OFFICIAL REPORT
AITHISG OIFIGEIL

Standards, Procedures and Public Appointments Committee

Thursday 21 April 2022

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

Thursday 21 April 2022

CONTENTS

STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE
10th Meeting 2022, Session 6

CONVENER

*Martin Whitfield (South Scotland) (Lab)

DEPUTY CONVENER

*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

COMMITTEE MEMBERS

*Edward Mountain (Highlands and Islands) (Con)
*Collette Stevenson (East Kilbride) (SNP)
Tess White (North East Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Dr Sarah Childs (Royal Holloway, University of London)
Dr Ruth Fox (Hansard Society)
Professor Meg Russell (University College London)
Dr Mark Shepherd (University of Strathclyde)
Dr Andy Williamson (Democratise)

CLERK TO THE COMMITTEE

Katy Orr

LOCATION

The Sir Alexander Fleming Room (CR3)

Scottish Parliament

Standards, Procedures and Public Appointments Committee

Thursday 21 April 2022

[The Convener opened the meeting at 09:00]

Decision on Taking Business in Private

The Convener (Martin Whitfield): Good morning. I welcome everyone to the 10th meeting in 2022 of the Standards, Procedures and Public Appointments Committee. I remind members who are attending virtually to place an R in the BlueJeans chat function if they want to come in on any issue.

Item 1 is a decision on whether to take in private item 3, which is consideration of the evidence that we will hear today. Does the committee agree to take item 3 in private?

Members *indicated agreement.*

Future Parliamentary Procedures and Practices

09:00

The Convener: Item 2 is the inquiry that we are doing on future parliamentary procedure and practice. For this evidence session, we are joined by Dr Ruth Fox, who is a director of the Hansard Society. Ruth Fox is responsible for the strategic direction and performance of the society and leads on its research programmes. We are also joined by Professor Meg Russell from University College London. Meg Russell is professor of British and comparative politics and is a director of the constitution unit. I hope that I will be able to welcome them—remotely—to the committee. I can see Dr Ruth Fox. Good morning, Dr Fox.

Dr Ruth Fox (Hansard Society): Good morning. Can you hear me now?

The Convener: We can hear you now, Dr Fox. I am waiting to see whether Professor Russell can join us.

Professor Meg Russell (University College London): Hello.

The Convener: Good morning, Professor Russell. Thank you for joining us this morning. I hope that you heard the introduction.

As always with our evidence sessions, time is quite tight. The committee has a number of questions from which I hope we can develop a discussion that will aid us in the evidence that we are collecting for our inquiry.

I will kick off. The privilege of being convener is that I can grab the good questions. My first question is about flexibility and the participation of members when we have virtual participation. I am looking for your comments on whether it should be routinely acceptable or allowed for MSPs to join in a hybrid format and what cautions sit around that. I do not know which of the panellists would like to start. Professor Russell, do you have a comment on that?

Professor Russell: I am sorry for being delayed. We were told that our microphones would be controlled by somebody else. I have been waiting for mine to be switched on, but I have now just switched it on myself.

The Convener: The microphones will be controlled by other people, but you are now switched on and we can hear you very clearly.

Professor Russell: You can hear me—great.

This is not an opening statement, but I preface my remarks by saying that I am not a close follower of events and developments in the

Scottish Parliament, so I do not know how far you have gone with experimentation on hybrid and virtual proceedings or what your current thinking is. I am not very familiar with your procedures, in general, so excuse me if I talk in a rather general sense. However, I have been watching the situation at Westminster and I have a little bit of familiarity with what has been happening in other places around the world.

My basic answer to your question is that parliaments are places that should include people who are present, so you should be cautious about how far you adopt virtual arrangements for the long term. My work has shown—anybody who has worked in a legislature will know this—that, although legislatures are very public and formal places with lots of rules and procedures, what goes on informally and behind the scenes matters a great deal. If people are not present, they are not able to participate in those informal communications, negotiations and so on.

I think that Ruth Fox is broadly on the same page as me on this. There can be good reasons to facilitate virtual participation in the case of a large-scale problem such as the pandemic, and that should apply to everybody. Short term, in specific individual cases when people are in the later stages of pregnancy or have an extremely young child—we might talk about this later—some sort of temporary arrangement is worthy of consideration. However, you should be very cautious about going down the road of having a long-term blanket arrangement that might apply to everybody, because that would cause a parliament to malfunction in very important ways and it would break down essential communication mechanisms that parliaments and policy making rely on.

The Convener: That is interesting. The problem does not lie in the formulaic way in which legislation is created or in which committees sit but in the softer, challenging-to-measure interactions that happen face to face and in person that facilitate the greater ideal of producing legislation and getting work done.

Professor Russell: Yes. You put it well. There are some problems with respect to formal proceedings, which we might talk about. There are technical problems about how to achieve spontaneity in debate, indicate to the chair and deal with other issues that we have been grappling with in legislatures, as well as in other events and meetings in other parts of our lives. However, there is a fundamental problem that cannot ultimately be solved by technological fixes.

You mentioned legislation. I have written a book on the legislative process at Westminster, which is based on a close study of amendments and talking to people through interviews. You can learn a lot from the formal record about what people say in debate, the wording of amendments, how people vote, what gets passed and what does not get passed. However, having collected data on nearly 4,500 amendments on 12 bills through both chambers of the Westminster Parliament, we found that our interviews with people about the process were much more enlightening about the true dynamics of what went on, because we talked to them about the behind-the-scenes meetings that back benchers had with ministers and with one another cross party, the alliances that were built in support of amendments and the gentle, behind-the-scenes, subtle pressure.

I am quite fascinated by what is going on at Westminster today. There is a vote on whether the Prime Minister should be referred to the Committee of Privileges and, last night, a Government amendment that was trying to see off a rebellion was withdrawn. Those things are not happening because of what is happening on the formal record; they are happening because of people going along in groups or individually to one other's offices to put pressure on ministers. That cannot happen virtually. You can try to approximate it with phone calls, WhatsApp messages and, perhaps, one-to-one video calls. However, the sense of the dynamic in a legislature, the sense of the mood in the chamber—that is very important, certainly at Westminster—the subtle noises coming from members, the looks that people are giving each other and people's gestures are all missing virtually. Without all that, and if a Parliament is reduced to just its formal, on-the-record proceedings in a fairly rigid and unspontaneous way, a great deal and perhaps most of politics is gone in the virtual dynamic.

The Convener: Relationship politics and—I will use this word carefully and then regret it immediately—the reality of how Parliaments work, which perhaps is not transparent to constituents outside of them, are so important. There is a risk that, with hybrid, certainly at this stage, technology is unable to provide anything near equivalent. Is that fair?

Professor Russell: Yes. For years, I have taught courses not just on the British Parliament but Parliaments comparatively, and one of the first things that I say to my students is that there are some fundamental principles for how Parliaments work. One of them is equality, which we might come to. There is a problem if some people have face-to-face access and others do not, because inequalities are created and some people are listened to more than others.

One of the most fundamental principles of Parliaments is openness. One of the things that distinguishes Parliaments from other aspects of government and other public institutions is that so

much goes on on the public record—proceedings are transcribed, televised and so on. However, there is a paradox because, although they are fundamentally open institutions, they are like icebergs and much of what matters goes on beneath the surface. To understand Parliaments properly, you must understand both of those things. The openness of things being on the record, ministers explaining themselves in a public place and all the parties making declarations of their positions publicly and on the record is important but, if you look only at that, you do not understand the place. All the stuff that goes on beneath the surface to get to those positions is what makes politics work.

The Convener: Thank you, Professor Russell. Before I bring in Dr Fox, I will go to Edward Mountain, who I believe has a question.

Edward Mountain (Highlands and Islands) (Con): I find what Professor Russell has just said really interesting. The fact is that I am able to see only Professor Russell talking; I cannot see the reaction of any other committee member, because, when she speaks, she is the only person on the screen. There is no way I can see what all of you are feeling or whether or not you are agreeing. Professor Russell, is your fundamental point that politicians cannot interpret other people's opinions and the way they are swinging when people are talking?

Professor Russell: Yes, part of this is about the ability to read the room. Whether or not we are parliamentarians, we have all been going through this; we have all been having virtual meetings and are feeling the same frustration. I have chaired a lot of those meetings and—with apologies to the convener—I find it quite hard to shut people up if they talk for too long. All of those little dynamics and interactions—the raising of an eyebrow, say, or a pen—are important.

