



OFFICIAL REPORT
AITHISG OIFIGEIL

Standards, Procedures and Public Appointments Committee

Thursday 20 March 2025

Session 6



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STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE
4th Meeting 2025, Session 6

CONVENER

*Martin Whitfield (South Scotland) (Lab)

DEPUTY CONVENER

Ruth Maguire (Cunninghame South) (SNP)

COMMITTEE MEMBERS

*Joe FitzPatrick (Dundee City West) (SNP)

*Sue Webber (Lothian) (Con)

*Annie Wells (Glasgow) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Gemma Diamond (Audit Scotland)

Dr Marc Geddes (University of Edinburgh)

Rona Mackay (Strathkelvin and Bearsden) (SNP) (Committee Substitute)

Sir David Natzler

Professor Meg Russell (University College London)

Brian Taylor

CLERK TO THE COMMITTEE

Catherine Fergusson

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Standards, Procedures and Public Appointments Committee

Thursday 20 March 2025

[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 fourth meeting in 2025 of the Standards, Procedures and Public Appointments Committee. I have received apologies from Ruth Maguire, and I welcome Rona Mackay, who is attending as a committee substitute.

Our first agenda item is a decision on whether to take subsequent items in private. Item 3 is a discussion on the evidence that we are about to hear, item 4 is a discussion on proposed rule changes to the code of conduct and item 5 is consideration of a note by the clerks on the Lobbying (Scotland) Act 2016. Are members content to take those items in private?

Members *indicated agreement.*

Committee Effectiveness Inquiry

09:00

The Convener: Our second agenda item is an evidence session as part of our committee effectiveness inquiry, which is seeking to answer the question of whether changes to the Parliament's procedures and practices would help committees to work more effectively. In recent weeks, we have launched a public call for views on the inquiry. We have invited consultation responses from committees, the Scottish Parliamentary Corporate Body, political parties and individual MSPs. We have also written to a range of legislatures, asking for information on how their committees operate and evaluate their work.

Today's session is the first in a series of four oral evidence sessions as part of our inquiry. We are joined by our committee inquiry adviser, Dr Danielle Beswick, who is sitting to my right. Today, we will explore and try to answer the overarching questions of how committees are viewed externally and how we can evaluate their impact.

I am grateful to welcome Gemma Diamond, who is director of innovation and transformation at Audit Scotland; Dr Marc Geddes, who is a senior lecturer in politics at the University of Edinburgh; Sir David Natzler KCB, who was clerk to the House of Commons between 2015 and 2019, clerk of committees between 2008 and 2009 and clerk to the Reform of the House of Commons Committee, which is known as the Wright committee, between 2009 and 2010; Brian Taylor, who is a former BBC Scotland political editor, a columnist for *The Herald* and a long-time observer of this Parliament; and Professor Meg Russell, who is director of the constitution unit at University College London.

As this is a round-table evidence session, although we will take the usual approach of members asking witnesses questions, we will seek the opportunity for witnesses to have a discussion between themselves and to have an evidence session that is perhaps more open and free flowing than the ones that sometimes take place in committees. There is no expectation that witnesses should answer every question. When the witnesses who are appearing remotely wish to respond to a question or make a comment, they should type R in the chat function or just jump in.

We will move to the first of our facilitating questions, which is about the characteristics of a successful committee. I will hand over to Sue Webber.

Sue Webber (Lothian) (Con): I will ask Dr Geddes the first question, given all the work that

he has done in this field. What are the most significant factors that make a committee effective?

Dr Marc Geddes (University of Edinburgh): Thank you very much for the invitation to come here. I am really grateful to have the opportunity to impart some of my research.

It is a great opening question. There are lots of different ways to approach effectiveness generally, and there are a lot of things to say about those ingredients, so I will give just a few thoughts and then other witnesses can, I hope, jump in.

First, broadly, a committee's effectiveness depends a lot on the willingness, interest and motivation of its convener and members. That is the most important thing. In essence, that means that there should be a willingness for cross-party working, which was one of the biggest hallmarks that I noticed in Westminster when I studied select committees. There should be a willingness among all members to leave their party badges at the door, for private and public committee hearings, and to work together.

In order for members to do that, everyday behaviours are really important. Getting to know one another as people, not just as politicians, is absolutely fundamental, as is trying to understand where other members are coming from, what their aims are and what they want to achieve by being on the committee, which has many laudable aims. Small things such as committee visits, when people can act more spontaneously, can be really useful in bringing out their views. Those things are fundamental at a personal level.

My second point is that structures and procedures also matter and are important. The system for appointing conveners and members gives a strong underpinning to how people behave and the role that they think they have. I am sure that we will talk about that later. Other structural factors, such as the size and make-up of committees, also matter, as do their processes for gathering robust evidence. Those things are really important.

Sue Webber: To pick up on one tiny bit of that, you mentioned the idea of members' intentions when they join committees, but, to be frank, we are often appointed to committees. Is there a conflict there? Might there be an issue if we are just appointed via our party processes to committees that we do not necessarily have an interest in?

Dr Geddes: I would not necessarily use the word "conflict", but being appointed changes the dynamic of what someone is trying to do on a committee or the level of interest that they might have in pursuing the committee's aims. It matters in that sense.

Sue Webber: Does either of the witnesses who are online want to comment?

Sir David Natzler: As I will probably keep saying, I agree with Marc Geddes.

I will not ask how you came to join this important committee, but your question was about members simply being appointed. If someone has not volunteered, they are likely to be rather less enthusiastic, which is one reason why the Wright committee suggested that committee members should be elected by the party groups.

To be realistic, we all know that there are sometimes vacancies for which no one comes forward—that is politics. People might be told that they have to do their time on the SPCB Supported Bodies Landscape Review Committee before they get on to the one that they really want to be on. One must not be unrealistic by thinking that members are absolutely desperate to spend their time talking about procedure, privileges and so on, but it is a duty—they are not there for fun.

One test is whether a committee that is embarking on an inquiry—or a four or five-year programme of business—can express what it expects will come out of that. In other words, it should be possible for committee members to write down on a bit of paper what they realistically hope to get out of that inquiry or activity. They do not have to publicise what they expect. They might be doing the work simply because they feel that they should do it and know that it must be done. They might have low expectations that there will be an output of any value, but they should know where they are going before they set off.

The Convener: Do you want to come in, Professor Russell?

Professor Meg Russell (University College London): Yes, if you are happy for me to do so.

I will briefly preface what I say with a tiny biographical note to emphasise that I was the specialist adviser to the Reform of the House of Commons Committee, to which David Natzler was the clerk. That might be worth bearing in mind.

The question about effectiveness is a big and complicated one, because it depends on how you define effectiveness and because committees can have many varied and different effects.

Another reason why I am here is that I did a large project quite a long time ago on the policy impact of House of Commons select committees. That report, which was published in 2011, was a big piece of work, because we looked at seven committees and at more than 1,900 recommendations to trace whether they had been accepted and implemented and what the pattern behind that was. That was interesting, but a big part of what we concluded was that you cannot

entirely measure committee effectiveness in that way. It is interesting to know how many recommendations are accepted and, crucially, how many are subsequently implemented, but we might come on to talk about some of the risks of that measure.

More important than the level of acceptance of recommendations are all the other effects that committees can have. I totally agree with Marc Geddes—he also put some of this in his written evidence—on the importance of gathering evidence and putting it in front of the Parliament, the public and the media, and questioning ministers and putting them on the spot on difficult things.

Another crucial issue is that of changing the broader culture in the Parliament. If you can establish a culture of evidence-based working and cross-party working in committees, that will have a much wider impact on the entire culture of the Parliament, how people work together in plenary and how they are perceived by the public. The committees can have a really profound influence on the overall culture of the Parliament.

As somebody who teaches comparative politics, I agree that various attributes—we might discuss them a bit more—are commonly associated in the comparative literature with effective committees, such as their size and their permanence. I know that the committee is interested in shadowing Government departments. Generally, the literature suggests that committees are most effective when they are matched up with the structure of Government departments.

Low turnover, which is on the Scottish Parliament's agenda, is another thing that is emphasised. It is important to have members who are there for a while and who can get to know one another and get to know the subjects and so on. There are many other important things that are associated with effectiveness in the literature, including resourcing and how committees take evidence.

