

**Written submission from the Presiding Officer
19 February 2025**

Thank you for your letter.

I am grateful to the Committee for its careful consideration of the recommendations arising from the Parliament's Gender Sensitive Audit, which were agreed unanimously by the cross-party audit board.

I recognise that the Committee plans further work on a number of the recommendations, and will be happy to engage further with the Committee on those.

I welcome the progress the Committee has made in now consulting on proposed rule changes seeking to give effect to some recommendations. There was cross-party agreement on the gender audit board on the importance of these recommendations.

The audit noted that, even where there is broad equality of representation, women have tended to be under-represented in the positions of influence within their parliaments. To deliver the best outcomes for society as a whole, women and men must both be fairly represented, be able to participate fully in parliament, and be centrally involved in decision-making.

Measures to embed more equal representation and participation throughout a parliament's internal processes have become an international democratic norm over the last 25 years.

I believe that formal rules relating to equal participation in leadership positions will allow the Parliament to create the conditions where everyone has the ability to compete equally.

Presiding Officer and Deputy Presiding Officers

I am pleased that the Committee has agreed to the substance of recommendation 21, that there should be a formal requirement for gender balance in the Presiding Officer/Deputy Presiding Officer team, with at least one man and one woman among the team. The audit noted that such a rule change would recognise what has been the experience throughout most of the life of the Parliament. That experience has not been formalised and is not, therefore, guaranteed. The Presiding Officer/Deputy Presiding Officer team was all male from November 2001 until the 2003 election. The proposed rule change would formalise an existing norm, and in doing so would protect and further legitimise for the future the importance of gender balance in parliamentary leadership.

I note that rules requiring gender balance on the team of Speaker and Deputy Speakers have been in place at the House of Commons since 2010, and appear to work well. The Procedure Committee's report recommending the rule change there noted that a valuable convention had become established that the Speaker team should have gender balance, and agreed on the importance of embedding that

principle through formal rules, alongside rules that require balance on the Speaker team between Members drawn from Government and Opposition. The Committee recommended that a rule stipulating that the House must elect at least one man and one woman Deputy Speaker should be established, even if it resulted in candidates with more votes in the Deputy Speaker election being passed over. The rules do not exclude any Member from standing and being elected. They simply require that the election of later candidates takes account of the party and gender of the candidates elected first.

I therefore welcome the proposed rule changes in relation to the election of Presiding Officer and Deputy Presiding Officers, as outlined in the Committee's letter.

Scottish Parliamentary Corporate Body

I welcome the Committee's intention that the proposed rule changes in relation to the election of members of the Scottish Parliamentary Corporate Body should strengthen the language in the existing rules relating to gender balance.

In session 5, the current rule - requiring that those nominating Members for election to the SPCB "*must have regard to gender balance in the nominations*" - was formulated following the election of an all-male SPCB in 2016. The then Presiding Officer wrote to the Committee in 2016, requesting a rule change:

"This lack of gender balance on the new Corporate Body reflects poorly on the Parliament given our strong commitment to equal opportunities. In addition we are acutely aware of the Parliament's leadership role in Scottish public life, its need to be representative of the people of Scotland and how its decisions and actions reflect and influence wider societal aspirations. The SPCB's strong view is that there is more that can and should be done to achieve the most effective input from the wide range of talent available across genders."

I welcome the Committee's intention to strengthen the current requirements to increase the prospect of gender balance on the SPCB. The case remains, as set out by the

former Presiding Officer, that strengthening these rules would be positive in promoting equal participation in leadership roles in the Parliament.

I am, however, concerned that the proposed rule change - requiring that those nominating Members for election to the SPCB "*must ensure that due regard is given to achieving gender balance in the nominations*" – has the same effect as the existing rule. The cross-party recommendation from the audit is that there should be a rule that achieves women being a minimum of 40% of the membership of the SPCB. The proposed rule changes do not ensure gender balance in membership and would not prevent a repeat of the situation that arose in 2016.

Parliamentary Bureau

I note that the proposed rule changes in relation to the membership of the Parliamentary Bureau also seek to strengthen the language in the existing rules relating to gender balance.

In session 5, the current rule - requiring that before nominating Members as representatives on the Bureau, "*leaders of each party or group... must consult each other and have regard to gender balance in the membership of the Parliamentary Bureau in making those nominations*" – was agreed, at the same time as that for membership of the SPCB. The Committee has proposed that the wording of this rule now be changed in the same way as that for membership of the SPCB.

Historically, very few members of the Parliamentary Bureau have been women. In session 3, there were four parties represented on the Bureau and the membership was all male for much of the session. In session 4, there were five parties represented and one woman. In session 5, there were again five parties represented and the membership was all male for much of the session. There has only ever been more than one woman on the Bureau when the Presiding Officer was a woman.

The membership of the Bureau has a vital role to play in relation to both representation and participation in the Parliament. Given its role in proposing the business of the Parliament, including decisions about sitting times etc, it is essential that the membership of the Bureau reflects a wide range of perspectives. A better gender balance is an important element of that.

The cross-party recommendation from the audit is that there should be a rule that achieves women being a minimum of 40% of the membership of the Bureau. The proposed rule changes do not ensure gender balance in membership and would not prevent continuation of the historic under-representation of women on the Bureau.

I acknowledge that membership of the Bureau is different from that of the SPCB, in that Bureau members are nominated by their party leader or group rather than elected by the Parliament. This gives the opportunity for party leaders to make a powerful demonstration of shared commitment to equal participation.

I would invite the Committee to consider a rule change that would require party leaders and groups to consult each other in order to ensure that, in making nominations, women are at least 40% of the membership of the Bureau. Given the potential for the number of members on the Bureau to vary from session to session, a 40% rule gives more flexibility than a requirement for a specified number of men and women to be nominated.

I would like to thank the Committee again for its work on these issues, and would be happy to discuss any of these matters further with it.