible in terms of not just geography but interest, background and experience of the Parliament. It is important for us to meet people who have no experience of the Parliament. A lot of that information will come to us from our online survey.

You make a good point. We have talked about the fact that we must go beyond the people who have experience of the Parliament and find out why lots of other people do not engage with it and whether they would want to engage with it. As someone said to me, it is possible to be a citizen and not want to engage with the Parliament. There are people who think, "I elect my member, they get on with representing me and I am happy with that."

We have been looking at other countries. We are thinking of doing research on how other, similar-sized Parliaments and sub-national Parliaments engage with their communities. We have heard about lots of exciting work that is taking place in South America and some European countries on participative democracy. We have a representative democracy. We are looking at participative democracy to see whether

people would expect that to open up to them in Scotland with the explosion of social media. However, we are at the early stages of that.

10:15

Daniel Johnson: It is encouraging that you are proactively reaching out to groups that might not have previously participated, but what work are you doing to reach out to people who might not be organised into groups and who otherwise might not come into contact with you in regular consultations? What you have outlined is very much a consultation process that we would all understand, in which you advertise for and invite responses. Is any proactive research being done through surveying, opinion polling or focus group-type work rather than research through the passive voluntary process? Is there proactive engagement to understand some sections of society?

John McCormick: We will discuss the research approach tomorrow and early in January. We are interested in looking first at the reactions from the online survey, as we are getting indications of reactions from people who perhaps have not engaged with the Parliament before. That is an introduction to the polling.

We are not too sure about public opinion polling at the moment. We have discussed it, but we have not decided on it yet. That is one aspect that is open to us. We have looked at other surveys that have been done—from Electoral Reform Society surveys to the Scottish social attitudes survey. A lot of polling data already exists, and we would prefer to go behind that data and try to get to individuals.

I take your point about groups. We are not going to just the established groups that you would expect us to go to. We want to get behind them, and we are working to do that. That might mean going to a pub quiz in Invergordon, to a parent-teacher association that does not even know about the process or whatever, and we will work hard to get to other people through groups and through our contacts and interests, to extend the net. I think that it is fair to say that everybody is keen on extending the net to ensure that it is all-embracing.

Daniel Johnson: I just warn you that I am not sure that a pub quiz on parliamentary reform would be very popular.

John McCormick: I recommend looking at our website and seeing whether you could get away with that in your local.

John Scott: Good morning and welcome. Thank you for coming to speak to us.

I am interested in the workload and scrutiny of issues in our Parliament. In the past, I have been struck by how people have beaten a path to the door of the Scottish Parliament to see what we are doing as a democracy that has been established in the past 15 or so years without a drop of blood having been shed. As such, that is remarkably educational for people around the world. The issue is how we can build and improve on that.

Each of the five sessions of Parliament has been different, and we have responded as a Parliament differently to the workload and scrutiny in each session. You will be well aware that, in session 4, with a majority Government, there was a perceived lack of scrutiny. The Parliament was not designed to have a majority Government, of course. However, we are now in a different situation and getting back to how the Parliament was designed to work.

What will you do to look at the issues around scrutiny, which have been addressed in different ways in each of our five parliamentary sessions?

John McCormick: I will ask Fiona McLeod to come in on that. We have already had very helpful discussions with former members of the Parliament who were here in different sessions. We talked to them in groups that related to their experience in the Parliament about scrutiny, including post-legislative scrutiny, and how the committees work. We hope to engage with all the committee conveners and committee members to take their views of the experience, which you outlined, of 17 years of the Parliament and how things are working and how they have changed under different forms of government.

I used the phrase “majority Government” in this room to one of our academic presenters. She corrected me and said that the coalition Governments were majority Governments, because they had decided on a majority programme. I think that she was quite right, so I have not used that phrase again.

We are aware of the differences between minority Government and majority Government and things that perhaps were not anticipated by the Scotland Act 1998. Fiona McLeod will want to add to that. We have been looking at the work of this committee and its predecessors over the years.

Fiona McLeod (Commission on Parliamentary Reform): Members will know that I am a big fan of this committee, as I sat on its predecessor. We are very cognisant of the issue.

On legislative scrutiny, we have looked at a number of reports by this committee’s predecessors. In its first report in 2016 your predecessor committee looked at the number of members of committees and the use of

rappoteurs. The commission is thinking of looking not just at how MSPs engage in legislative scrutiny, but widening our view to see how we get the public to be part of the scrutiny process. For example, your predecessor committee’s third report in 2015 looked at stage 2 and stage 3 timings. Perhaps extending them would give the public the opportunity to become part of the scrutiny process.

At the meeting of former MSPs last week, it was interesting to hear how much people talked about the use of rapporteurs, which has kind of fallen away since the first session. It struck me that that could be partly participation for the public. Rapporteurs working on behalf of committees could bring the public into the legislative scrutiny process.