However, although the point about reading the room is really important, the point that I am making is different and separate and is about the fact that what goes on outside the room is often at least as—if not more—important than what is going on in the room.

The Convener: Thank you. Dr Fox, would you like to comment on this?

Dr Fox: I largely agree with everything that Meg Russell has said. The core of the discussion from the perspective of a Parliament is the question whether you want permissive or restrictive criteria for virtual participation. Do you want virtual participation to be a short-term solution to a particular logistical or operational problem—for example, members being unable to travel to the Parliament, because of the weather, transport breakdowns or travel problems—or do you want it to be a longer-term option that some or a significant number of members who might not otherwise be able to be parliamentarians can take up as a way of engaging and being involved? There are those who have caring responsibilities, for example. Those are long-term propositions, and the people involved will often not be present in the Parliament. They will predominantly be working from home and engaging virtually.

To an extent, you have to ask the question from a point of principle: what is the problem that you think that you have and what, therefore, are you trying to solve? If parity of participation of underrepresented groups is a significant problem, virtual participation might offer you a solution, but there is a very significant trade-off with regard to all the things that Meg Russell has talked about. The culture of the institution would change considerably. It would not necessarily change considerably if this were a short-term stopgap measure used from time to time to enable members to participate or vote. For example, they might get Covid and have to isolate for a week, or they might have a short illness that meant that they could not travel to the Parliament. Having such an option would avoid their being disenfranchised from proceedings—and also from voting, if you also provided a virtual or a proxy voting option. In those circumstances, the cultural loss for the institution would be smaller.

If you think about it—and this is true of Scotland, the other devolved legislatures and, indeed, Westminster—some of the communication problems have possibly been exacerbated and appeared sharper because the pandemic either happened shortly after an election or continued through an election. As a result, with the turnover of members, there is quite a significant number of new members who have had no experience of anything other than pandemic procedures for quite a considerable period. That will inevitably affect socialisation. We do not yet know whether the kinds of things that Meg Russell was talking about, such as the building of political alliances, the relationships between members across parties and the functioning of committees in person, will immediately revert to a pre-pandemic model or whether things will prove to be slightly different, because members' experience in their early months and years has been so different from what their predecessors would have experienced.

09:15

The Convener: I want to pursue that, Dr Fox. As a member, I came into the Parliament during Covid and never saw it in what someone described as its golden time—although I think that its golden time is still to come. Do you think that human beings just cannot get over that problem

with regard to communication and simply need to meet and talk in person straight away? Are we not capable of creating a different culture that will still facilitate the creation of laws outside of chamber discussions, however that might happen? Should we be confident that human beings themselves, given their ability to communicate and articulate things, will find ways of doing that even if the ability to sit in the same room does not exist?

Dr Fox: I think so—and that might well be where we are headed with technology if certain companies have their way.

I agree with you about the idealisation of plenary proceedings. It was certainly an issue that arose at Westminster in the early months of hybrid virtual proceedings. Indeed, the Leader of the House at the time used the argument about the idealisation of debate and participation to turn off virtual proceedings for a considerable period. Some of the problems that you see virtually are also replicated in debate, just in a different form. It might well be that, as technology develops and moves on and as we all become more accustomed to it, forms of communication and the way in which we engage will naturally change, too.

There is a risk that, if all the Parliaments around the world were to take a view to restrict or turn off virtual proceedings, technological development could be hindered, and we will not see the possibility of improvements that we might have seen, had things continued. At Westminster, people thought that it would be possible to come up with a model that would allow for more interventions and supplementaries during debates in order to improve legislative scrutiny proceedings, but there was no commitment to invest in that and to test and trial it. Until Parliaments make such commitments, we will not see those developments.

I think that what Meg Russell was talking about with regard to informal space and communications is a slightly harder issue to resolve. It is inevitably harder at the start of a new Parliament, when there are lots of new members who simply do not know each other. The question is: to what extent should the institutional parties seek to orchestrate online forums or environments in which that kind of communication—which would not necessarily constitute formal proceedings—can take place and to what extent should you just leave it to members who might have a particular legislative matter, amendment or policy concern that they want to pursue at committee level to pick up the phone, talk to others and engage in that way? Inevitably, though, the social cues that you garner from in-person engagement get lost.

The Convener: It is interesting that you raise the question of interventions, given that much work has been done in the Scottish Parliament to allow the hybrid system to take them. I see Edward Mountain shaking his head at that, but hopefully we will be able to investigate that issue between now and the summer recess.

Perhaps I can pick up Dr Fox's point and press Professor Russell on it. Where should responsibility for developing this communication rest? Should it rest, for example, with the political parties? Taking the example—I was going to call it a "simple example"—of a hybrid facility, should responsibility for deciding who can use it rest with the chamber, by which I mean the Presiding Officer, or should it be facilitated by the political parties? Is anybody disadvantaged or, indeed, advantaged by hybrid proceedings or the opportunity to make a hybrid contribution?

Professor Russell: Until I had more time to think about the matter, I would instinctively be quite firmly opposed to this lying in the hands of the parties. Something that we have seen in legislatures around the world with the reduction in participation during the pandemic is that it really matters who gets to participate and who does not. Indeed, it can suit political parties for their members to be absent—and it can make the whips' lives easier if awkward people are not around.

I do not know whether you will come on to the topic of proxy voting, but I have to say that what happened at Westminster, with hundreds of proxy votes lying in the hands of party whips, was, to be honest, quite appalling. I was horrified by that. I had seen something similar in the New Zealand Parliament, but I never thought that we would get there at Westminster. Moreover, it was totally unnecessary, given the electronic voting system that had been rapidly set up and that seemed to be very efficient. However, the Government prevented its continuation.

That partly brings us back to the point that I raised about equality. Equality is fundamental to democracy, and Parliaments as democratic institutions have, as a core principle, equality and everyone having equal rights of participation. If some people are encouraged to stay away, they are not fully included in some of the most important aspects of politics, which brings with it some very severe risks. Ruth Fox put it very nicely when she talked about the long-term or short-term option and the fundamental trade-offs that we face.

I believe that Sarah Childs is on the next panel. She is a real champion of improved participation in legislatures, particularly for women. She is hugely respected and I count her as a friend as well as an excellent colleague. However, I would say that, with the pressure to increase virtual opportunities to improve participation for certain groups who might currently be excluded from legislatures—

women, carers, people with disabilities and so on—there is a very awkward trade-off with regard to their being able to play a full part in the decision-making process, and there is a sense that virtual participation is essentially a second-best kind of participation. As Ruth Fox has said, in certain circumstances—for example, if somebody is isolating with Covid or whatever—second best is better than nothing at all, but if some people are locked out in the long term, they become, in a sense, second-class members with their second-best kind of participation. If it looks on the face of it that groups who have traditionally been excluded from legislatures are being included when their participation is actually not equal to that of others, you are, in a way, perpetuating the problem.

I am straying from your question a bit, but, coming back to the issue of who should make the decisions, I would say that such decisions need to be institution wide. I do not know enough about the Scottish Parliament to know quite where the right place would be, but you mentioned the Presiding Officer, and that feels about right to me. These things need to be thought through very carefully on a cross-party basis, with the close involvement of officials, experts and the Presiding Officer. Even then, though, there is a risk of coming up with things that might suit all the parties but not necessarily democracy as a whole.

We saw a bit of that at Westminster with proxy voting. The Conservative and Labour whips had hundreds of votes in their pocket—and, to be frank, the Conservative and Labour members did not mind letting the whips vote for them. Nonetheless, democracy suffers in that situation. You have to be very careful about party interests colliding with the interests of broader democracy and of advantaging whips and party leaders perhaps against some of their more awkward back-bench members, who might gently be eased out of some forms of participation.

The Convener: Collette Stevenson has a follow-up question.

Collette Stevenson (East Kilbride) (SNP): Good morning. You touched on equality being a key principle of politics. The make-up and logistics of Westminster are such that there are 650 members of Parliament and only 427 seats in the Commons chamber. From an equality point of view, that does not seem very equitable. Do you want to comment on that?