Sue Webber: We will pick up those issues.

Brian Taylor: I am a tiny bit apprehensive about sitting here, as I have interviewed most of you, and this is your chance for revenge.

The point about permanence is a good one. When a minister sits here, they do so all alone—totally solitary—except for the umpteen thousand civil servants behind them, who are able to give them advice and guidance. If you are to counter or question what they say, you require to develop a degree of expertise in your own right.

I looked back at the report of the consultative steering group, which was chaired by Henry McLeish prior to the establishment of the

Parliament. It talked about the need for permanent,

“all-purpose committees, combining the Westminster Select and Standing Committee role.”

It said:

“This would enable Members to develop an expertise in particular areas and to bring an informed view to the consideration of legislation and scrutiny of the Executive.”

I think that you have done that relatively successfully and have shown a degree of collective determination to get to the substance of the issues that are before you.

Basically, Parliaments do three things: they legislate, they hold the governing executive to account and, perhaps most importantly, they ventilate issues of concern to the people whom they serve. The committee system has done that relatively well, but it falls down when it departs from the CSG principle of forming a permanent, standing, inquisitorial and questioning agenda with the governing executive and on behalf of the people. For example, I do not suppose that members of the University of Dundee team will readily forget their appearance before the Education, Children and Young People Committee yesterday. That was a job well done.

Sue Webber: That is one of the issues that I want to follow up on. Sir David Natzler and Professor Russell drew out the fact that time pressure is a significant barrier to committee effectiveness. Having been the convener of the Education, Children and Young People Committee, I know that accommodating the legislation that is thrown at you leaves no space for reactive work, such as work to look at what happened at the University of Dundee.

Could our witnesses who are online expand a bit more on the time constraints element and offer their reflections on the barriers in that regard?

Professor Russell: Sure. The place that I know the most about is Westminster, notwithstanding my comparative experience. I know very little about the way in which the Scottish Parliament's committees work, so forgive me if I say anything that is naive in that regard.

There is a striking irony in the fact that the select committees in the House of Commons, in particular—although such committees exist in the House of Lords as well—are widely seen as the jewel in the crown of Westminster. People complain about many aspects of the House of Commons, but they generally hold up the select committees as one of the institution's most effective parts. They appreciate the fact that they are cross-party, expert and so on.

One of the things that makes the select committees so effective—to reuse that word—is

that they have relatively little power. In effect, they have practically no power. Therefore, they are largely left alone by the whips and they can build cross-party bonds, set their own agendas and get on with what they want to do without too much partisan interference. A crucial part of that is that they do not look at legislation.

09:15

The committees in the Scottish Parliament—I know this much—are in line with most other committee systems around the world in that they conduct legislative scrutiny and broader inquiry work in the same setting. It is very common in committees around the world that the reactive work—the work that arrives with committees from the Government or from the chamber—crowds out the work that they might voluntarily do and wish to prioritise.

The select committees in the House of Commons do not have that, because, in general, they do not look at legislation—they certainly do not take the committee stage of legislation, which is taken in a completely different set of committees. They are, in effect, inquiry committees that set their own agendas. As they have very little power, they can spend time on that stuff. They do good inquiries, they produce good reports and they work very effectively on a cross-party basis.

It is hard to see how you can replicate that in your system, but I wonder whether greater use of inquiry committees that are not so caught up in the legislative process might allow different kinds of work to develop. However, I do not know how you work sufficiently well to dictate that. I read that you were thinking of setting up two justice committees. I do not know whether that would mean that one of them would be allowed to do proactive work, rather than constantly reacting to what the executive throws at it.

David Natzler: At the very beginning of the Scottish Parliament—*[Inaudible.]*—working groups 30 years ago to combine general scrutiny with the legislative work. In other words, I think that it had no choice. Can you hear me all right?

Sue Webber: We can now that you have shifted. If you stay at that angle, it will be fine. *[Laughter.]*

David Natzler: I am so sorry—it is not a very good laptop.

There was no choice. Over the past 30 or 40 years, we have discussed the issue endlessly at clerky level between the Parliaments of the United Kingdom. The Scottish Parliament had the Justice 1 and Justice 2 Committees, as I recall, and I see that you have now divided up the justice portfolio,

with criminal justice in one committee and civil justice in another, because of the amount of legislation that you are getting.

I would slightly warn against cracking up the structure too much, because, in the end, I do not think that the structure is what makes the difference. The question that you have to ask yourselves is whether the Scottish public get a good deal from you for what is spent on the committees. When something comes up, they want to know what the truth is, and the question is whether you are getting at it.

I think that you need to keep that autonomy. In my view, the autonomy at Westminster, which Meg Russell has described, is far too great. The committees have really lost all connection with the chamber. They have gone off on their own—sometimes, highly funded select committees go off and do inquiries into child migrants to Australia, which take an entire year to complete. Although it is absolutely fascinating stuff, it is what Mr Taylor and the journalists should be doing, not a select committee at public expense. The issue is, when people ask what is happening with the bottle collection scheme or whatever, do they turn to the Scottish Parliament's committees and ask, "What are they saying?"

That is why, to the annoyance of all other committees, the audit function is always seen as the most brilliant, because, week after week, the audit committee pours out closely focused, highly critical, unanswerably true reports on the ferries or whatever, which then become the story. That is really annoying for the other committees, which do not have the backing of the National Audit Office or Audit Scotland, so they cannot have the same sort of impact. Therefore, you must not expect too much.

I think that having a mixture of legislative and other work is inevitable. The question is whether a committee is using its spare capacity—that is, its capacity for non-legislative work—wisely. Having looked at the Parliament's website to see what your 16 committees are meant to be doing, I must be candid and say that some of the stuff is more blood raising than others. I wonder whether members are saying, "Come on—we know what we should do. What are people talking about? We must find out the truth here," or whether they are being too cautious.

I hope that that was not too candid.

Sue Webber: Candid is good. Does anyone in the room want to follow up on any of the themes that we have been talking about? You do not need to.

Dr Geddes: I have one brief comment that connects with our earlier conversation. Given the many different ways in which we can think about

effectiveness and the different roles that committees play, it is fundamentally important that the convener and the members have a discussion about what they want to achieve. Having observed committees, I have to say that, surprisingly, that does not happen as often as you would think; they go off in lots of different directions without having a plan or an idea of what they want to get out of it at the end and the impacts that they want to make. More thought could be given to being systematic about which areas they want to focus on.

Sue Webber: We have covered a bit of this already—we have already spoken about the tight legislative timescales that the Government places on committees, the conflict that arises with some of the inquiries that you might want to do and the fact that that might or might not have an impact on the quality of legislation, too. Given that such issues are global and based on political trends, might there be scope for—I do not know how to say this—committees influencing some of those challenges? Stuff does get thrown at us, and sometimes we just have to accept that that is what we have to look at, but how do we address some of the live issues that the public expect us to talk about? After all, the conflict and the lack of trust that we are seeing might be arising in part because we are out of touch and are not dealing with the live issues that are going on right now.

Does anyone want to come in on that? Brian, perhaps?

Brian Taylor: Sometimes, your role might be simply to ventilate the issue. You do not necessarily have to reach a detailed conclusion; as Sir David said, you do not need to spend a year investigating some, no doubt, fascinating topic. There might be a role in that respect.

Because there is no revising chamber here, in Holyrood, the committees must get it right the first time with legislation. That is an enormous burden that is placed on you. Pre-legislative scrutiny is done relatively well, although, on occasion, you have a tendency to wheel in the usual suspects when it might be better to get individual views, too.

I believe that the idea of undertaking post-legislative scrutiny is beginning to happen. By doing that work, you could be tackling the very topic that you have just mentioned and bringing up the concerns and anxieties of individual members of the public, or groups of the public, to see whether something is working well. Executive Governments everywhere will always seek to shape matters to their own intended hue, and they will try to influence the committees in that regard by piling work on them. You have to begin by taking a sceptical approach to all legislation in the pre-legislative phase—in other words, by asking whether it is necessary at all—and then strive for room, even if it is just a single evidence-taking

session, to ventilate a particular topic in order to get it through.

