



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Standards, Procedures and Public Appointments Committee

**Thursday 13 September 2018**

**Session 5**



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Pàrlamaid na h-Alba

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**Thursday 13 September 2018**

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**STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE**  
**16<sup>th</sup> Meeting 2018, Session 5**

**CONVENER**

\*Bill Kidd (Glasgow Anniesland) (SNP)

**DEPUTY CONVENER**

\*Mark Ruskell (Mid Scotland and Fife) (Green)

**COMMITTEE MEMBERS**

\*Jamie Halcro Johnston (Highlands and Islands) (Con)

\*Tom Mason (North East Scotland) (Con)

\*Gil Paterson (Clydebank and Milngavie) (SNP)

Elaine Smith (Central Scotland) (Lab)

\*Maureen Watt (Aberdeen South and North Kincardine) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

James Dornan (Glasgow Cathcart) (SNP)

Mary Fee (West Scotland) (Lab)

Rona Mackay (Strathkelvin and Bearsden) (SNP)

**CLERK TO THE COMMITTEE**

Katy Orr

**LOCATION**

The James Clerk Maxwell Room (CR4)



## Scottish Parliament

### Standards, Procedures and Public Appointments Committee

Thursday 13 September 2018

*[Tom Mason opened the meeting at 10:00]*

#### Interests

**Tom Mason (North East Scotland) (Con):** I welcome members to the 16th meeting in 2018 of the Standards, Procedures and Public Appointments Committee. I have received apologies from Elaine Smith MSP. Everybody else is present.

The first item on the agenda is declarations of interests. Four new members are here. I invite them to declare any relevant interests.

**Bill Kidd (Glasgow Anniesland) (SNP):** I have no relevant interests to declare.

**Mark Ruskell (Mid Scotland and Fife) (Green):** I have no relevant interests to declare.

**Maureen Watt (Aberdeen South and North Kincardine) (SNP):** I have no relevant interests to declare.

**Gil Paterson (Clydebank and Milngavie) (SNP):** I have no relevant interests and the public can look at my entry in the register of members' interests for further detail.

## Convener

10:01

**Tom Mason:** Item 2 is the selection of a new convener. I am running the meeting temporarily as we go through the process. Parliament has agreed that only members of the Scottish National Party are eligible for nomination as convener of this committee. I understand that Bill Kidd is the party's nominee for the post. Is that correct?

**Bill Kidd:** Yes, it is.

**Tom Mason:** Are you happy to take the post?

**Bill Kidd:** Yes, thank you.

*Bill Kidd was chosen as convener.*

**Tom Mason:** Well done. May you go with our blessing on this task. Thank you very much. We will now change chairs and you can take over.

## Deputy Convener

10:02

**The Convener (Bill Kidd):** Thank you, everyone, for your kindness, and I thank Tom Mason for opening the meeting for us and taking the initial steps. Further to the choice of convener, the committee must now agree on a choice of deputy convener. Parliament has agreed that only members of the Scottish Green Party are eligible for nomination as deputy convener of this committee. I understand that Mark Ruskell is the party's nominee for the post. Is that correct?

**Mark Ruskell:** It is, yes.

*Mark Ruskell was chosen as deputy convener.*

**The Convener:** Congratulations, Mark.

**Mark Ruskell:** Thank you. I look forward to working with colleagues.

## Cross-party Groups

10:03

**The Convener:** Agenda item 4 is on the recognition of cross-party groups. We will take evidence on four proposed cross-party groups, the first of which is on the prevention and healing of adverse childhood experiences, which are known as ACEs. I welcome Rona Mackay, who is a member of the proposed group, and invite her to make an opening statement about why we should approve it.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** Thank you, convener. I am here on behalf of Gail Ross, who is the convener of the proposed group but is off ill at the moment. She has asked me to pass on her apologies and to thank you for accepting a substitute today. The group's deputy convener is in committee, so that is why I am here.

Gail Ross held a members' business debate on ACEs in January of this year and it gained a lot of support. I think that we all know now the need for a group on ACEs. The Scottish Government has made a large commitment in the programme for government and there is a growing awareness of the challenges that people have throughout their lives, starting in childhood, because of adverse childhood experiences. They have a huge impact on health, wellbeing and future opportunities. It was felt that we need to have something in Parliament to bring the issue to life and to enable people who have experienced it to be able to give us their account of it in an informal setting, not in a public meeting. That was one of the reasons why Gail Ross wanted to constitute the group.