Professor Russell: I would be the first to accept that the situation as regards equality is not perfect; what I mean by that is that we are not there. In many respects, I am completely on the same side as Sarah Childs in wanting a broader range of people to stand for Parliament, to be facilitated to be members of Parliament and to participate in Parliament. What I mean is that, in order to respect the principle of equality, participation needs to be equal. During the pandemic, we had a situation in which some members of the House of Commons were able to vote in person and others who were required to stay away for health reasons could not vote. That was another appalling incident during the pandemic in the United Kingdom Parliament.

We must be very careful that we do not set up a situation in which, on paper, it looks as though there is a nice broad spread of participation but, in fact, the people who are really at the heart of things and taking the decisions are not a representative group—it might be the case that more of them are male or are non-parents or people of a particular age or in a particular wealth band or whatever. That would be a retrograde step. We need to have the full participation of everybody on an equal basis. The risk with virtual participation is that we slip into some people not being there when the decisions are taken, because, if the real decisions are taken behind the scenes and they just log in for the formal meetings, their voices will not be fully heard.

The Convener: Bob Doris will develop the conversation.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I thank both witnesses, as it has been a very interesting discussion.

One of the things about virtual meetings—this meeting is a kind of hybrid version—is that, when I make a facial expression or twist uncomfortably in my chair, the witnesses cannot read my body language. A lot of the commentary has been made through a Westminster lens on a Westminster culture, and I think that things are very different in the Scottish Parliament. First of all, there are 129 members of the Scottish Parliament. I think that, across parties, it has been understood that it is much easier to get access to ministers and to feed in views extremely quickly. For example, we are in a hybrid meeting but I could see Edward Mountain shaking his head. It is a positive strength of a hybrid meeting that I could read Edward Mountain's body language.

09:30

Before I move things on a bit, Professor Russell said a lot about equality, but there are various strands to that. There is equality of opportunity as well as equality of access. If some women are deterred from getting into Parliament in the first place because they do not see it as being family friendly, that means that they do not have the same opportunity as men have to be elected representatives. There are questions of equality of opportunity for carers and for dads—I have a young child in the house, so I know about this—to

still have contact with their young children from time to time.

I think that this Parliament is talking about having a hybrid Parliament rather than a virtual Parliament and that there is a cross-party will to not put the hybrid Parliament that we have now back in its box, but to get right the balance between inclusion on the parliamentary campus and the dynamic that Professor Russell and Dr Fox explained extremely well, while ensuring that we do not deny underrepresented groups the opportunity to participate or to be supported as members.

Do you think that, for people to have opportunities to be elected representatives in the first place or to sustain their incumbency as an elected representative—for example, some women gave up being an MSP in the previous session because they did not see it as being family friendly enough—it is important that the hybrid arrangement endures, rather than being thrown out? I put that to Professor Russell in the first instance.

Professor Russell: It depends what you mean by "hybrid", does it not? Maybe we need to look at that term a bit more closely. If what you mean by "hybrid" is that everybody participates in person some of the time and virtually some of the time, that is a much more defensible position than hybridity whereby some people are always in Parliament in person and some people are always online, because, in that case, I would say that the people who were online would not be heard to the same extent as the people in the room, which would create a bit of a false picture of participation. There are different ways of being hybrid.

Bob Doris: I do not think that I was in any way creating a false concept of participation. This is a hybrid meeting that we are involved in. We are having such interaction at the moment.

It took me a long time to get there, but the question that I was asking was whether you think that the advantages of a hybrid Parliament from the point of view of the opportunities that it provides for underrepresented groups far outweigh some of the limitations that you mentioned, which I note seem to have been observed through a Westminster lens and seem to relate to a Westminster culture.

Professor Russell: What I am saying is that it depends on your definition of "hybrid". To give a clear example, I think that it is fantastic that Ruth Fox and I are able to be with the committee today. It is a great deal easier to do it as we are doing it now than by both of us travelling up to Edinburgh and being there in person. Maybe not being able to see your body language or whether you are all glaring at one another because you think that I am talking rubbish is a trade-off that is worth making in this case.

What I am saying is that "hybrid" could mean one of several things. It could mean that everybody would work from home and dial in via videolink one day a week, say, or one week a month. That would be a very different arrangement from one in which, say, half the members were always present and the other half were never there. The second of those models would become particularly problematic if the half who were there were the men and the ones who were staying at home with the caring responsibilities were the women. I think that we need to go beyond the word "hybrid" and ask what the rules would be for that hybridity and how exactly it would work. That is all that I am saying.

The Convener: That was very helpful. I invite Dr Fox to comment.

Dr Fox: I draw a distinction between recruitment of candidates to be members and retention of members once they are in the Parliament. There are lots of reasons why women, disabled people and people with caring responsibilities—the groups who are underrepresented in our Parliaments—do not necessarily stand for public office. I suspect that there are other factors, such as the toxicity of public life, social media and the threats that are made against people in politics, that weigh just as heavily as the question, "How do I manage my caring responsibilities and my work-life balance?" There is a complex mix of factors.

If we are talking about recruitment into the Parliament, there is a stage before getting there—that of being a candidate. It is true that, if the Parliament is more family friendly and it facilitates a better work-life balance and an ability to manage things such as caring responsibilities, that is clearly attractive. However, if party-political activity does not facilitate that at the recruitment level, I am not sure that a hybrid arrangement is necessarily the solution to the extent that you perhaps hope it might be.

Having said that, if you are talking about the retention of members—I know that four female MSPs said explicitly prior to the most recent election that they were standing down because of the work-life balance issue and because they had caring responsibilities for sick relatives or children—virtual proceedings or hybrid proceedings that enable such members to balance out those responsibilities, even if only on a short-term basis or from time to time, rather than having them on a permanent long-term basis, for the reasons that Meg Russell mentioned, might well be helpful. If you think that retention of members is a problem, a hybrid arrangement could provide a

possible solution, but, as Meg Russell said, important trade-offs go with that.

Bob Doris: I am pleased that I pushed on that issue, because we got some valuable evidence from Professor Russell and Dr Fox. Thank you for your responses.

I have a more general question. It is clear that some form of hybrid Parliament will remain, and this committee's task is to touch, feel and smell what that would look like and make recommendations to the Presiding Officer and Parliament about that. I am guessing that that will be an iterative process, so whatever the committee comes up with and Parliament agrees to would not be the end point.

Professor Russell has helpfully talked about monitoring some of the dynamics at Westminster. Whatever reforms we recommend and implement in the Scottish Parliament, we will initially want to monitor those. How can we monitor hybrid and virtual proceedings to measure how interactions have changed and whether that has been beneficial, what the benefits have been and what the drawbacks have been? We will want to monitor whatever we recommend on an on-going basis—that will not be the end of the story—so any suggestions that you could make about how we monitor the quality of those interactions and the negatives, as well as the positives, would be very helpful.

Dr Fox: Having inquiries such as this one is useful. Westminster has not done that properly. It has not reflected on what aspects of fully virtual and hybrid proceedings members liked and what ones they did not like and come up with a proposition on how proceedings might be improved. Having an inquiry through a committee that can monitor the situation on an on-going basis is extremely valuable.

There are obvious things that can be done through surveys of members. Participation levels are always an issue. You have to think about what data points you want to monitor. Do you want to measure participation levels in terms of speaking time or of interventions? Are there issues for members who operate virtually for a period of time? Do they have equal access to and an equal opportunity to participate in certain types of proceedings—[*Inaudible*.]—interrogatory aspects of proceedings, such as question time, as opposed to legislative scrutiny, you can more easily monitor that, but it depends on how the business is managed and, therefore, what aspects of the business can be looked at in detail. A lot of the parliamentary data that I am sure the officials, the clerks and the librarians are producing would enable that to happen.

Bob Doris: Dr Fox, I am not sure whether you have finished, as your connection was intermittent.

The Convener: We lost you for a short moment in the middle of your remarks, Dr Fox. I think that you are saying that it is very important that the data is collected and analysed but that we should choose what data points we want to reflect the information that we need. Would that be fair?

Dr Fox: Yes.

The Convener: Thank you. I am slightly conscious of time. Would it be all right if I passed over to Edward Mountain, Mr Doris? Your question was pretty well covered.

Bob Doris: Yes.