We are very aware of the work that the committee and its predecessors have done and how we can use it to direct what we are asking of people.

John Scott: I would certainly very much welcome trying to deal with lack of time between stage 2 and stage 3 for committee scrutiny and public scrutiny. That is one of the weaknesses. It is not anybody’s fault, but it is something that needs to be sorted a bit.

I was interested to hear what Fiona McLeod said about rapporteurs and members of the public coming in to do that. I remain to be convinced of that—that is my knee-jerk response. As Fiona knows, all of us sitting here have an accountability regarding what we do. However, I welcome what she said.

The final point that I would like to make is on the consideration of best practice world wide. In my committee—the Delegated Powers and Law Reform Committee—we have been looking, through a desktop study, at practices around the world that we might learn from and improve on for our committee. To our delight, we have found something on the other side of the world—in New Zealand—that we may consider bringing into the working practices of the DPLR committee, after some lengthy consideration.

There might be an opportunity to do something like that. In the past, one thing that has struck me is how democracies work in different ways across the world. Everybody’s way seems to work perfectly well. If we can capture and copy bits of other people’s working democracies that might enhance ours, would that not be a clever and smart thing to do?

John McCormick: We have already had a flavour of that from some of our expert witnesses. It is something that we will research in the spring. Even from our introductory look, we have seen some exciting and different things happening. We

need to get behind what we have learned already and see whether they would translate here. It would be very helpful.

John Scott: Forgive me for not knowing that.

Fiona McLeod: I would like to clarify that when I was talking about rapporteurs, I was not talking about co-opting members of the public to be rapporteurs. The discussion has been about using MSPs on committees more as rapporteurs, as we did in session 1. However, it should be remembered that the legislation allows the Parliament to co-opt lay members on to our committees—we have just never done that.

John Scott: That was my mistake.

Alexander Stewart: I echo members' comments about how much we welcome having the commission before us today and we welcome that its work will develop as we go forward.

The general public's perception of the workings of the Parliament is probably measured through the media that they read and see. Being here, we see a very different regime from what is perceived in the outside world. Most people probably do not see that there is a difference between the two.

You have said that you are engaging with civic Scotland. Engagement is an important element to manage. Aside from civic Scotland, what other areas of engagement are you trying to develop?

You talked about branching out to find other individuals and resources. How easy will it be to engage and to achieve all that? Do you have sufficient resources, including the manpower and workforce, to carve out that engagement, or do you envisage it happening in different stages as you go forward? Based on your initial evidence, you may come up with something different from what you thought you were seeing, and you may need to go back and reinvestigate or take the engagement to another level. I would like some clarity on those ideas.

John McCormick: We feel that we have—and the Presiding Officer said that we would have—sufficient resources to complete the task and to deal with anything that emerges.

We have to be very careful in spending public money, and we will be very accountable for that. We do not want the commission to be an expensive operation using taxpayers' money, and we will be very careful and cautious in that regard. However, if there was something that we felt that we could justify, we would demand extra resources. We could take that to the Presiding Officer and it would be for him to decide, at his discretion, whether we extended the work.

At present, we are sufficiently resourced for the work that we have planned. We have a secretariat

of four people who work very hard to support us. The Presiding Officer confirmed to me at the beginning of the process, "Remember—make sure the work goes to your satisfaction and to the extent that you wish, and come back to me if you feel that we have been too modest in our expectations." That was very clear.

You, along with your colleagues, have touched on the important question of how we get beyond the people who are easy to contact. We are working hard on that through a number of different groups and with local people—we have to start somewhere in a community. We hope that, through the 200 organisations that we have contacted, which include many charities and organisations that work with those who are vulnerable or who have particular challenges in life, we can reach those people.

I do not want to give the impression that such engagement is easy. Our intention is to be able to say, when we present our report, that we have reached across Scotland to many different communities, including those who work with the Parliament and can give their assessment and those who are disengaged from the Parliament, as well as those—as I said to your colleague—who have no wish to engage with the Parliament and just leave us to get on with our job.

As I said, it is not compulsory to engage with the Parliament; I have had to learn that from one or two people already. We are not suggesting that we seek to make engagement compulsory, but we know that there are people who would like to engage but who feel that they are outside the process. We want to get beyond that and do some work in that area.

I do not want to give you the idea that working out the strategies for engagement is easy, and we are only in the early stages of the process. We think that we have a way forward, and I will be able to tell you at our next meeting whether we have been successful or disappointed.

Alexander Stewart: Do you plan to use the media and the press to get your message out in a way that is different from the way in which the Parliament is promoted on a day-to-day basis?

John McCormick: Yes. We have a session pencilled in for the spring—unbeknown to the media thus far—to engage with a range of journalists to talk to them about our work and to hear their views. As you said, the media mediate our views to the public, so we would like to engage with them and hear their views about the Parliament, and talk to them about our work. We have got that pencilled in for some time in February.