You mentioned briefly the issue of media coverage. It is sometimes said that the media have a responsibility to project and cover parliamentary matters. I accept that to a certain degree, but I would add the very strong caveat that the media will cover things only if they have two factors—that they are new and that they are significant. There can be things that are new but not significant, and there are things that are significant but that have been heard before and, therefore, are not new. If something meets those two criteria, that is what we will look at. We have a responsibility to cover Parliament, yes, but we do not have a responsibility to the Parliament; our responsibility is to those who are watching, listening and reading our output elsewhere. The responsibility is always to the people, and I think that that fits in with your idea of responding to public concerns and anxieties.

However, you should not kick yourselves too much. The committee system, in terms of the CSG comparison, is doing pretty well. It is still the engine room of the Parliament. I mentioned the hearing on the University of Dundee, and I could also mention the finance committee's investigation into the national care service, which persistently posed questions and had a real impact. Do not kick yourselves.

Sue Webber: Sir David wants to come in.

Sir David Natzler: You were asking, and I am sure that Meg and Marc will have lots of ideas—

Sue Webber: Could you move to the middle of your screen? It seems to be better for the microphone.

Sir David Natzler: Is that better?

Sue Webber: Yes.

Sir David Natzler: We all have ideas of how to make committees better. On how to make more out of less, there are two short answers. You want to consider the rapporteur system, but it has its weaknesses. A single member is responsible for an inquiry and does some of the work on it themselves and then brings it back to the plenary of the committee. Over the decades, we have all been around the European Parliaments to see how the system works, but it is not quite what it seems. Nonetheless, it means that the whole committee does not always have to be involved in everything.

The second simple bit of advice is to pay someone else to do the work for you. I know that there seems to be a sense that you have too many commissioners, but many people out there can do legwork for a committee and then bring the product to the committee as long as they have

been clearly commissioned as to what it is they are supposed to do. Of course, that involves money, and I do not know whether the Scottish Parliamentary Corporate Body is awash with funds. Our House of Commons Commission was certainly not, but that is one way to make limited resources run a bit wider.

Rona Mackay (Strathkelvin and Bearsden): Before we move on, I want to wind back a wee bit to what we first started talking about, which is committee structure and the suitability of members. As the chief whip of the party of Government, it is my responsibility to place members on to committees. In general, where possible, I take into account the member's background, interest and suitability, but that approach has its problems.

I totally agree with Sir David that there are some committees that people do not want to be on, but they must be populated. Our system works on the d'Hondt system, which means that the committee structure is based on how many members the largest party has.

We have a finite number of back benchers, and in our party that is around 34. Most of those members are on two or three committees a week, and we sit for only three days. We also have a packed legislative schedule, which does not leave much time for some of the things that you have suggested.

Professor Russell talked about the justice committee. We have two justice committees, and I sit on one of them. We have a Criminal Justice Committee and an Equalities, Human Rights and Civil Justice Committee, which is working well. However, on the logistics, it is difficult to get the perfect mix of committee structure and members.

I always try to get a gender balance on a committee where possible, because I think that that is important, but sometimes it is simply not possible. I just wanted to point out those things. I know that colleagues will agree with me; it relates not just to my party, but to all parties.

We have a much smaller pool than we would like of people who can populate committees and do the work that we want to do. We would much prefer to do a lot more post-legislative scrutiny and pre-scrutiny, but time and numbers of people do not allow us.

The Convener: I want to move on to the next topic, which is expectations of committees and whose expectations of committees we should pay attention to. What is the academic understanding of and knowledge about the effectiveness of committees and the members on them, or is that an iterative area of study? We have made reference to very substantial reports that have

looked at many different committees. How well do we understand the questions that we are asking?

09:30

Professor Russell: That is a very good question. Academics do their best, but I am not sure that it is ever possible to completely understand these things. As I said, I have broad comparative expertise and quite detailed expertise about Westminster. What I read in the comparative literature is often a bit wrong in relation to Westminster. Some of the generalisations that you read in the literature do not fit very well with places that you know well. Legislatures are all very different.

From what has just been said, I am aware that the things that I have talked about that the Westminster Parliament does well do not necessarily translate into a different Parliament, particularly a much smaller one. One of the quite striking things about the House of Commons in Westminster is just how big it is. Lots of work can be pursued at the same time, whereas the Scottish Parliament is under much more pressure in terms of its member capacity. There are also important cultural differences between different places.

A series of things have been written in the literature about what makes committees effective. The designers of the Scottish Parliament were probably pretty well aware of some of those things. You do not want committees to be too big, and you want them to play a part from an early stage in the legislative process. Westminster is quite unusual in that bills have a plenary reading before they go to committee. In the literature, it is generally understood that it is better if committees get bills first. You want committees to be well resourced and to encourage expertise, evidence taking and such things. The designers of the Scottish Parliament's committee system clearly took account of that.

However, it is important to emphasise that structure cannot trump culture—well, it certainly struggles to do so. The classic example in the literature is that, after the war, committees in the Japanese Diet were established to very much shadow the structures and powers of American congressional committees, but they operate in a completely different way. The congressional committees are seen as being very strong, but the Japanese committees are seen as being very weak because of the way in which political parties interact with them. The political parties are much stronger in Japan, and everybody arrives at the series of pre-meetings of a committee with their party brief. The committees do not do much cross-party work and do not engage very much.

Therefore, it is hard to generalise. You need to build whatever you build with sound understanding of your own system and its culture and capabilities; you should not think that you can import something from elsewhere or pick from a list of what comparative academics think are effective things, because they might or might not work in your case.

The Convener: I will pursue that point. I am interested in the influential drivers of committee operations. You and Marc Geddes have talked about the relationships and the politicians who sit on a committee, irrespective of how they got there, but we also have our standing orders. We can instruct committees to operate in a certain way, and there has been discussion about the role of conveners, the role of the Government and party balance. Do we understand what would happen if, instead of it just being a case of looking at it and seeing what is operating, we had a stronger set of standing orders or stronger separation between the Government and committees? Is it just the people and the relationships, or is there something about the framework that can assist the relationships and the groups?

I do not know who would like to answer that terribly framed question. I will bring in David Natzler. What is your experience of the interrelationship between the rules and the members?

Sir David Natzler: Thank you, convener, as they say. [*Laughter.*]

Let us look at some of the things that drive what happens. Meg Russell and Marc Geddes have mentioned some of the drivers, but one of the drivers that I do not know whether we have talked about is money—"resources" is the polite word for it. Do you have a lot of staff? A committee with a lot of staff will be a very different committee.

One of the reasons why the post-1979 select committee system was so different to its predecessors was that it was properly resourced; although, having started in it in 1979, I did not feel that at the time, as I had just half an assistant. Now, committees have staffs of seven or eight each, which is extremely expensive.

One of the reasons for it is that success breeds success. The committees talk themselves up. We were hugely helped by the press, which kept referring to select committees as powerful, all-party committees. That created its own momentum, and only occasionally did someone say, "The emperor has no clothes." It is important to have self-confidence as committees and, in particular, as a group of conveners and that you talk up the system as being independent, fearless and interrogatory, even though, to your mind, it might sometimes fall short of that high target.

On the powers, I am a bit sceptical. Over the years, select committees at Westminster, through the Liaison Committee, which is the conveners' committee, have sought more powers to summon witnesses and administer oaths, but, by and large, I am not sure that they have really needed them. Some of that is theatre, which is fine, because, in part, politics is theatre, but I am not sure that the powers and the standing orders are really a big bit of it. As Meg and other witnesses have said, the underlying culture and, I would say, self-confidence matter.

If you keep saying that committees matter, they will. In Japan, they do not say that and, in some other countries, members do not realize how good they are, which might be the case at Holyrood. I remember, years ago, attending a meeting in Ulaanbaatar of the Mongolian public accounts committee. The people were very apologetic. They said, "Oh, David, you will find this all very amateurish; we know we are not like your public accounts committee." However, it was magic. They were laying into two Government officials on some forestry scheme—thanks to the interpretation, I understood that—and it was just great. They totally got what a parliamentary committee should be like. Do not underestimate the fact that you might have got a good bit of it anyway.

The Convener: Do you want to add to that, Marc?

Dr Geddes: Most things have been covered, but I would emphasise a point that Sir David made earlier about the wider ecosystem or external research that is at your service, in essence, for committees to do scrutiny well. I cannot remember where I read it, but, at Westminster, the committees are sometimes described as sitting at the apex of scrutiny, with all these other systems, structures, institutions and organisations underneath them that exist to support scrutiny in the public domain. The Scottish Parliament could perhaps think about how the wider ecosystem could support effective scrutiny and about making better or more use of external organisations as part of that.