Edward Mountain: I will limit my questions, but can I first say how refreshing it is to hear from our two witnesses? I just put on the record that, for the past year, for medical reasons and through no choice of my own, I have had to participate in a virtual or hybrid way at nearly every meeting of the committee and the Parliament. I longed to get back, and I think that it is good to hear how important it is to make connections with people. In my week back in the Parliament, I was able to have off-the-record conversations and coffees with cabinet secretaries to discuss things in a way that was almost impossible online. Those relationships with cabinet secretaries had been built up over the previous session, so I had got to know them—that is so important, and that is a point that both witnesses have brought out.

I want to ask two very quick questions. First, do the witnesses think that there should be different arrangements for ministers who are speaking to the Parliament or giving evidence to committees? Do they need to be present so that we can see what they are saying and see how they are reacting, or should they just be allowed to do it online, where they have a habit of talking the time out?

Professor Russell: It is very interesting to hear about your experience. Ruth Fox referred to the fact that there is a difference between people having been in the Parliament for a long time and then having had a period of virtual participation and people having arrived virtually, because the people who have been in Parliament a long time already have established relationships. There would be a danger in opening up the possibility that someone can stand and never have to go. I feel that, in my working life, the lockdown was much easier among colleagues who had known and worked with one another for a long time; they were able to pick up the signals even through online communication, whereas those were much harder to read for the new members of staff who joined. The point about the long term and the short term is very important.

As for talking to cabinet secretaries, I should throw into this meeting what I thought was a wonderful line from Philip Norton, who is a member of the House of the Lords but also one of our foremost scholars on both Westminster and Parliaments comparatively. He talks a lot about the importance of informal politics and he said that it is impossible to bump into a minister on WhatsApp. Those spontaneous meetings that you have in corridors in which you end up having conversations that you were not even planning to have but that can sometimes change the course of events are completely missing from the virtual environment.

I guess that that takes us to ministers. That is a very difficult one. It is very hard to set the rules. It was mentioned that the rules have to be set and then kept under review, and there are always risks of precedents being set and conventions getting stretched and so on over time. It would not surprise you to hear that I would generally say that it is far better for ministers to be there, because they ought to be able to read the room and you ought to be able to read them, and there ought to be the potential for you to bump into them afterwards and all the things that usually happen.

Ministers, of course, have very busy lives—they might be in India, as the Prime Minister is today. There may be times when there are good reasons for people, particularly those with briefs that are likely to take them far from Edinburgh, to join by videolink. I would be inclined to keep that restricted, but how you draw those lines is a difficult question for everybody. If we say that some virtual participation is allowable and healthy, where do you draw the line and how do you prevent those lines from constantly getting stretched? I am sure that a lot of ministers would love to never show up in Parliament, because it is quite a tough environment. You do not want to slip into that position.

Dr Fox: One of the things that members often say is that they want to be able to see the whites of ministers' eyes in the chamber or in committee and have that in-person engagement. Again, going back to the short-term/long-term implications and criteria and whether criteria are permissive or restrictive, ministers are also members of the chamber, and they too can get ill, they too may have to isolate, they too may have work/life balance issues and so on. The question is whether the principle of equity of treatment applies to them in the same way as it applies to other members or whether that is superseded by the advantages that are derived from in-person scrutiny. It is a delicate balance and I do not think you can reach a perfect solution—[*Inaudible*.]

The Convener: Apologies, Dr Fox. We seem to be losing the line, so I think that we will try with just audio. Do you want to try now?

09:45

Dr Fox: Can you hear me now?

The Convener: Yes, we can hear you now.

Dr Fox: I am not sure at what point you lost me, but this rather proves the point about some of the difficulties.

I was saying that ministers are also members and they too can get ill, they may have to isolate and they have work/life balance issues like other members, so what would come into play is the principle of equity of treatment. Do you treat ministers differently from other members? Is there a pragmatic solution whereby, as a normal practice, ministers have to be present, but in exceptional circumstances leave will be granted by a committee convener or by the Presiding Officer for them to attend virtually? Is there a consensus among members on what would constitute a reasonable excuse—weather or travel problems, certainly, perhaps family responsibilities, illness and isolation, but would clashing ministerial duties and constituency commitments be sufficient? You would have to have a debate about what would be an acceptable reason for the minister not to be present.

Edward Mountain: I take your point on equity for members and ministers. The point that I was trying to make is that ministers and cabinet secretaries are adept at judging the number of questions that they will be asked, because the clerks will tell them when they have to start at the committee and usually when they will end, and they will take a long time to answer a specific question that they want to answer and try to talk the other questions out. I have seen it as a convener in the committee. At one stage, as convener, I had to cut off the microphone of one cabinet secretary who would not shut up, so that the other members of the committee could speak. That is the point that I was trying to make.

My second point is that I want to push back and understand slightly more about the party aspect of it. I will be clear that I am a deputy whip for my party, and it slightly concerns me that you think that it should not be the parties that control speaking slots, and I am interested to hear why. They do control speaking slots, because they are given a certain number of slots for every debate. How would we get round that to make sure that those people who are virtual all get equity? There is no doubt about it that, if you are virtual in the Scottish Parliament, you get to speak only when you have a speaking slot; you cannot intervene or do anything else. I know, convener, that you say

that that will happen, but I will believe it when I see it. I would like Meg Russell's views on that, please.

Professor Russell: Another interesting trade-off here, which Ruth Fox alluded to, is that, if you do not continue experimenting with the technology, you will never find the solutions to allow the spontaneity that we are currently lacking. There was some phenomenal development by people behind the scenes in Parliaments in the UK and around the world to get these arrangements up and running, but it was only done through pure necessity. If we do not need it, maybe we will not prioritise making it work in quite the same way, which is a conundrum.

I come back to what I said at the beginning, which is that I do not know enough about the standard day-to-day working of the Scottish Parliament to know to what extent the parties have control over who gets to speak and so on now. Certainly at Westminster, the parties have very little control, because the Speaker chooses people in debate. We saw in the House of Commons speaker list, for the first time ever, a much more fixed and preordained list of who was going to intervene in the debate by necessity because of the virtual arrangements. Some people have been pressing for years for us to move to that kind of system, which exists in other Parliaments.

To me, it is a shame if you lose the spontaneity of people being able to stand up and respond to each other. Debates are always a little bit artificial—people clearly do arrive with their pre-written remarks and so on—but you remove any hope of having a proper debate, in which one person will stand up and respond to what the person before has said if you have these preordained lists. Certainly I have been present at Westminster when somebody has seen something in their office and wanted to rush to the chamber to leap into the debate and that kind of thing. You lose that if some people are guaranteed that they will be involved from not being on site, and it is very difficult to move towards the kind of spontaneity that we are used to in Parliaments. I think that that is part of their lifeblood.

The Convener: Certainly the quality of the debate in the Scottish Parliament is as loud and vociferous as it is in Westminster. Dr Fox, do you have any comments about Edward Mountain's question?

Dr Fox: You can think about the management of the system, if you like, at different levels. If you deploy restrictive criteria, who manages that and who certifies it if some form of certification is required? Should it be the parties or should it be the Speaker or Presiding Officer or a cross-party body? For political parties, I can imagine that it might be quite difficult for members if there are personal or health reasons that they do not want the party whips to know about; there could be an issue there. It might naturally rest better with the Presiding Officer, or you might have a system of self-certification.

Which proceedings does hybrid participation apply to? Does it apply to all proceedings, or does it apply only to particular types of proceedings? The forms of proceedings that work best on a virtual model are questions, statements and so on but not perhaps legislative proceedings—we had that at Westminster for a time. Who decides that?

That was decided in effect at Westminster by the Government and it led to a fairly toxic atmosphere, because it moved from an approach of consensus through representatives of the parties and the Speaker through the House of Commons commission—[*Inaudible*.]—and that can be problematic—[*Inaudible*.]—Parliament has in terms of its procedures and in terms of the powers of the Speaker, the Presiding Officer or whoever is in the chair. Certainly at Westminster, there have been issues. With the best will in the world, the need to orchestrate proceedings to a degree through call lists has limited the powers of the Speaker to adjust things during the course of a debate, so if somebody does not turn up online to participate, they drop off the system altogether. If a debate finishes early, what do you do about using up the time at the end of the debate that has been set aside? Do they have the option to offer that speaking time to other people? In terms of actual activity in the chamber, I think that enhancing the powers of the Speaker to manage business more flexibly would be helpful. That has not been true of all Parliaments. There has sometimes not been an adjustment of procedures and the rules on the powers of the Speaker to take account of that.