**The Convener:** Thank you very much. I invite any questions from members regarding the proposed cross-party group.

**Jamie Halcro Johnston (Highlands and Islands) (Con):** I note that Gail Ross is the convener and Liam McArthur, MSP for Orkney, is on the group, but how can you make sure that people from more remote areas such as the Highlands and Islands or organisations that are based there are included in or involved with the group?

**Rona Mackay:** Having Liam McArthur as a member is really helpful and I know that he has been spreading the word up there. I think that the aim is to cover the whole of Scotland and make sure that we are aware that it is not just happening in the central belt and it is not just Glasgow and Edinburgh—it is all over. Through Liam McArthur and the secretariat, we are very aware that we need to get as wide a participation as possible.

**Mark Ruskell:** The agenda is obviously hugely important, as you have outlined. Given that there are two other CPGs that in effect overlap the proposed group, has there been any consideration of joint meetings to share the experiences of members of the proposed group with members of other groups that have an interest in this area but might not want to spend their entire time focused on these particular issues?

**Rona Mackay:** That possible overlap was looked into, as with all cross-party groups. It was thought that this group was so specific in its remit that it should not be prevented. Even if there were common links with other groups, there is definitely a need for one group on ACEs specifically. We will be focusing on specific issues within that group that other groups may not focus on.

**Mark Ruskell:** Will there be joint meetings? Increasingly, cross-party groups are sharing agendas and sharing experiences.

**Rona Mackay:** The answer is that I do not really know, but I am sure that that would not be ruled out.

**Tom Mason:** To follow on from that, are the organisations that are involved with your group on any other groups as well?

**Rona Mackay:** I imagine that some of them are, but I cannot answer for sure, to be quite honest. I do not know which organisations other groups have on their books. The WAVE Trust is the secretariat for the group and it has quite a wide reach in this area, so it may well be on other groups.

**Gil Paterson:** This is more of an observation than a question. I am looking at the make-up of the group so far and the spread of participating MSPs across the parties is quite impressive, as are the numbers.

**Rona Mackay:** The group is very much cross-party and it has widespread support.

**The Convener:** I thank members for those worthwhile questions, and I thank Rona Mackay for her attendance. The committee will consider whether to approve the application for recognition when we reach agenda item 5 and you will be informed of our decision; Gail Ross MSP, as the proposed convener, will be informed too. Thank you very much for your time.

**Rona Mackay:** Thank you very much.

**The Convener:** The second proposed cross-party group for consideration is on combating sectarianism in Scottish society. I welcome James Dornan MSP. He will be the convener of the proposed group and I invite him to make an opening statement about the purpose of the group.

**James Dornan (Glasgow Cathcart) (SNP):** Thank you, convener. As many of you know, although you would not be able to tell by looking at me, I am a child of the 1960s, without the hippy look or the long hair. During the 1960s, sectarianism was pretty rife in Glasgow. It was certainly rife where I stayed in the west of Scotland. There is no doubt that there have been huge steps towards making that disappear, with people in society working together much more.

However, in recent years there has been a perceived upsurge—perceived by me, anyway—in sectarianism; that is based mostly around football, but there have been incidences elsewhere in society that I think must be dealt with. The most obvious of those is the attack on the priest outside St Alphonsus church about the same time as an Orange walk was taking place. We have been told that the perpetrator of the attack was not a follower or a member of the walk but the attack happened about the same time and I think that there is clearly some kind of link there. For me, something has to be done about that.

Football in Glasgow and the west of Scotland is a great attractor to sectarianism and I was disappointed when the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 was repealed. We have to make sure that we send out a strong message that we still take sectarianism seriously and I hope to do that with the proposed cross-party group.

Although I have mentioned football, I have also said that sectarianism is not just an issue in football and that we will not be concentrating solely on that. However, we have to recognise that football has an almost unique place in Scottish society when it comes to sectarianism.

**The Convener:** Thank you very much. Do members have any questions regarding the proposal? There are no questions.

**James Dornan:** I will probably put my foot in it now by not staying quiet when I should, but I will just say that a wide range of people have agreed to join the group. I have a meeting with the Scottish Football Association and the Scottish Professional Football League on Monday. The Church of Scotland and many others have said that they will participate.