The Convener: Do you want to comment, Meg?

Professor Russell: Yes. When David was talking about public attitudes to the committees and how things become self-reinforcing, I was struck by the thought that a really important part of that is the conception that the Westminster committees are non-partisan, cross-party bodies. That is a key thing that gives them a very different public image to that of the Parliament in general.

I am not sure that I can back this up with hard evidence—it is more of a hunch than based on hard evidence such as surveys—but I think that

the public like it when politicians come together cross party and it cannot be presented as scrapping and party-political point scoring. Building up that image is good to enhance public support for the committees and, in itself, is likely to become self-reinforcing.

If the public like that, the committees want to keep generating it. As Marc Geddes said earlier, and in his written evidence, very soft, subtle things, which might in themselves not actually be terribly popular, because they also involve resources, such as visits in which committee members can get to know one other as people, not just as party politicians, can be important in reinforcing that. It also relates to what I was saying about doing things where you are powerless.

If all that you are doing is looking at legislation all of the time, where there are entrenched party positions, it is going to be quite difficult to build those cross-party bonds. If you can get on with some of the other stuff, such as the investigative work, and leave the party politics at the door, that is good for the outputs, but it is also good for the public image and for building up the committees in the way that David Natzler referred to, in the way that the select committees at Westminster have that image.

Brian Taylor: As a journalist, I covered Westminster from 1980 to 1986, so I was probably one of those who described the new committees as powerful and all-party—apologies for that. I remember the select committees with joy and interest, but I also remember the standing committees on bills, where there were trivial, pointless amendments submitted by Opposition parties while members of the governing party sat and languidly did their correspondence and paid no attention whatsoever. I do not think that you want to go down the road of that division once more. The Scottish Parliament deliberately got away from that by creating committees that had expertise and a standing of their own, not just in the investigative field but in the legislative field, and that is important.

It is important to consider that legislation is not a thing that Government does solely and the rest observe. It was intended that committees should instigate legislation, if necessary, and that there should be members' legislation. Legislation should be suggested, perhaps, by members of the public, as is done through the petitions committee, with mixed success, but I believe with success.

I am with Sir David and Meg Russell in that I do not think that how the committees enhance themselves is a structural matter—it is cultural and personal. It goes back to the CSG's objective of building expertise firmly within the body of the committee on a wider basis. As I mentioned earlier, the starting point with legislation is not,

“Should we let this through in this form, and should we let the Government have its way?” You should start from a sceptical, quizzical point of view of whether the information or the legislation is at all worthy. That might be a reminder to Government that the legislature is not a matter solely for them; it is a matter for the Parliament and people.

The Convener: Let me press you on one area. What is the role of the spectacle of politics that we sometimes see in committees? We certainly see it in the chamber. In committees, what are the advantages and disadvantages of that? What is its role and importance?

Brian Taylor: It is an opportunity for the Parliament to reflect the popular concern that Sue Webber talked about, and it means that people see that their Parliament and its committees are reflecting on, raising, discussing and at least addressing, if not resolving, the concerns that they have individually and collectively around the country.

I agree that the idea of working together appeals to the public. I have lost count of the number of times that members of the public have asked me, “Why don't they all just sit down and sort it out?” and I point out gently to them that politicians do not sit down and sort it out because they have fundamental disagreements. You do not, for example, solve the question of capitalism versus socialism or the union versus independence by a group hug and a rendering of “Kumbaya”; there has to be a degree of give and take. However, as long as you confront these things and as long as the people see their Parliament addressing their concerns, that is more advantageous than a structural reform.

The Convener: Before I bring in David Natzler, I ask whether we are really talking about a description of a committee where, rather than every politician who sits on the committee bringing their vested interest, it is about developing a team that can sit behind the committee identity to sometimes potentially defeat the whips—two of us are sitting here—but more important, to put aside party politics and use the strength of the committee as an institution to justify why difficult decisions are made. I ask Sir David to respond to that and the previous point.

09:45

Sir David Natzler: I am sure that everybody would like the idea that you can put your party politics aside when you enter the committee room, but that is unreal, is it not? You are not such divided personalities—at least you were not when you were at Westminster, convener. Of course members are not going to do that, because they

are elected to work in that way and to join with their party members and so on.

It was said that what the press follow must be new and significant. Maybe to be provocative, I will say that, sometimes, they also like it to be secret. One weakness of the Scottish parliamentary system is that it is extremely transparent. That is why journalists do not want to write about it—because they reckon that it is not an exclusive. For many years, in the old days at Westminster, the public bill committees, which were then known as standing committees, met in private. People took a real interest in what they were doing, because they could not get in to find out, but as soon as they got in, interest fell away. I am just saying that, but sometimes, private evidence is the way to excite people.

If we look at what the Scottish Parliament is doing, one area to consider is that, in a sense, the output is maybe not as interesting as it might be. In the plenary session this afternoon, the Parliament will debate a committee report on the salmon industry. I presume that that is a really interesting subject, particularly in Scotland, and to lots of people, but the motion says just that the Parliament notes the report. I mean, how deadly is that?

Years ago, we suggested that, as part of their reports, committees should write a draft resolution of a maximum of 200 words, which would then be put to the chamber. Meg Russell will remember that we tried to do that with the Wright committee report. The Government hated it and would not bring the draft resolution forward, because it set out in our terms exactly what we were recommending, which would therefore oblige anyone who was against it to table an amendment that said that they were against that particular bit. However, that is what the Europeans do. Every European parliamentary committee—European Parliament committees and national Parliament committees in Europe—produces draft resolutions. Those are far too long and boring, but a limit could be placed on them, so such a resolution could say, “This is what we’re saying about salmon.” If I am interested and I look at the website, I have no idea what the committee says about salmon. I am two clicks away from a huge report, and that is just dull.

I am sorry that my answer is very long. One of the ways to get members to begin to be happy to put aside some of their party affiliations and work together is for them to enjoy the work that they are doing. As Marc Geddes says, visits are great, but they are difficult to justify in themselves. There are various ways of getting members to enjoy the work. It is partly about theatre; you need to get some joy back into it.

My final suggestion is that you ask your regular witnesses. I know that the committee put out a request and I am not sure whether people will respond, so I spoke to a very good friend of mine who appears in front of Scottish Parliament committees quite often, and I promised this person anonymity. I asked, “Have you ever been asked by anyone how it went?” and he said, “No, never.” He gets a diversity questionnaire after his appearance, and that is it.

I asked him what the experience is like and, for him and others, the questions just seem to come out, the answers happen, there is no discussion—unlike the one that we are having now—and the reports often miss the key points and get virtually no exposure. I do not know whether that is true. He is doing this for a living—representing whatever. However, it is quite depressing, given that you rely on such people so much, that no one has ever asked him or his types, “How could we do better for you?”

If we look at a much poorer country, we realise that we are entirely reliant on civil society to produce witnesses and to tell us what is going on—not just the Government. You need all the institutes, the trade unions and people coming to you, so they are not just your clients; they must be treated as your partners in a common enterprise in which they play an important role.

The Convener: Sir David, you can reassure your friend that some questions are probably already in the post to him.

As I am the convener and I am speaking, I am going to do that thing of reminding myself that we are short of time. I will bring in Meg Russell, and I will then hand over to Annie Wells.

Professor Russell: I am sorry to take us back to a conversation that happened a few minutes ago, because we have rather moved on, but when we heard about whether it is realistic to leave party politics at the door, it occurred to me that it might be useful to throw in a very nice term that was coined by an academic called David Arter, who is based at a Scottish university. He coined the term “committee cohesion” and wrote an article about that. We talk a lot about cohesion in political parties and how they work as teams, but he wrote about what can help to make committees cohesive. We have talked about some things that he mentioned, including committees having resources, being of the right size, not having a fast turnover and so on.

I like the idea that, on the one hand, we have party cohesion and, on the other hand, we have committee cohesion. In the literature, some people have presented committees and parties as being in opposition to each other, as if we can have only one of two possible forms of organisation—either

the parties or the committees. I do not think that that is right. There are examples of places, such as Germany, that have very strong parties and very strong committees. I see David Natzler nodding. Marc Geddes knows much more than I do about Germany, but I do not see the parties and committees there as being in conflict with each other. Establishing both things and having cohesion in committees, so that people feel part of a team in the same way as they do in their parties, is a kind of sweet spot.