The Convener: Thank you, Dr Fox. I am very conscious of time. Both of your contributions have been incredibly useful and valuable. I thank you both for your attendance today and I hope that you follow our inquiry, if not simply to learn a little bit more about the Scottish Parliament perhaps to find a way in which another legislature is looking at the hybrid Parliament and how we move forward. I once again express our thanks for your attendance this morning.

I suspend the meeting briefly so that we can change over witnesses.

09:55

Meeting suspended.

09:58

On resuming—

The Convener: Welcome back to our second evidence session on future parliamentary procedure and practice. I welcome Dr Sarah Childs from the Royal Holloway, University of London, and Dr Andy Williamson from Democratise, who is joining us online. I thank you for your attendance this morning. My intention is to move straight to questions from the committee in the hope that we can develop a conversation about certain themes that have come through in the evidence that we have received so far. I will pass you both into the more than capable hands of Collette Stevenson.

Collette Stevenson: Good morning. To give you a bit of insight, I was newly elected in May last year. Prior to that I was—I still am—a councillor in South Lanarkshire. The reason why I mention that is because of my own experience of hybrid and virtual working here. It is all that I had known—it was like the Mary Celeste, which is a shame, because this is a public building, so there should be people in here. It is lovely to have people back in. Having had the experience of being a councillor was great, because I did not have the same peer support when I first came here. Being able to draw on my experience of being a councillor was great. I do not know what it would have been like for other newly elected members who did not have that experience.

I want to explore the challenges and the opportunities of having a digital Parliament and how successful the Scottish Parliament's transition to hybrid and virtual working methods has been. You might also touch on how we measure that success and any mitigating factors that have presented themselves. You could include examples of the limits of the technology and perhaps of people's ability to grasp that technology.

The Convener: Dr Childs, we will hear from you first.

Dr Sarah Childs (Royal Holloway, University of London): Thank you. I should make it clear that I am drawing on research that I undertook with Jessica Smith from the University of Southampton. Also, my work is based predominantly on Westminster and takes a gender-sensitive and diversity-sensitive Parliaments approach.

I agree with much of what you said. Very few people are advocating for completely virtual institutions that are empty of people. From a diversity perspective, it is about exploring the possibilities to better address the difficulties that some people will have in participating in a completely physical institution and weighing up the advantages that one can get from enabling hybridity—for example, by enabling attendance by people who cannot travel for whatever reason or who cannot be in an institution for five days in a row, or for whatever number of days you are present in any one week.

For me, the central point is that one needs to be clear about whether there is any meaningful detriment. That might be at the individual level, but it also might be at the institutional level. There could be individual advantages of hybridity, notwithstanding what you said. I think you are right—it would disingenuous to suggest that the in-person and the informal are not acutely critical to how well one can do the job. However, at the institutional level, the quality of scrutiny and advocacy might be enhanced by some members being able to participate in a hybrid way, so that they are present. There is that tension between inclusion—a diverse inclusion—and those voices not being present if one closed down hybridity. I think that that is what institutions need to explore.

You talked about measurement, and I think that that can be done through surveys of members. I have seen some of the results. I think it is also about exploring possibilities, because the technological abilities of institutions—I am no technological expert, but I have read about what happened in many Parliaments—grew very quickly, and it seems to me that Parliaments should be thinking about future-proofing their technology. Where concerns around socialisation and informal interaction, including spontaneity in debate, have been linked to a lack of technological ability, the argument is increasingly that those things could be enhanced in the future. Therefore, an institution that is looking to the future should perhaps be exploring the potential for that, so that there can be new moments of informal interaction between individuals.

I take all of what you are saying, but I want to bring in that alternative reading to see what can be advanced through technological solutions. We must also recognise that there is a balance to be struck between the individual's participation and the institution's efficacy and effectiveness, including the quality of representation. I am very much in favour of a permissive situation in which some of those questions are explored technologically to see what could happen.

10:00

The Convener: Dr Williamson, I understand that there are slight problems with your connection, so we will have an audio contribution from you, which I hope we will be able to hear more clearly.

Dr Andy Williamson (Democratise): Thank you. Madainn mhath. I am joining you from the Isle

of Skye, where our broadband infrastructure is sometimes not quite up to par. I apologise for that. It was working fine earlier. As was pointed out by Dr Ruth Fox in the earlier session, this a classic example of technology getting in the way when we try to do things in hybrid mode—you can almost guarantee it.

I want to say a couple of things in response to Collette Stevenson's question. Of the four people who are giving evidence today, three are experts in Westminster, and we, in Scotland, have to stop looking to Westminster as a model for the Scottish Parliament, because it is very different. It is so substantially different that there are better Parliaments from which we can seek to learn. That is an important point moving forward. The Scottish Parliament is a very different thing from Westminster.

In talking about the future of Parliament and what Parliament looks like, we have spoken so far today about the members in the chamber, but we are ignoring the wider aspect, which is the technological revolution that we have experienced that has accelerated massively in the past two years as a result of the pandemic and things that Parliaments have had to do. It has changed the fundamental fabric of how Parliament works and has transformed Parliaments into digital-first institutions whose legislative management systems are better, whose communication systems are better and whose ability to be open and to connect with the public is enhanced. There are opportunities as well as challenges.

In the previous session, Edward Mountain made the very strong point that the technology removes the human interaction. That is a real challenge. We do not want to go to a purely digital Parliament; we need that face-to-face contact. I was in the Australian Parliament a number of years ago, and the clerk there said that Parliament happens when we come together. However, my response was, "Yes, but what about when we can't? What about the points in between? What about members who live in more remote constituencies?" For me to get from Skye to Edinburgh involves a significant drive, and it would take an overnight stop. I would not want to drive there and back in a day to give evidence. It is much easier for me to do it in this way. If I want to talk to my member of Parliament or MSP, how will they spend time in their constituency if they have to be in the Parliament all the time? I think that we can look at balances there.

We need to look at access as well. I have worked with about 50 Parliaments in the past two years, primarily on the pandemic response. That work shifted from the enforced innovation of the first three to six months to a settling down period and the identification of strategic opportunities to modernise Parliament. We are now very much looking at the strategic opportunities to strengthen Parliament and do things differently. Norway, for example, moved to virtual and hybrid committees and the response from the civil society sector was that that was great because it improved access to committees for civil society groups that were not based in Oslo, close to the Parliament, but had to travel considerable distances, which was a barrier to their giving evidence—a barrier to being heard.

If we look at this whole thing holistically, we can see there are some challenges because we are still looking backwards at how Parliament used to work and we are still getting to grips with the technology.

Collette Stevenson asked about how the Scottish Parliament has responded. As I say, I have worked with around 50 Parliaments, and the Scottish Parliament has done very well. You have moved very quickly and have modified procedure to be flexible. You now have a continuity plan in place and, if you have to, you can switch to a virtual model. You are running hybrid committees, which I think is excellent. You should be very pleased with what you have done, but you can do more. We are just at the base of the mountain. We are learning new ways of doing Parliament, if you like.

The place to start the conversation is: what will Parliament look like in 10 years? What do we want it to be? Do we want it to be more representative? Do we want it to be more open and accessible? Do we want it to be more co-creative and collaborative with citizens? Those are all big questions.

The Convener: Thank you, Dr Williamson. I will do the "sensitive convener" thing by reassuring you that we are taking substantial amounts of evidence both from other legislatures and from other people who have expertise in the Scottish Parliament. I think that the committee and every MSP recognise that the privilege of the Scottish Parliament is measured not by the fact that it is not Westminster but by the fact that it is the Parliament of the people of Scotland, which is why we are here.

Collette Stevenson: You answered my next question, to a degree, which was about what other legislatures are doing, what lessons we can pick up from that and maybe what mistakes we have made.

In thinking about a digital Parliament that means more proceedings being held in hybrid form, what related issues should the Scottish Parliament consider for the future? You mentioned looking forward 10 years, and we have talked about spontaneity. I am very big on tone as well. At the Engender event that we had in person last night, I

talked about—I am sorry, but I will be quite controversial here—misogyny in the tone particularly of men, especially in the chamber, and how we can tone that down. It can be quite intimidating for a lot of women MSPs.