**The Convener:** You have opened the door now, so I will ask one thing. Will there be other church-based organisations—

**James Dornan:** Everybody has been invited. Well, I am saying that—I hope that everybody has been invited. We have sent out a wide range of invitations to religious groups and we have had very positive responses from a number of them.

**Maureen Watt:** As well as the football bodies, have you sent out letters to specific football teams and had any responses?

**James Dornan:** I have to be careful here because I cannot remember all the letters that were sent out. We discussed sending out letters to Celtic Football Club and Rangers Football Club but I honestly cannot remember whether we did that.

**The Convener:** Thank you very much for putting forward the case for the proposed cross-party group. The committee will consider whether to approve the application for recognition when we reach agenda item 5. We will inform you of our decision thereafter.

**James Dornan:** Thank you for your time.

**The Convener:** The third proposed cross-party group is on the Scottish Gypsy Traveller community. I welcome Mary Fee MSP, who would be the convener of the group, and invite her to make an opening statement about the group's purpose.

**Mary Fee (West Scotland) (Lab):** Thank you, convener. The main purpose of the group would be to provide a forum for discussion and information sharing on issues related to the problems faced by the Scottish Gypsy Traveller community. The group will promote the interests of that community and raise awareness of the issues that affect it.

Members may know that the Gypsy Traveller community is one of the groups in Scotland most disproportionately affected by discrimination. I have campaigned on the issue since I became an MSP. Gypsy Travellers are a marginalised community who face prejudice and discrimination every day, and the aim of the group is not only to try to raise the profile of the community but to find ways in which to tackle and eradicate that discrimination.

10:15

**The Convener:** Thank you. Do members have any questions?

**Mark Ruskell:** Gypsy Traveller communities are badly disenfranchised and perhaps very remote from the activities and considerations of this Parliament. I am interested to know how the cross-party group will engage with those communities on the ground and bring their real-life experiences into the CPG. There are a lot of representative organisations, bodies and agencies in the proposed membership list. How will you get those real-life experiences heard in Parliament?

**Mary Fee:** A lot of organisations work directly with the Gypsy Traveller community. It might be

helpful to give you a bit of background. In the previous session of Parliament, I was convener of the Equal Opportunities Committee when we carried out two inquiries into the Gypsy Traveller community and the issues that it faces. I made a lot of contacts in the Gypsy Travelling community, which is very distanced from public life and very reluctant to come forward. Although it took a long time to build up relationships with that community, we were fairly successful in doing so.

Following our two inquiry reports, there was a slight dip in engagement between public life and the Gypsy Traveller community. I have spent considerable time rebuilding that trust and relationship. I am now in a position to re-engage, which is why I have proposed that the cross-party group be set up. The community is quite happy to come forward, to engage with politicians and to come back into this building to talk about their experiences and the discrimination that they face. Among the reasons why the cross-party group is being set up now is to rebuild trust.

**The Convener:** I was on the Equal Opportunities Committee about 10 years ago, when we did some work on the Gypsy Traveller community in Scotland and produced a report. As you say, more work has been done since then. Has there been any progress on integration between the Gypsy Traveller community and the general community? Has that relationship improved?

**Mary Fee:** Not as much as I would like. There has been a small improvement in attitude and a small decline in the discrimination faced by the Gypsy Traveller community. There are pockets of good practice across the country. In the north-east, there is a very good relationship between some schools and the local Gypsy Travelling community. However, according to the most recent social attitudes survey, 34 per cent of people still believe that a Gypsy Traveller would be unsuitable to be a teacher, and 31 per cent of the population would be unhappy if a member of their family were to marry a Gypsy Traveller. While some progress has been made, a huge amount of work still needs to be done. The time is right for the proposed cross-party group to take up the mantle and try to tackle some of that discrimination.

**The Convener:** Thank you for putting forward your case for the cross-party group. I know that you will be staying on for consideration of the next group. We have only four applications to consider, so we will not be much longer.

The final proposed cross-party group is on women's justice, for which Mary Fee would be the deputy convener. Would you like to make an opening statement on the purpose of the group?