Annie Wells (Glasgow) (Con): Good morning, everyone. We have touched on the public perception of committees, and I think that Brian Taylor hit the nail on the head when he said that things have to be interesting to people at a certain moment in time. Do you think that the public's expectation of us is more of a reactive thing?

Marc Geddes talked about the importance of getting out there and seeing people. I have been on committees for the past nine years and I have seen the same people sitting in the same place in the same evidence sessions. Another four years go by and we get them back in. How can we say to the public, "This is what we're doing," and include them in the discussion more effectively? The Parliament's outreach department has done a lot of work, but I still think that we miss that.

Brian Taylor: Glancing back at the report of the CSG, which was the McLeish team, I see that it envisaged that it would be common for committees to meet elsewhere in Scotland rather than just in Edinburgh, but I do not think that that has proved to be the case. I understand the obstacles to that and the objections that would come to trips around Scotland, but doing that could be advantageous.

As Annie Wells alluded, you need to broaden and deepen the range of evidence that comes before you, so that you hear not only from the familiar stakeholders and interest groups, critical though they are.

The question of rapporteurs was mentioned. I was looking back at what the CSG said about that, and it left the question open. It concluded that

"Standing Orders should be left sufficiently broad to allow, but not compel"

those. However, it talked about the idea of there being rapporteurs who could engage on an expert basis with stakeholders and relevant groups in an effort to gain consensus prior to an inquiry taking place. That is also something that could be undertaken.

The point about committee cohesion is an excellent one. That is exactly what is required. Being on a committee should be seen as a parliamentary role. I know that it is impossible to

always leave partisan politics at the door; that would not be realistic all the time, but it is perhaps an objective to be aimed at, and the idea of committee cohesion is a good one.

As for what the public expect, I think that they are still slightly baffled and bemused by the parliamentary system in general and by the committee system in particular, but I have found that, when people have engagement with it, they welcome it. They arrive apprehensive and leave welcoming it, although perhaps not with Sir David's sense of joy. The Standards, Procedures and Public Appointments Committee's inquiry into committee effectiveness just does not resonate joy, does it? It does not sing joy. *[Laughter.]* Forgive me, convener, it does—joy is in my heart. The point is that seeking committee cohesiveness and a determination to reach a collective view, with as much consensus as possible with as many stakeholders and members of the public as possible, is, in itself, a joyous endeavour.

The Convener: Sir David, do you want to come in?

Sir David Natzler: You mentioned outreach, which is terribly important. However, I am always nervous about that word, as it tends to involve Parliament trying to shout at the public, telling them what it is doing, what it believes, what it has done and so on. I think that the more successful approach is inreach, which is not a word. I have asked outreach experts what that means: it is giving the public—the smaller the country, the easier this should be—a chance to tell you what they want you to do and what they want out of it.

That is possible, and I think that this Parliament's Citizen Participation and Public Petitions Committee, and the Westminster Petitions Committee, do that. I see that the Citizen Participation and Public Petitions Committee is doing an inquiry into the delays in dualling the A9. I presume that that is of massive importance to people in Scotland and to people such as me who travel up the road.

It is very good that there are systems in place by which the agenda in the Parliament and in committees can be strongly influenced, if not set, by the public, sometimes in unexpected ways. Obviously, some petitions are more valuable and worth while than others.

There is also the idea of citizens panels; I know that this Parliament set up a citizens panel to consider the issue of drugs. Everyone—every Government and quango—is now using citizens panels, although that does not mean that it is a bad thing. For looking into a subject that is of widespread general interest, the Parliament sponsoring citizens panels is long overdue.

Annie Wells: If no one else wants to come in, I will move to my next question. We have talked about the media. How do we, as committee structures in the Parliament, encourage the media to come in and see what we are doing? How do we use social media better?

Before I got elected, I did not know what the committees in the Parliament do. I would not have known whether they were part of the Government or the Parliament or what their actual role was. Now that I am here, I understand that role.

Another important point is that, if you are passionate about something, you will put more effort into it, and you will focus a lot of your efforts on the committee that you are on at the time. However, if—as Rona Mackay said—we are just put on a committee, how can we get over to the public the fact that we are passionate about the role of that committee?

The Convener: Are we seeking free media training at this point?

Brian Taylor: I knew that the media would get a kicking eventually—it was inevitable. How do you get more media coverage? Be interesting and have something to say that is—again—new and significant.

I take the point about the public taking an interest in the committees. My experience from the very early days of the Parliament was that stakeholders in Scotland felt that they had to go in through a side door—through some sort of conduit. I said to them, “Just phone the clerk—speak to the clerk and the members, and to the convener. They are open to ideas if you have something to say.” If you make yourself available in that regard to the public and the stakeholders, they will take you up on that—or not. You should not expect a rush to match the opening of the Citizens theatre in Glasgow, for example, but I am sure that you will get a degree of interest.

When you, as members, take yourselves seriously and work hard and in a dedicated fashion, folk will tend to appreciate that and reflect that. They will never thank you, by the way.

The Convener: We will simply slip from that point into Rona Mackay’s set of questions, so I hand over to you, Rona.

Rona Mackay: Oh, right—we are on to media. Okay. First, on the point about committee cohesion, I will just give a shout out for the Criminal Justice Committee. We are currently putting through two huge pieces of legislation—the Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Bill and the Victims, Witnesses, and Justice Reform (Scotland) Bill—and I would say that we are acting as a team. Those bills are hugely important and

we want to make good legislation. We are putting party politics aside and are all working together. I wish that more committees did that. I just wanted to make that point, and I agree with you about committee cohesion, too.

As you are a former journalist, Brian, I am dying to ask you questions. We know how things have changed in the media. How has social media changed the landscape with regard to how and what you report?

10:00

Brian Taylor: I believe that social media has, or have, made a huge impact on what is sometimes disparagingly called the mainstream media. I must confess that I am not an expert on social media. I believe that I have a Twitter account, which was set up by my younger son on the day that I retired, and I think that there is one tweet, which is “Goodbye and thanks for all the fish.” I have promised to do another tweet on the day that Dundee United win the European championship—which, after Sunday’s result, should be any day now.

I do know that social media is critically important and, if properly used, can be advantageous, but it swiftly descends into vitriol and unpleasantness. Unfortunately, therefore, the way in which it operates means that its use is limited.

As for the mainstream media—the newspapers, broadcasters and so on—I can only repeat what I have said: you have to be new, significant and interesting for there to be a degree of media attention in you. We cannot turn a story around simply because the Parliament thinks that it is important; indeed, if you think about that, you will see that that is the antithesis of democratic scrutiny. It must be something of substance to the recipient rather than the progenitor, and I still feel that way.

However, I also feel that we are, perhaps, slightly neglectful. The media are not there in the numbers that they were. The number of political journalists is declining, because of financial constraints, and therefore less attention is perhaps being paid. However, there are still organisations and newspapers—certainly the BBC, STV and ITV Border—that are paying attention to the committees that they believe have a relevance to them. I stress again, though, that the issue must be of relevance to the recipient, not to the committee itself.

Rona Mackay: I completely get your point about things needing to be new and significant, but does that mean that the news is now just getting distilled into pretty much a snapshot or a headline for social media? In days gone by, you might have seen something in committee and thought,

“There’s something behind that,” and you would have done more of a feature or piece on it. Of course, when I say “you”, I do not mean you personally—the media do not do that sort of thing any more.

Brian Taylor: It is still done. My colleague and friend Kirsten Campbell did a piece on the University of Dundee appearance at committee; it was a substantial packaged story on “Reporting Scotland”, and I know for certain that little bits were also put out during the day on social media.

My only experience is 30-odd years—in fact, 35 years—at the BBC and seeing, in that time, social media becoming more and more important. We got into the habit of thinking that we had to get a story out there quickly through social media first; indeed, “online first” was the phrase that we used internally. You got it on to the BBC website first, and then you considered how to cover it for radio and television-structured programmes. I should say that these things were not secondary; they happened at the same time—they were simultaneous. However, the first object was to get a line out ahead of the others, frankly, by putting the story out on social media or online—which, in the case of the BBC, meant the website—rather than in some other form, although other forms were used, too.