The Convener: Dr Childs?

Dr Childs: Sorry—I am just sorting out my technology. It has nothing to do with hybridity—it is just me.

I absolutely agree. Unfortunately, I found myself being Zoom bombed with misogynistic drawings last week. There are concerns that we must make sure that such things do not happen when we go online.

I absolutely feel that the tone of politics needs to be much more respectful and inclusive. If we are in hybrid mode, we need to be able to moderate people's behaviour, as we perhaps need to do more in person, too. The violence against women in politics, which is increasingly recognised globally, is something that all Parliaments need to take seriously, and there are efforts to do that. Some of it is about training and some of it is about an institution's culture, signalling and leadership—and, ultimately, its procedures against sexual harassment and bullying and its processes of accountability. All those issues need to be taken seriously as well.

On the concerns around hybridity, the extent to which moving to hybridity raises issues of executive dominance and the ability of Governments to control the time and space for interactions is very important. I also think that it matters that the public feel that they are part of a process rather than just observing what happens to an institution, when things can change and they are not aware of what is going on. So, there should be public engagement and discussion around developments regarding where the Parliament might be in 10 years' time, so that they feel that Parliament is developing with them as opposed to their merely being subject to what is decided. Of course, in a pandemic situation those decisions had to be made quickly and, in many ways, not with the public. Nevertheless, moving forward—I am sorry; I did not mean to use that phrase—that will be really important.

It matters also that the ordinary—I will use that term—member of an institution feels that they are party to discussions and developments. Sometimes, Parliaments can leave people behind, whether through the actions of a bureau or those of the speaker, and I think it really matters that people do not feel that an institution is leaving them silent.

The biggest thing about hybridity is that it takes on the question of opportunities. It is fantastic to hear from committee witnesses, of course, but we do need to see the evidence. I am not sure that either of us necessarily addressed this aspect in answer to your first question. I think that we need monitoring and data. If you look at the United Nations' Covid-19 Parliaments checklist, you will see that it is about ensuring that whatever changes is subject to review, monitoring, update and revision. You need a process to capture the difference that it makes. If some of these new ways of working end up being discriminatory against certain types and we create second-class MSPs, or if we find that geography means that some MSPs do not have the same opportunities, all those things are important, so I would stress the importance of review and monitoring of reform. Some of the practices that may look positive on first blush may not be so over time.

It also matters—this will be my final point on the subject—that we think of the institution in its totality and recognise the impact of whatever happens on the staff. We need to be very aware of what the implications might be for them and their opportunities to excel and to have fair and just working conditions.

Dr Williamson: I will leave Sarah's answer standing, as it is her area of expertise rather than mine and I completely agree with her. The only thing that I will say is that we know from experience and research that digital makes abuse and discrimination worse, and we do have to overcome it. That is not just an issue for Parliament; it is an issue at the societal level.

10:15

The Convener: That is very helpful, Dr Williamson. I will pass over to Edward Mountain.

Edward Mountain: I say at the outset that I have some sympathy with Andy Williamson about driving from Skye to Parliament in one day, which I have done on numerous occasions because my region includes it. It is quite a slog, especially if you are behind a timber lorry.

I think that Sarah Childs's point about Government control of time is valid, but let us be clear: the Government controls the time because it controls the Parliamentary Bureau and it can say exactly how long each debate will be or whether there will be a ministerial statement. Members have no say in that. That is something that we ought to consider a little bit more. On Tuesday this week, the bureau met. A debate had been scheduled for Thursday, but it was pinged by the Government and changed unilaterally. I think that that it is disrespectful to the Parliament after its having programmed the debate two weeks previously.

My question is twofold. I take the point that Sarah Childs and Andy Williamson made about

witnesses giving evidence at committees; I think that the hybrid system is really good for that. I want to ask about the chamber system. Do you both think that the chamber comes across in hybrid meetings as being open and transparent? Perhaps Sarah Childs would like to lead on that, then Andy Williamson can come in.

Dr Childs: Again, I do not want to speak beyond my experience of Westminster on the issue, so I will leave that to Dr Williamson.

We need to measure public perceptions, but we also need to measure members' perceptions. This goes back to where Dr Williamson started; he was having technological issues but was still here, although we would have lost his voice if he had not been able to get in the car and drive.

There is a public conversation, as well as an institutional conversation, to be had about what makes for an effective chamber moment. We need to recognise that there might be different ways and different performances that could be varied according to the business at hand, and we need to recognise that the historical way that we might imagine made for good chamber moments can be enhanced, critiqued or just done differently. We sometimes imagine that the good parliamentarian, wherever they are, has a particular style. We can transform that by having different people interacting in different ways.

Again, I say that I am, of course, not in favour of very long speeches that people cannot interrupt or that feel as though one is being spoken at rather than there being discursive dialogue and deliberation. Those are important principles of chamber moments, but we can accept that members in any Parliament can do their job differently and be good parliamentarians. That is something that we have not talked about as a society, because we have very traditional views—for example, the idea of the speech-making elder statesman in an institution. I would like to think that we can, in newer institutions, be more diverse, such that it is recognised that the good parliamentarian takes many forms.

Dr Williamson: It is an interesting question. First of all, we have to go back to what the culture of the chamber is. A few months back, I was speaking to the Bundestag and this subject came up. I made the point that one of the criticisms in Westminster has been that debates lose spontaneity. The Germans thought that that was fantastic, because they do not want spontaneity—they want to be on the list to be called to speak, and they do not interrupt and do not heckle. It is the same in Spain.

In Scotland, we have a system of debate that is responsive and interactive. For all my promotion of digital transformation—hybrid meetings are a great idea and, certainly, in an emergency situation are absolutely vital—that does not replace the in-person plenary. In the research that I have been doing with the Inter-Parliamentary Union and the centre for innovation in Parliament, we have seen from around the world that 66 per cent of Parliaments use hybrid or virtual tools for committees and that only 33 per cent use them for plenary meetings. One of the reasons for that is that hybrid just does not replicate in-person plenary because it is too difficult to have spontaneous debate. Interactions are, as has already been mentioned in this session, immensely challenging. Hybrid only really works in a parliamentary system with speaker lists and a very ordered structure, with no interruptions. Then, hybrid is business as usual, in effect.

In Brazil, for example, the hybrid system is working very effectively; in fact, it is almost a virtual system. Apart from a couple of people, everybody is attending virtually in the plenary meetings in the chamber of deputies. That is great, but I do not think that it would be an effective replacement in the Scottish Parliament; it is a business continuity tool that we have in case of an emergency. If a member wishes to participate and cannot physically participate, there is an opportunity for them to do that.

The House of Lords has allowed 20 members—I think—to participate remotely in plenary meetings. However, it is a second-class experience for the member. We have to be clear about that. It is a second-class experience for democracy as well, because a discursive chamber cannot function without the ability to have dynamic interventions.

We have, largely, to reserve plenary meetings in hybrid mode for exceptional circumstances, but committees are very different, so we have to separate plenary and committee. Committees are much more suited to the hybrid mode than plenary meetings are.

Edward Mountain: I would say, having done it for a year, that it is not a second-class experience, but a fourth-class experience. I feel that I have not been given the chance to get into Parliament as much as I would have liked to talk in the chamber. There are no interventions and no chance of interventions, there are no interactions with other members and you cannot see anyone. I see a clock and my face on the screen. There are so many things wrong with hybrid that this Parliament would, I think, lose from it.

My next question is to both of you. I think that you are both saying that the hybrid system works for committees but that it might not work for plenary meetings. What pressure does the hybrid system put on the rest of Parliament when members are not there and cannot ask questions in the chamber but must put written questions to

the Government? Does the hybrid system put pressure on the Parliament outwith the chamber and the committees? Sarah Childs is on the screen, so it is probably easier if she leads.

Dr Childs: Okay. I would like to follow up on your previous comments. I do not want to dispute that it feels very second class—or fourth class, as you said—but I go back to the fact that the alternative might be that you are absent, that your voice is not heard and that the people whom you represent are not heard. That, for me, is the bottom line. There is a balance to be struck in relation to, in effect, being excluded from some parts of Parliament because the format means that you cannot be present. It might be that, for a period, having a fourth-class or second-class experience is still better for you and the people whom you represent.