Patrick Harvie: I wonder whether you have had the taxi driver test yet. The driver asks, "What do

you do yourself?" and you say, "Oh, I am reviewing how the Scottish Parliament works." The driver responds, "Well, let me tell you something ..."

John McCormick: I have to be very honest—I would never want to tell a lie in Parliament. When I was asked that question, I just said, "Not much". Perhaps I will start using Patrick Harvie's approach from January onwards—thank you for the suggestion.

The Convener: One concern that we have in the Parliament is about the diversity of members of the Scottish Parliament. Although I welcome everything that has been said about equality and diversity in the engagement process, what cognisance has been taken of any reforms that would be suggested that might damage the aspiration for representation in the Parliament to reflect Scottish society?

Fiona McLeod: I do not think that we are at the stage of being able to answer that. First, we have to hear what people say to us and then work out what it is that they are saying and what effect that might have.

10:30

John Scott: I will go on to another subject. I suppose that what you are doing in the early stages is identifying the problems as perceived thus far.

One issue is the workload, which I touched on earlier but did not expand on. As you said in your opening statement, more legislation is coming towards this Parliament, and there is the potential of a great deal more coming post-Brexit or in other circumstances. Will you be looking into the workload of committees and how to deal with it? Will you look at the sitting days of the Parliament? At the moment they are, correctly, sacrosanct, in that they are Tuesdays, Wednesdays and Thursdays, but the organisation of time is an issue because there is a constraint on committee time—an inability to go on for longer than 9 o'clock to 2 o'clock, because we come up against the hard barrier of chamber sitting times. You will recall that, historically, Tuesday was the committee day. We could go on until 2 o'clock in the morning, and occasionally did, if we needed to, so that committees could crunch through the workload that was expected of them in those earlier days. I think that those things need to be, potentially, revisited by someone. Will you be looking at that?

John McCormick: Certainly it is our responsibility to look at the capacity of the Parliament in relation to its responsibilities and the changes in its responsibilities. With regard to how granular we go, we have only scratched the surface of it. We have had a lot of discussion and

done a lot of thinking, and we have to talk to a lot of people in the Parliament about it. We have a lot of data already from people who have tried to introduce changes and who have suggested changes. Some changes have been introduced. As Fiona McLeod said, we are assessing all that evidence at the moment.

I see the point that you make, Mr Scott—the capacity of the Parliament—as an emerging issue, because people have said that to me in the first few weeks, and because of the quite heavy responsibilities that are coming in relation to taxation and social security, never mind the other aspects that might happen in the future. We cannot say that the Parliament is in a steady state; we have to address the issue. However, we have no outcomes to suggest at the moment.

John Scott: Well, there are parameters to consider. The existing constraints are the number of MSPs, the building that we have and the time available to us. The issue is how to juggle those for the future increase in workload that is inevitably coming down the track towards us. It is a big responsibility—I wish you luck.

John McCormick: That comment underlines the importance of it. Thank you very much.

The Convener: If there are no further questions, is there anything else that we have not covered today that the witnesses would like to put on the record before we finish this session?

John McCormick: We would just like to make sure that the message goes out that we would like to hear the experiences of individuals as well as the parties—all those who have worked in the Parliament. Any help or support that you can give us would be much appreciated, because this is the heart of your work as well. Thank you for the opportunity to speak this morning.

The Convener: Thank you for attending. It has been a very interesting session for us, and we look forward to seeing you throughout the process and before publication next June.

There will be a brief suspension to allow the witnesses to leave.

10:33

Meeting suspended.

10:35

On resuming—

Cross-party Groups (Approval)

The Convener: Our final agenda item in public is consideration of the cross-party group proposals that have been presented to the committee today. I first ask members for comments on the proposed Scottish horse racing and bloodstock industries CPG.

Patrick Harvie: My only comment is about the external membership of the group. I heard what Miles Briggs said about the intention to bring in a wider range of members, and I hope that that happens, but it feels a bit odd to have a group with only one external member—and that member representing an industry interest. Some of what Miles Briggs said seems to imply that he wants the CPG itself to provide a voice for an industry that he feels is not represented in other CPGs, and that is not the role of a cross-party group.

A number of other CPGs could end up expressing the commercial interests of an industry, whether that is independent convenience stores, aviation, oil and gas or food, but most of them have a pretty broad range of external members. Most of them involve not just commercial members but trade unions, academics with an interest in the subject, other organisations and community organisations. I hope that the CPG moves in that direction instead of only representing the commercial interests in its external membership.

John Scott: I declare an interest as someone who wants to become involved in the proposed CPG. However, I agree with what Patrick Harvie says—I think that he is absolutely right. It is a point well made. I was a little surprised to see that the group has only one external member.