I stress, though, that I am not a great expert in the use of social media. I tend to eschew it altogether, but there we are.

The Convener: I think that Meg Russell would like to come in.

Professor Russell: I was just going to say something that is probably rather obvious, which is that there is a balance to be struck here. Obviously, the media are tremendously important to committees in getting them a profile, getting their message across and getting their conclusions heard and understood. At the same time—and I think that David Natzler will probably smile and nod when I say this, because he will know some of the examples that I am talking about—there have been times with Westminster committees when chairs have perhaps tried a little bit too hard to focus on media over substance and content by pulling in some eye-catching witnesses or launching inquiries on things with a view to attracting the media.

Substance needs to come first and media second. There is a bit of a danger that too much focus on pulling in the media can lead to party-political grandstanding and push against some of the other things that we have been talking about, such as working together as teams and focusing on the proper detailed scrutiny of stuff, rather than just the headline-grabbing stuff. You need both, but it is about not taking it too far.

Gemma Diamond (Audit Scotland): At Audit Scotland, we obviously produce a lot of quite long reports. However, we have recently given ourselves a page count that we are not allowed to go beyond, as we are increasingly realistic about the number of people who will read a report from start to finish. Some of our stakeholders, who have a real interest, will do so, but a lot of people will not go beyond the first page of the key messages or will not open the report at all.

We therefore have a brilliant comms team that thinks about how we can get those messages out to stakeholders and the public more widely. It is about using social media, bite-size interviews, animations and little videos, because we know that people will watch only about five seconds of those animations before scrolling on past. We have to be realistic about how much people will actually engage.

That forces us to be really clear about the messages that we are trying to get over, because we have five seconds in which to get somebody’s attention. We need to be really clear and very quick about boiling it down to what we are trying to say. It is about asking what the key message is. What do we want people to know about this? Although that is not necessarily how we would write our full report, it is about getting to the essence of what we want people to know and what we want them to do with that, and then giving them links to where they can go if they are interested in further information.

It has certainly made us think about how we have to change our outputs. The 40-page report will absolutely still be part of the suite of things that we do, but there are now also other products that we want to put out. For example, if there is an area with a lot of data, it is about how we can make the data interactive so that members of the public can go in and find out about their local area. If we have a report coming out on a particular region or area, which might not make the national media, it is about how we engage with the media in that local area so that it gets picked up there and citizens in that area are able to interact with the report. It is about widening our thinking, as the traditional way of doing things does not now suit how people consume and interact with media.

The Convener: Before I invite Brian Taylor back in, I will add a further question. Should we be considering media coverage in respect of the effectiveness of a committee?

Brian Taylor: The only point that I would make is that Meg Russell made an excellent point about the changing nature of the media. You can consider how you attract media coverage, using them as a conduit, but, in the current system, you can also go directly through your own methods of publication and get out to the public in that way.

How much they consume is, of course, up to the public, but as long as it is kept digestible—as was ably explained there—I think that you can do it without requiring the conduit.

I hate to put my own dear colleagues into redundancy in that regard. I certainly do not mean that. There is always a role for intelligent, thoughtful and detailed appreciation and acknowledgement of what is going on via the media, which will make a point of, for example, comparing the finding of a committee with some other point that has been made elsewhere by Government or Parliament. I think that the media will continue to play a critical role in scrutinising the work of committees—but perhaps do not expect too much is the guidance.

The Convener: Sir David, do you have a comment, before I hand back to Rona?

Sir David Natzler: I quite agree. I will comment further, just very quickly: no stunts.

The Convener: Again, do you want to centre yourself slightly on your laptop?

Sir David Natzler: I am sorry.

We have not yet got on to the issue of directly elected chairs, but the two things are not completely unrelated, and you have a danger of people mounting stunts.

I also give a huge shout out to our National Audit Office and Audit Scotland for infographics. In the old days, 50 years ago, when I started writing select committee reports, you wrote it all out on pieces of paper and someone typed it up. That is all gone. The way in which you can convey information other than verbally is now so important, not just because of social media but partly because that suits them. The audit people have led the way, with very clear infographics. If the SP does not have an infographics advisory officer or whatever, it should get one.

The Convener: We are ahead of the game on that—well, at the front of it. Joe, did you want to come in?

Joe FitzPatrick (Dundee City West) (SNP): I have been hoping that someone would raise the matter of directly elected chairs—you almost did earlier, Sir David. We are talking about how the committees get increased self-confidence and higher levels of esteem, potentially paired with financial payment for convenerships. Currently, our conveners do hugely hard work and get no financial reward for it. Do those two things, which happen at Westminster, help the committee structures to have that increased esteem in the eyes of the public and the media?

Sir David Natzler: Obviously, Meg Russell and I have history on the issue, from the Wright

committee. I was sceptical about the idea of directly elected chairs. Back in 1997-98, the McLeish group's original proposition for Holyrood—I do not think that it is breaking confidence to say this—was that the chairs would be nominated by the Parliamentary Bureau. I was part of the UK input on that, and it seemed to me to be a very bad idea indeed; I was convinced that the best thing for a committee was for it to choose its own chair or convener, because then you trust them and know who they are—they are one of you, you have decided and, having voted for them, you will support them. Although that might have been naive, in my 20 years of working on committees, it has struck me as having been the fact.

I was concerned about the risk of celebrity chairs. Although we have had a few who were simply parachuted in on a sort of ego trip and fell out with the members of the committee, they were actually very few—much fewer than I expected. I also did not believe that the parties would be prepared for the rest of the house to decide which member of their party took a committee. I was pretty confident that the Parliamentary Labour Party would want to say who the chair was for a Labour committee, for example, rather than letting the Conservatives decide which Labour member chaired the committee, because that would seem to go against the partisan—maybe tribal—nature of the matter.

I thought that there would not be many contests, but I think that I was wrong on every account. Except in 2019, more than 50 per cent of the chairs have been contested regularly in the past 15 years. If you remove the Liberal Democrats and the Scottish National Party, which are rather smaller groups at Westminster, there have nearly always been vigorous intra-party contests in the two large parties—members of the same party fighting one another, politely but publicly.

Although it is very difficult to prove, I think that having directly elected chairs means that the chairs are more confident—I know that Marc Geddes has done research on that. They have become much more visible—indeed, you do not normally have to wait to ask what the chair of the X committee thinks, because they are out there, telling you what they think. They virtually have their own press apparatus.

In some cases, they have perhaps become too big for their boots. At Westminster, we have put in the removal mechanism precisely to deal with the celebrity chair who has fallen out with their membership. That has effectively been used once—although it did not go to a vote—when, recently, the chair of the Defence Committee resigned because he was about to be removed under that bipartisan mechanism.

I think that it means that there was whip interference in the old days. Although it did not always work, the whips knew who they wanted the chair to be. I do not think that whips are wicked—they are necessary parts of parliamentary life. However, they interfered too far in removing popular chairs or ensuring that they were not put on the committee. It has led to an overall increase in committee effectiveness and visibility.

The Convener: Marc Geddes, do you want to comment on that?

10:15

Dr Geddes: Yes, sure. Sir David has covered the main points, but I can reinforce some of them. In the research that I have done, where I interviewed chairs and committee members, including over 40 MPs and staff, after the process of elections was introduced, not one said anything negative about the introduction of elections. There might have been a bias in terms of who was willing to be interviewed, but I think that that says something about the faith that people have in the system and that, collectively at Westminster, it is seen as a positive change. Chairs view themselves as more confident and legitimate. It has enhanced their role and their confidence to speak on behalf of the house on the particular issue that they were elected on. That is absolutely the case.

I would argue that, more widely, the introduction of elections has, therefore, strengthened the independence of the system as perceived by the media and the public. There is a debate about the extent to which that has led to an alternative career, which is often a point of interest, but several chairs have said that they have more prominence and influence as a result of being a chair of a committee in Westminster rather than a junior minister. That also matters. It perhaps just reinforces the other points. Overall, I think that the introduction of elections has led to an improvement of the system at Westminster.

The Convener: Thank you. I will bring in Meg Russell and then Brian Taylor.