It is about exploring technological possibilities. In the research that I am reading on Parliaments and their responses, there is a concern that the immediate technology should not be what we think might necessarily be used in the future. The ability to interact with others might well become better. Perhaps we should be trialling things.

The other thing to consider is that, because Parliament is a public institution and you want to ensure that the best system is in place, we are perhaps a little bit risk averse and do not try, in certain plenary sessions, to use more spontaneous interaction because we are concerned about the risk that the public perception will be that there is a failing institution or poor-quality debate. Maybe we should trial some things and see what is possible.

That, obviously, leads directly to the question about stresses and strains. Again, I know from interactions that I have had with parliamentary clerks and officials that the pandemic has clearly been an immensely stressful period. People were working very long hours at distance to create solutions. We have to recognise the on-going difficulties of working remotely. Because staff who provided the support relocated to do the various jobs that they do, perhaps other aspects of the work of Parliament have been parked somewhat in order to support hybridity. There are issues about the organisation and funding of particular services within Parliament that need to be reviewed.

We also need to explore the potential for inequalities in terms of those who come into Parliament and those who work remotely. Post-pandemic, we might want flexible and remote working for parliamentary staff. I am very concerned that we do not miss the opportunity to monitor what is going on so that we do not create inequalities between those who are present and those who are absent. There are issues around technology and around personnel and their career possibilities, if you like, that might carry over. There are also—I hope that this is appropriate—stresses and strains on parliamentary staff. It has been a very intense period for them. We should recognise that the emergency mode cannot go on forever. Those are the points that I would stress.

The Convener: Thank you, Dr Childs. Dr Williamson, can I add to Edward Mountain's question about where the strains are, outwith the chamber? Is there also a need for MSPs to learn different skills in order to obtain information from the Government? Will technology make that easier?

Dr Williamson: That is a great additional question that could be answered in a number of ways.

I will first come back to Edward Mountain's question. What we are seeing is a change of process and a change of culture. We have to find different ways of doing things, because we are working in a different environment. The reality is that we will go back to something that looks 80 per cent like it used to and that there will be other things that we have learned along the way that are beneficial.

Sarah Childs made a good point about supporting staff. That, too, is one of the things that get lost under the water at the bottom of the iceberg. The pandemic has been a massively traumatic time for staff as well, through their having to work remotely. At one point, the Brazilian chamber of deputies had about 90 per cent of its staff working remotely, including its information technology staff, who had to run the systems in the Parliament building. That Parliament had to make major structural and cultural changes to make things work.

The Parliament in South Africa paired IT staff with members closely because members had to be supported to get up to speed on using the tools that were available to them. They have developed much stronger relationships and the spin-off has been that they have overcome issues of trust.

One of the big issues that we have seen in Parliaments in the past two years has been trust in the technology: "I don't know how to use it. I don't know what these tools are. Are they safe? Is this conversation confidential? Can it be hacked? Will someone hack what I am doing?" Parliamentary IT staff around the world have worked very hard to reassure members, to train them and to build their levels of confidence. The reaction that we are now seeing is that there is much greater understanding of technology and a much higher level of trust in the tools that members have, which is very positive.

Do we need to learn different ways of doing things? Maybe we do; maybe we need to rethink.

The parliamentary system is not perfect and it is not static, so we always have the opportunity to iteratively redesign parts of it. There are three sides to this. First, there is Parliament's relationship with itself. How does it function? What are the tools, systems, practices and cultures that go on internally?

Secondly, what is Parliament's relationship with the public? How does it interact? How does it share open data? How does it open publish? How does it convene co-creative events or do more deliberative events that involve the public in decision making?

The third aspect is Parliament's relationship with the Executive, both in holding the Executive to account and in background correspondence, communication and so on. We are not sure what that looks like yet.

We are still, in a way, coming out of the crisis. We are in a post-viral situation in which we are still trying to get our heads around it. What things will look like in five or 10 years, I do not know, but there is an opportunity to have conversations about how to remodel communication channels, networks and tools and about the most effective way for Parliament to hold the Executive to account in the modern digital age.

10:30

Bob Doris: This is a really interesting discussion. I was particularly taken with Dr Childs's points about the technology that we have today. The immediate is not the future, and Dr Childs and Dr Williamson were very strong about looking forward to where we want Parliament to be.

One of the things that we want Parliament to be is more accessible, including for existing MSPs, and I will come on to people who might stand for election. There is a whole list of groups that we could talk about, including women, carers, parents, disabled people, those who are in remote and rural areas, and black, Asian and minority ethnic members of the community. I am keen to get a flavour of what both witnesses think are the opportunities for current MSPs with those characteristics to get a better balance in their lives and to have greater access to Parliament as things stand or perhaps in the future. I should note that the committee paper talks about unintended consequences as well—with every upside there could be a downside. Any comments from both witnesses about that would be very helpful.

Dr Childs: There is a huge opportunity. If you transform the conditions under which parliamentarians can undertake their work, that can transform perceptions of the institution as being one that is open and that facilitates presence and effective participation. That really matters. That can be symbolic—it can signal Parliament as an institution that is a role model and that is leading society by being a place that is for everybody. In addition, as you suggest, that can also have substantive benefits in terms of how effectively you, as an MSP, can do your job, given your particular circumstances.

One of the things that I think is important about enabling individuals to participate as elected members is that we do not look for individual solutions and that we do not look to have informal, opaque solutions. Instead, as an institution, we must think about what is required and how we work from the basis that one is entitled to undertake work differently without that being seen as substandard or off-putting to others. Historically, women have had to juggle motherhood, and that issue has been dealt with privately by their parties. That raises questions of parity—if you are not favoured by the whips, will you be able to get an arrangement?—but, more than that, it is patronising to have to ask for an individual solution. The institution should be an enabling institution.

A permissive hybridity enables a right to participate that we would see in many other places of work. That matters because this is a public place of democracy. It should signal that, whatever your circumstances, the institution will do its best to be open to you. That is very much about all the groups that you have mentioned, but it is really about creating that parity and the fundamental right to participate in politics. That equality is essential to a healthy democracy.

Bob Doris: That is helpful. Dr Williamson, it would also be helpful to hear in your response whether, going forward, we should conduct equality impact assessments. If so, should that happen before we evolve our hybrid Parliament, or, as you have mentioned, should that be an iterative process whereby we measure those things in real time?

Dr Williamson: We have to look at the impact on different groups in society and at representation. The Scottish Parliament is not the worst in any sense in terms of its representativeness, but it is not very good. Not many Parliaments are—the challenge is not unique to Scotland. There are major challenges, and we need to do anything that we can to make the Scottish Parliament more accessible to more people. We want our representatives to look like us, but they do not unless you are a white, middle-aged male, which I am. That has to change.

How can we make the change? Sarah Childs has summed it up well. We can enable people so that they can work in ways that fit in more around their lives, including around childcare, caring

responsibilities and where they live. Right now, we are just coming to the end of lambing. There is a two-week period when some people are working flat out with lambing. That is a unique situation for someone who lives on a croft.

Hybridity is one way of doing that. It is good if a person is able to join a session from where they are without having to travel. Hybridity, by the way, is also good for the environment. In Scotland, we are a big country with a lot of rural people. Having to travel from An t-Eilean Sgitheanach to Dùn Èideann to a meeting is crazy. Why should I have to travel to Edinburgh to attend a meeting when I can do that remotely? Just think of the amount of CO_2 that I would emit in getting to that meeting, never mind how much I would emit by speaking in it.

However, the issue is not just about hybridity; it is also about access to information. How do I get access to information in a timely way? If the time that I have in which to read the papers for tomorrow's meeting is at 11 o'clock at night, when the kids are in bed and I finally have a bit of time to myself, I want to be able to access that information. I do not want to have to go to a print office and collect it; I want it in front of me on my laptop or on my iPad. I want to get the agenda in a timely way. I want to know which are the sessions that I need to be at so that I can schedule my time around them. In that way, I will know where I can physically be present, because that is important, and I will know when it is more effective for my job as a representative—because of family commitments, health, constituency work or something else—for me not to be physically present.

There is also the big issue of communication beyond that. How should Parliament be seen? That is not just about being more open and accessible on the inside; it is about being more visible on the outside. How do we make Parliament more visible on the outside, so that there is less of a barrier for people who want to get involved but do not feel that it is for them?