**Mary Fee:** Thank you, convener. The cross-party group on women's justice would focus on every aspect of women's experience in the justice system. The issue is very much in the public interest. Too many women are being incarcerated on short sentences or on remand, which is very much to the detriment of family life. There is very little support for women to be rehabilitated rather than being sent to prison. More often than not, women have a very negative experience of the court process and the justice system, and are more likely to lose all contact with their families, including their children, if they are incarcerated for any length of time.

**The Convener:** Thank you. Are there any questions from members?

**Jamie Halcro Johnston:** I will raise a point that I nearly always make. There are specific issues in the Highlands and Islands, particularly for people who are incarcerated. I know that there would be two representatives from that region on the group. Are there any specific organisations that you think could be involved in the group? How will you make sure that the specific needs of people from more remote areas such as the Highlands and Islands are taken into account?

**Mary Fee:** Rhoda Grant and Liam McArthur have signed up to the group, and we have an initial list of organisations that are happy to work with the group. I have worked closely with Families Outside and the Prison Reform Trust, which have very good links to other organisations across the country. Once the group is established, Rhoda Grant and Liam McArthur may be able to give us more information about local groups, because we are very keen to reach out. I am very aware that women's experience of the justice system varies greatly between the central belt and the Highlands and Islands.

**Tom Mason:** The situation in Scotland is not unique to Scotland and there are issues around the United Kingdom, and in Europe as well. Will you be able to consider the lessons learned in other places?

**Mary Fee:** The proposed cross-party group would be more than happy to look at good practice from elsewhere in the UK and Europe. I know from previous work that I have done that there are different models of rehabilitation in the penal system across Europe and there is some very good practice. We would be more than happy to look at that. There are a number of recommendations in Dame Elish Angiolini's "Commission on Women Offenders" report. Dame Elish drew on evidence from other parts of the UK, and from Europe. We will be looking at that evidence very closely.

**Maureen Watt:** Has any interest been expressed by people employed by the Scottish Prison Service in relation to families?

**Mary Fee:** Do you mean family contact officers?

**Maureen Watt:** Yes.

**Mary Fee:** The committee may know that I also convene the cross-party group on families affected by imprisonment, which looks specifically at issues that affect families, whether that is contact time with offenders, the time that it takes to travel to and from prison or issues within schools because of the impact of offending on children. That cross-party group works closely with the Scottish Prison Service and family contact officers. I have an existing relationship with family contact officers—I would be keen to explore that further once the cross-party group is established.

**The Convener:** I thank Mary Fee for her attendance. Under agenda item 5, the committee will consider whether to approve the application for recognition of the proposed cross-party group. You will be informed officially of the decision thereafter.

**Mary Fee:** Thank you, convener and committee.

**The Convener:** Agenda item 5 is on the approval of proposed cross-party groups. I propose to mention each of the four groups; if anyone has any doubts to raise or comments to make, they can do so at that point.

The first proposed cross-party group is on the prevention and healing of adverse childhood experiences, or ACEs. Are we content to approve the application for the cross-party group?

**Members indicated agreement.**

**The Convener:** The second proposed cross-party group is on combating sectarianism in Scottish society. Are we content to approve the application for the cross-party group?

**Members indicated agreement.**

**The Convener:** The third proposed cross-party group is on the Scottish Gypsy Traveller community. Are we content to approve the application for the cross-party group?

**Members indicated agreement.**

**The Convener:** The final proposed cross-party group is on women's justice. Are we content to approve the application for the cross-party group?

**Members indicated agreement.**

**The Convener:** That is the end of today's discussion on cross-party groups. I am sure that we will have more discussion in future.

## **Commissioner for Ethical Standards in Public Life in Scotland**

**The Convener:** I thank everyone for that—that was painless. Thank you all for your attendance; I will see you at the next meeting.

*Meeting closed at 10:26.*

10:25

**The Convener:** Agenda item 6 is consideration of a revision to the direction to the Commissioner for Ethical Standards in Public Life in Scotland. At our meeting on 28 June 2018, there was a review of the directions to the commissioner and it was agreed to reduce the period for which the commissioner is required to retain documents and records considered in the course of his investigations. The committee's proposal in the revised direction is to reduce the period of retention of those documents from five years to 12 months.

Do we agree that the revised direction should be that the retention of those documents and records by the commissioner be reduced from five years to 12 months?

**Members** *indicated agreement.*

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