It is something that I have wanted to set up for years, to be honest, but I never quite managed it. There is an opportunity to bring in people from every aspect of horse racing, including the welfare side. World Horse Welfare exists—members may remember receptions that we had in Parliament 10 years ago, when such issues were discussed. Notwithstanding that, there is an opportunity for parliamentarians to be made aware of the joys of horse racing and its benefits to communities. It is certainly a benefit to my community in a naked commercial sense, but there are wider issues, too. I am happy to support the group.

Daniel Johnson: I have a mild concern about the way in which the group's aims have been drawn up. They are very focused on the commercial aspects, which I do not disregard at all—within those premises, the points are well

made. However, it is important for CPGs to acknowledge the wider impacts and external issues. For example, if we were considering a proposed CPG on the motor industry, I would hope that it would acknowledge climate change even if that were not its primary focus and although other groups might focus on that. Given the nature of the group, I think that it would be advisable—if I can put it that way—for there to be some note on animal welfare.

I echo Patrick Harvie's points. I would like to see representation from the Jockey Club—I have no idea whether I am getting my terms right—as well as workers' representatives from the wider industry. Indeed, even tourism bodies may have an interest. I do not believe that there is any particular interest involved, but there is a danger that, if we allow CPGs to pursue narrow commercial interests, they might become something that they are not intended to be.

The Convener: I seek some advice from the clerks regarding similar cases. I am thinking particularly of the cross-party group on Scotch whisky. Is its remit broadly defined or is it simply to promote the whisky industry in Scotland?

Douglas Wands (Clerk): CPGs take many forms and some have broader memberships than others. It is perfectly legitimate for this committee, having assessed the application from the proposed CPG, to feed back to it—and to other proposed CPGs—your desire to see broader membership to reflect the issues that the group might consider. Ultimately, it will be up to individual organisations to determine whether they wish to be members of the group.

Obviously, the comments that members have made today are on the record. The convener could write to the proposed CPG indicating the committee's desire.

Patrick Harvie: I note for comparison that the majority of external members of the cross-party group on Scotch whisky have commercial interests, but it also includes the Scottish Environment Protection Agency and Scottish Enterprise, so there is at least some breadth. Similarly, most members of the cross-party group on aviation have a commercial interest, but at least there is a range of members.

In general terms, it is about breadth. It is not about excluding anyone; it is about bringing in a wider range of views than just one.

John Scott: I was going to make the same point. I am a member of the cross-party group on aviation. The airports are very much represented, as are the airlines, so there are certainly commercial interests. In the cross-party group on food, some of the major players are represented. As long as there is breadth and there are a variety

of topics on the agendas of cross-party groups, they can cover all the issues over a period of time.

Alexander Stewart: As I said, I am not against the proposed group. I take on board some of the views that have been expressed. I was surprised to learn that horse racing is the second largest spectator sport. To me, that says many things, but if that is the case, we have to engage and find out about the economic development, the gambling and the VisitScotland enterprises that come from it. All those things have a part to play in managing that situation. Televised horse racing is now seen across the world rather than just across the country, and it creates an image of Scotland and of the sector. However, the group also needs to consider welfare and other issues or it will not be representative. Its remit should say that it covers not only the sector but all its spin-offs, so that it covers the whole process.

The Convener: If we are minded to accept that the group should go ahead, we can probably do one of two things. We could not agree to it today but go back to Miles Briggs and ask him to show some recruitment of outside agencies and consider changing the remit slightly. I do not think that he would have to come back to the committee; it would just be a case of us looking at that information. Alternatively, we could approve the group and note that its annual report must show that our comments have been taken on board and there is a diverse membership. Are members minded one way or the other?

Patrick Harvie: I am happy to support the creation of the group but I suggest that we pencil into our work programme, perhaps towards the end of the first year of the session—just before the summer recess next year—a session where we take an overview of how CPGs are working in general and how broad their external memberships are.

The Convener: That is a good suggestion.

Alexander Stewart: That is a good suggestion.

John Scott: I agree that that is reasonable.

The Convener: Is everybody happy with that?

Members *indicated agreement.*

The Convener: That is fine. We approve the CPG and the member will be informed in due course.

Secondly, we heard from Emma Harper on the proposed CPG on lung health. I invite members to comment.

Patrick Harvie: I am happy to support the group.

Alexander Stewart: Emma Harper made a very valid point when she talked about all the different

sectors and the diseases that are involved. To bring them all together under one umbrella is exactly what should be done, and health inequalities fall into that as well. That is without question the way to take the matter forward.

The Convener: I agree with Mr Stewart's comments. Is the committee minded to approve the group?

Members *indicated agreement.*

The Convener: Thank you. We will move into private session.

10:45

Meeting continued in private until 10:58.

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