Bob Doris: I have one final question about the unintended negative consequences of hybrid working. I was at a hybrid conference where we used a platform called Remo. I will not go into it, but the platform was fantastic in allowing people to table-hop and mingle with each other. However, what might the unintended negative consequences of hybrid working be, and how can those be mitigated? We have heard a lot about informal chats that cannot happen unless people are face to face. Nothing replaces face-to-face interactions, but mitigations can be put in place. What mitigations can be put in place to combat negative consequences?

Also, I meant to ask in my initial question—it was remiss of me not to do so—whether the reforms will make it more likely that people from underrepresented groups will stand for election.

Dr Childs: When we are reading members' views on their experiences, we need to consider that some of you have successfully negotiated the barriers that exclude others. Sometimes, when we look at the evidence supporting particular modes of participation, we might not be surveying the right people. You are here and you have your experiences, but there is a whole swathe of people out there who might think differently if they were asked. Surveying them is important in getting information about what might improve the institution.

On unintended consequences, there is something that I remember from when I started looking at recruitment, which is a long time ago now. You can easily imagine a situation in which the successful people rising up the ranks of a political party or in an institution are those who are present all the time, who still go to the bars in the evening and do all the historical presenteeism activities, including informal activities and socialising, but who do not have to go home and do the caring or who do not have to travel a long way to get home. That is a significant risk. I do not think that it is necessarily one that should stop the practice, but it must be monitored to see what is happening. You can imagine the young, thrusting men getting all the institutional leadership and executive positions and anybody who perhaps stays at home more not having those opportunities.

We have to think about rules and what might be called formal moments of informality, which I know sounds ridiculous. We know that members use WhatsApp a lot to communicate, but that is not something that you will be able to participate in if you have not been included. We need to ensure that moments that are important to have in person and that are critical to an effective institution—bumping into ministers in a corridor, say, or party meetings—can be artificially created. We almost need to plan for some of those. For example, there might be a period when some ministers are informally having coffee online—if that makes sense—and people could participate in that session.

I am not a virtual reality expert, but it should not be beyond the wit of those who are experts to create those informal, happenstance, water-cooler moments. I certainly think that they could be timetabled in. Academic conferences do exactly what you have talked about, with some of the best ones providing opportunities to nip in, have a coffee with people and decide during the conversation that you want to meet a few of them

afterwards. It is about structuring days and schedules and creating those informal moments online, because I think that, without that, you will get exclusionary practices and patterns.

Dr Williamson: I agree with everything that Sarah Childs has just said. I am slightly dubious about creating artificial virtual spaces, because I always find them very contrived, but let us think about where we are going with the metaverse and so on. Is Parliament in the metaverse? It sounds horrific, but maybe it is not. Maybe it does work—I do not know.

There is a very basic thing that we have to drop back to here: in the real world, the Scottish Parliament has spent a lot of time making itself accessible, and we should not remove that accessibility by being digital and creating digital barriers. We have to make sure that all the digital tools are accessible. Do they work with screen readers? Do they work for people with disabilities? We have to look at the digital deficit. We do not have equality of broadband or 5G access across Scotland—indeed, I am testament to that today. We have to make sure that, if we are going to have universal participation in a democratic process, we have universal access to digital tools at the same level. We cannot replace physical barriers to access with digital barriers to access.

Bob Doris: Thank you.

The Convener: I think that you ended your response on a very useful note, Dr Williamson. We should not artificially create barriers in the inevitable—or certainly enthusiastic—move to digital and end up excluding other groups in that way.

My final question was going to be about the advantages of virtual proceedings, but, after listening to the evidence from both our panels, I want to change that slightly and ask whether we should be afraid of virtual change or whether we should be brave enough to take risks. Indeed, that is partly why this Parliament was originally founded. By being this close to the people of Scotland and our constituents and by making them such an important part of it, we find ways of bringing them on. Should we be scared of this change or should we embrace it? We might make mistakes, but is the end goal more advantageous?

Dr Childs: I think that we have to embrace it. Democracies around the world are under attack by authoritarian and anti-democratic forces, trust in politics is a big issue and we have to defend representative democracy by designing better ways of doing it. That has to involve technology not just for the reasons that we have all just lived through, but because it has the potential to fundamentally get at that question of political equality of access, participation and influence. That really matters to how a healthy democracy works. A successful Parliament is a very good counterpoint to those who say that representative democracy is in decline and that we should have authoritarian leaders, if not despots. I therefore think that we have to embrace this change.

I think that you are right, convener. This needs to be a conversation; it is not always about knowing how best to design these things; it is about having a very clear sense of what we are trying to achieve and recognising that some practices might be suboptimal and will be left behind. It is all about having not a static institution but one that is prepared for change through, say, time-limited trials or trials in certain areas. That means that you do not always have to be in revolutionary mode; instead, you can be in incremental change mode that, over time, can result in strong changes and a much healthier democracy. I would encourage people to think about institutions in that way.

The issue of culture has been in the background a lot today, and I am increasingly of the view that you have to design for changes in culture instead of just talking about wanting a different culture. I do not think that culture just happens; I think that you have to intervene in order to change institutions. Signalling where you want to be and what kind of Parliament and representative democracy you want here is a way of signalling that cultural change, and then raw change and change in practice can be mutually conducive with that.

10:45

The Convener: That was helpful. Did you want to respond, Dr Williamson?

Dr Williamson: I am loving having Sarah Childs go before me, because she says everything that I want to say and says it so well that all I need to do is add little bits at the end. I completely agree with all of that.

Should you be afraid of virtual change? Yes, because it will challenge you. Should you be brave enough to create change? No—you should be brave enough to lead change. You are Scotland's foremost democratic institution, and I would like to see you be more radical. I would like to see you make mistakes, because they are the only way to learn. If you are not making mistakes, you are not doing enough.

The Chilean Chamber of Deputies, which is one of the favourite Parliaments that I am working with at the moment, took the decision to be agile. Everything that it does now is agile. It rolls out a minimum viable product just to get something working, and then it tests and plays with it and gets members to use it. Then it does another bit.

Sometimes it does not work, so it gets rolled back, and sometimes it does, so it gets rolled forward. It is just a different attitude.

As an institution, you have these big monolithic project management and procurement frameworks that stop you being agile and innovative. Part of being brave is challenging those things. You have to challenge how you procure technology and how you run projects. Do things differently. Be prepared to take on big goals and aim at them, but do so in small, iterative steps, roll things back if they do not work and learn from them. It is all about having a conversation.

As Sarah Childs has said, there are huge challenges to representative democracy. You are not a loved institution—no Parliament is. That is just a fact of life. For people like me who work in Parliaments, many of the reasons for that situation are a source of frustration, because a lot of it comes down to bad representation in biased media. We have problems with the media, and we have problems with social media and disinformation. After all, lies spread faster than the truth.

We have already discussed the huge challenges to representative democracy this morning. Is it representative? No, because it does not look like us, and we need to improve that. There is also the rise of deliberative methods and people demanding to be more involved in what is affecting their lives. The Scottish Parliament needs to take all of that on board and change how it looks. The digital society is real. We are, by and large, a digital society, so Parliament needs to look like that. You need to be a reflection and a microcosm of the society around us—in other words, modern Scotland.

I am very proud to be represented by the Scottish Parliament. When I talk to other Parliaments around the world, I find you to be a great example in lots of ways. You are doing really good things. You are dynamic and you are open, accessible and robust in a way that a lot of Parliaments are. However, the older you get, the slower you get—you should not lose sight of that. We were set up for a reason, and one of the things that we were set up to do was to be new, innovative and part of a new nation. This is a new voice, and I think that you have to own it and use it as the clarion call for innovation and being brave. Parliament can be brave, but that will mean having to jettison some of the old culture and the old ways.

The Convener: I thank our second panel of witnesses for a very informative session. I hope that you continue to follow our inquiry with interest. We will, no doubt, bombard you with questions on various matters in due course.

On behalf of the committee, I once again thank Professor Childs for attending in person and I thank Dr Williamson, whom we managed, with technology allowing and the sheep and lambs being in the right place, to see very clearly by the end.

We now move into private session.

10:49

Meeting continued in private until 11:14.

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