Professor Russell: The previous two speakers have said a lot, and I will not repeat it, but I agree with all that has been said. I will make a couple of additional points. Somebody mentioned committees electing their own chairs, which is the way that we used to do it at Westminster. When that was changed by the Wright committee reforms, we sort of switched the order: the chairs are elected first, and then people put themselves forward for committees in the knowledge of who the chair will be. So, it is rather unlikely that a committee would be set up with the committee members not approving of the chair right from the

start, because if people do not like who the chair is, they do not have to put themselves forward for the committee. However, as David Natzler said, things can break down.

It is worth considering—and I am sure that you have considered—the difference in dynamics between what, as I emphasised earlier, is a very large Parliament and the Scottish Parliament, which is significantly smaller. David said that some of the smaller groups in the House of Commons have not had contested elections for chairs, and all of your groups in the Scottish Parliament are smaller than those groups. The main party groups are smaller than the groups at Westminster, so there is a greater chance of uncontested elections, and there is always the opportunity for a kind of whip stitch-up whereby the whips go round and say, “Well, right, you’re standing,” or “You’re not standing.” That would be a worst-case scenario, I suppose. That is, again, an example of how culture and structure butt up against each other. It is difficult for structure to trump culture, because if that is the way the parties want to do it, it is difficult for anybody to stop them.

At the very least, having elected chairs—and all of the things that have been said about accountability to the whole chamber, feeling a sense of legitimacy and feeling that you are representing the whole Parliament through having gone through a whole-Parliament election—is really important. At the end of the day, if there is sufficient unhappiness inside a party about the person whom the whips have encouraged to put themselves forward, then somebody else will put themselves forward, and maybe they will be elected. Even if that does not happen very often, it is very valuable as a check on the power of the whips and the parties to control everything, but it might not work in the Scottish Parliament quite as it does at Westminster, due to size questions.

Brian Taylor: On Meg Russell’s latter point, I think that there are advantages to having elected conveners. They would enhance the status of the convenership, and hence the status of the committee. They would perhaps reduce party power—and perhaps also governmental power—to some extent, although there are limits to that, given the desires and demands of parties and governments to control matters.

My slight concern is that having an elected convener with enhanced status might set that individual at a degree of remoteness from the remainder of the committee and might counteract the desire for committee cohesion. However, that could be got round by the conveners and committees sustaining their personal and cohesive links. I would just be very slightly concerned that having the star performers that Sir David Natzler talked about would, perhaps, reduce the cohesion

of the committee. With that caveat, the idea could be well worth looking at.

The Convener: Does the concept of flipping the selection—doing conveners first then drawing on the committee—answer the challenge that you put, Brian?

Brian Taylor: I bow to Meg Russell's knowledge on the way that it works in the Commons, but I am not sure that it would make all that much difference, because the point that she also made about the relatively few numbers that are available in the Scottish Parliament means that the opportunity to pick and choose is perhaps much more limited.

The Convener: Sir David, do you want to come back in, before I hand over to Joe FitzPatrick for the last part?

Sir David Natzler: Yes, and I know that we are running short of time—[*Inaudible.*]

The Convener: Again, can I ask you to centre yourself on your excellent laptop?

Sir David Natzler: On the alternative career question, which Joe FitzPatrick raised but we did not answer, the payment of chairs is an important symbol. Dear Gwyneth Dunwoody—everyone we speak of tends to be dead—said that she was so annoyed by it that she thought of it as a tip—albeit that it was quite a large tip. We knew what she meant: that chairs were still being paid less than the most junior departmental undersecretary. They were, I think, rising towards but not quite at minister of state level.

However, that did not mean that they refused ministerial office. That was one of the oddities. I lost two successive chairs from the Defence Committee to the office of minister of state, and I was deeply upset both times. Having been chairman of a committee, Chris Mullin became an undersecretary at the Department for Environment, Transport and the Regions. He loathed that role so much that he came back and got himself appointed to the chair of another committee.

Members are human—they will come and go—and it is difficult to turn down a ministerial job. However, although it is not an alternative career—that is the wrong way of thinking of it—it has become part of a general career in politics. That can include a spell as a select committee chair, and there is no disgrace in going to be a secretary of state or a minister of state then coming out again.

Most of the examples that I can think of are still alive, so I have to be careful. However, as so few people watch this programme, we can think of Mr Tugendhat, who, I am sure, will not mind my using him as an example. In his career, he goes

perfectly comfortably between being a representative of back benchers to being a minister and then back to not being a front bencher. More and more members are like that. That would also happen in a smaller jurisdiction, I think.

Joe FitzPatrick: Thanks very much for that. It was really helpful.

The last area that I will focus on is the impact of scrutiny and audit work, which we have touched on a couple of times. Gemma Diamond, to start the discussion on audit scrutiny, will you give us Audit Scotland's experience of evaluation work?

Gemma Diamond: Absolutely. You are right. A lot of relevant themes have come up today. Essentially, we knew that we had a partial understanding of what happened—as a result of our work, from different data sets—and we did not have a holistic view of what that looked like. Neither did we know what we did not know.

When we started, we were clear that we needed to be clearer on our definition of “impact”. For example, some people talked about what happened in the media after our attendance at parliamentary committees and some talked about whether our recommendations were implemented. The third part is what bigger change has happened as a result of our work.

We were clear that we needed to measure all of those. That is easier for some parts than for others. For example, for our media activity, we can very easily get download numbers for interactivity.

We did quite a lot of work on our recommendations and how we could systematically follow them up, and that has led to some really interesting work on their clarity. When we looked back at some of our recommendations, we said to ourselves, “Goodness. Even we don't know how to follow that up. What did we mean?” That work has led to really clear guidance for our teams on ensuring that recommendations are specific and measurable, and on the priority that is given to them and the time that we would expect something to happen by.

As a result, we interact with public bodies on a follow-up plan to ensure that we and stakeholders are really clear about the change that we want to happen and what we expect to see as a result of the recommendation. We are also clear about timescales and when we will follow things up, and about the evidence that we expect to see of that recommendation being implemented.

The recommendations are always a management responsibility. We do not own them ourselves; their implementation is the responsibility of the management of the public body in question, and it is up to them to make

policy choices in that respect. We make clear the type of change that we want to see, but we are not prescriptive about exactly how that change should happen. However, that has led to quite a lot of interest in how we work and a lot of reflection on how we set out our recommendations and systematically follow them up.

It is harder for us to measure the more qualitative aspects. After all, not all of our impact comes through recommendations. We know that, in our audit work, we can have a lot of influence just by saying that we have an interest in a certain area—that alone can have an impact before you even go and do any work. Moreover, we have been able, through the audit process, to develop relationships with public bodies and the people in those sectors, and the way in which we have been able to approach and talk about an audit as a result can make a huge difference to how recommendations are implemented. There are also the types of work that we do in front of parliamentary committees and with groups of stakeholders and other professional groups, and we are also very visible in talking across our reports, not just about product-specific reports. That sort of thing is much harder to measure, but at the moment, we are doing what is essentially a mid-term evaluation.

I am sorry, but, in that respect, I should have said that we also needed an idea of where we wanted to go and what direction we wanted to go in, so we had to be clear about the kinds of impacts that we needed to measure. As a result, we were really clear in the outcomes that we expected to happen as a result of our work and in the data that we were gathering to see whether we were actually meeting them at all. At the moment, we are doing an evaluation not just to look at and make sense of the kind of quantitative evidence that we have in abundance but to look at how we can build a link—a trail, essentially—between some of the softer sides of what we do and our outcomes.

For us, a lot of that work is about continuous improvement. If we know where we are having an impact, how can we do more of that and do it better? Not only that, but if there is something that we really want to do but our work is not delivering on it, we need to change direction and do something different to ensure that we have the impact that we want and which our stakeholders are expecting from us.

It is quite a journey that we are on, and we are absolutely not there yet. However, it has been illuminating with regard to where we should place the emphasis in our work and how small changes can make a big difference.

Joe FitzPatrick: Earlier, Brian Taylor touched briefly on post-legislative scrutiny. Can you give us

your thoughts on how some of what Audit Scotland has learned might help the Parliament in that respect?

Gemma Diamond: Again, it is all about our being clear about what we should be looking at and what we want to achieve. In other words, we should be asking what we expect to happen as a result of this work. How can we start to build an evidence case with regard to what that looks like? Over what timeframes do we expect to see change?

A lot of the recommendations that we make—in particular, those about public service reform and bodies working together—are not quick fixes. When it comes to the implementation of our recommendations, we can see the speed at which change is starting to happen; we can see the recommendations that bodies can implement quite quickly and easily and those for which it will take a number of years for change to start to happen. Although we might not expect to see a final product in 18 months' time, for example, we are trying to be clear about our expectations for the start of the journey towards change. That is important for expectations about how quickly change can happen and the markers along the way to allow us to see what progress is happening and whether it is good progress.

10:30

Brian Taylor: I have a tiny thing to mention. Again, from my experience as a journalist covering politics over umpteen decades, I note that we, in the media, and politicians in general tend to move on rather too rapidly to the next caravanserai on the route, while the public are still sitting baffled and bemused, anxious and concerned by what has just taken place and need that explained to them and expanded for them. The public are right, and the media and the politicians are wrong. They are right to take things slowly and to take a cool, calm sooch with regard to these matters, which is where post-legislative scrutiny could have an advantage.

I understand that the work programme is already hugely demanding and that this is a suggestion for yet another element, but I believe that post-legislative scrutiny is already being done by some committees. That could be about asking whether a proposal that went through the committee in the first place has worked or worked as intended, whether there are negative and damaging consequences and whether something needs to be looked at again. Again, that is made more critical by the absence of a revising chamber.

In the absence of post-legislative scrutiny, it is left to valuable organisations such as Audit

Scotland to take a sometimes fairly sharp and rightly harsh look at some of the mechanisms of government. Committees could perhaps have a role in that, as well.

Joe FitzPatrick: One question is whether, if the committees of the Scottish Parliament were to do more of that, there would be a concern about witness fatigue. You would be going back to people who were involved as you went through the legislation; there might be a concern about going back to them. Do you have any thoughts on that, Meg?

Professor Russell: I am not sure whether I have any thoughts on that, but I do have a few thoughts around this area. Exactly as Brian said with respect to the media, committee follow-up was one of the flaws that we pointed to in the Westminster committees, although that was a long time ago, and I am not sure how much they have improved things since. We noted their tendency to do an inquiry and put out recommendations but then to move on to the next thing, never going back to evaluate the success of the inquiry and how things are going. That is one thing.

What Gemma said is valuable, and there are quite a lot of parallels, but I want to draw the distinction between the two different things: follow-up and the success of recommendations. You make recommendations, and, ideally, within resource constraints, some time should be spent on whether they have been picked up. However, you should not see that as the measure of your success, because, as I said right at the beginning of the meeting, committees do an awful lot of things aside from making recommendations. Checking whether your recommendations have been followed up and what has happened with them is a good thing, but the measure of a committee's success goes much wider than whether recommendations have been implemented.

Sir David Natzler: The weakness of post-legislative scrutiny is that it is about legislation, as if that were all that mattered. When even the most successful committees look at a subject, their recommendations and conclusions are often misconceived, out of date and rapidly dismissed by Government as things that are already being dealt with. However, the problem does not go away.

I think of the Health and Social Care Committee at Westminster, which has a wonderful record. It looked at obesity years ago. Its recommendations were disregarded to some extent, but, year after year, it returns to the subject. I do not think that we are gradually getting less obese, but it is not really legislation that will help very much, although there has been some legislation.

If you think that a subject is worth looking into now, it is worth coming back to regularly, even if the whole membership of the committee has changed. The problem is when the new membership says, "What is all this about?" and is not interested. There is a slight danger in post-legislative scrutiny that you just look at legislation.

The Convener: Some people who return to a committee in different parliamentary sessions find the same questions that have been considered previously are still hanging in front of the committee.

I am slightly conscious of time but I want to finish by getting a snapshot of one word. We have talked around the concept but the word "trust"—where it should lie and which way it should go—has not actually been spoken out loud today. I will gently look around the panel to give the witnesses a couple of seconds to consider that.

I will come to Meg Russell first. Trust: how does it lie, where does it lie, and how should committees respond to, and stand up to, that requirement?

Professor Russell: That is a very big question.

The Convener: That is why I left it until the end.

Professor Russell: I am not sure that I can come up with much beyond what has already been said. Perhaps other people will be able to formulate more concentrated thoughts while I am blathering. This is maybe connected to some of the points that we have raised. The idea of elected conveners who have the authority of the Parliament rather than just their political party might lead to an enhancement in public trust. Committees that present themselves as serious and focused on detail and important issues rather than political point scoring or jumping on bandwagons to get publicity will hopefully gain trust.

I am sorry. I feel unprepared for the question—it is a tough one.

The Convener: Well, I will not apologise for the toughness of the question. Please come back in should thoughts come to you afterwards.

Brian Taylor: I will make a comparison with the work and endeavours that I tried to do within the BBC, for which trust is a declared objective. The way that we tried to secure the public's trust was by ensuring that we were always on their side. I mean that literally, as a question of standpoint—where are you standing? When you cover a parliamentary or political event—as I mentioned earlier, to an extent—you should not ask the question, "Why does this matter to X party or to Y Government?"; you should ask yourself, "Why does this matter to the people to whom I am broadcasting?" You ask yourself that and try to

answer it, and you say, “This is important to you. Listen for a wee second. Here is why it’s important to you.”

Committees can adopt the same broad principle of saying, “We are investigating this to find out why it matters to you and what difference it makes to your life. We are on your side in that search for answers. We are not on the side of our committee, of the Parliament and certainly not of the governing executive. We are on your side in trying to seek answers and information and to disseminate information.” As long as you do that, you will win, secure and maintain trust.

Dr Geddes: Thankfully, I had a couple of moments to think while the others were talking—I appreciate that. This whole evidence session has been about trust but without our really talking about it. Building effective committees is fundamentally about rebuilding faith and trust in politics. Some of the other topics that have come up are similarly about that. We talk about media attention, media profile or public participation, and all of that is about rebuilding faith in our democratic process. That is really important.

For that reason, the diversity of evidence and who participates in the processes matters, as it helps to build effective committees and to rebuild faith and trust in politics. The diversity of the committees—which we touched on earlier—is also important, because that diversity with regard to the members ensures that decisions are made more effectively and also more legitimately in the eyes of the public. That will help to rebuild trust as well. Lots of different dimensions that we have spoken about are indirectly about trust.

Gemma Diamond: Trust is so important. Through our evaluation work, we found that trust is a thread that runs through everything with regard to being effective and having an impact. For us, being able to build trust runs through the importance that we put on building relationships with public bodies and our stakeholders so that we can be clear about our independence and our role in gathering evidence.

It is also important to be relevant, and, when we look at an area, we are clear that the scope of what we are looking at is relevant to the stakeholders. We must also be clear about whom we are listening to and whom we are speaking to, so that, through our processes, people have trust that we are gathering the right evidence from the right people, that we are coming to the right conclusions and that we are presenting those in the right way that will make the change that is required.

At all points, it is about building trust through the softer side of things, such as relationships, and also having trust and transparency hardwired into

the processes. Through this work, we have found that those things have a huge part to play in ensuring effectiveness and impact.

Sir David Natzler: I am not sure whether I have had too long to think about this. I will say a couple of things. First, any Parliament would kill to have the reputation of the BBC and the trust that there is in it, but we do not have that—no Parliament does. However, that is a reasonable target, and it is really interesting to ask, “Do the public trust more what they see and hear on the BBC or what they see and hear in the Parliament and its committees?” I think that we know the answer to that question, but it is a good target.

Secondly, committees were originally individuals—to use that word—to whom a task had been committed. In this case, that is by the plenary of the Parliament telling its committees, “This is what we want you to do.” Part of the question of trust is about the trust that the Parliament has in its own committees, as it has to hand stuff off to them and trust that they will do really well the job that they have been told to do by the Parliament. That is why you want to be effective; you have no existence other than through all your colleagues, who are, in one way or another, trying to become a trusted part of the democratic process. Those are my only two insights on that word.

The Convener: Your two insights and all the insights from the witnesses today have been very valuable and incredibly interesting.

I thank you all for your time this morning. If there are any other thoughts, particularly from Meg Russell, whom I dropped in at the deep end with that last question, or if there is anything that you would like to add, “just phone the clerk”—to use Brian Taylor’s phrase—as a way in. Thank you very much.

10:42

Meeting continued in private until 11:14.

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