



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Standards, Procedures and Public Appointments Committee

**Thursday 24 April 2025**

**Session 6**



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**STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE**  
**6<sup>th</sup> Meeting 2025, Session 6**

**CONVENER**

\*Martin Whitfield (South Scotland) (Lab)

**DEPUTY CONVENER**

Ruth Maguire (Cunninghame South) (SNP)

**COMMITTEE MEMBERS**

\*Emma Roddick (Highlands and Islands) (SNP)

\*Sue Webber (Lothian) (Con)

\*Annie Wells (Glasgow) (Con)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Dr Ruth Fox (Hansard Society)

Dr Stephen Holden Bates (University of Birmingham)

Professor Philip Lord Norton of Louth (University of Hull)

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

Professor Diana Stirbu (London Metropolitan University)

**CLERK TO THE COMMITTEE**

Catherine Fergusson

**LOCATION**

The David Livingstone Room (CR6)



**Scottish Parliament**  
**Standards, Procedures and**  
**Public Appointments Committee**

*Thursday 24 April 2025*

*[The Convener opened the meeting at 09:00]*

**Interests**

**The Convener (Martin Whitfield):** Good morning. I welcome everyone to the sixth meeting in 2025 of the Standards, Procedure and Public Appointments Committee. I have received apologies from Ruth Maguire, and I welcome Rona Mackay as her substitute.

Our first agenda item is a declaration of interests from a new member. I welcome to the committee Emma Roddick MSP and invite her to declare any interests that are relevant to her role on the committee.

**Emma Roddick (Highlands and Islands) (SNP):** Good morning, convener. I am very excited to be here. A relevant interest in my entry in the register is that I was a Highland councillor until May 2022.

**The Convener:** Excellent. I welcome you to the committee. I also seek the committee's agreement to write to Joe FitzPatrick MSP to thank him for his contribution to the committee over the period of his tenure. Are members happy with that?

**Members indicated agreement.**

**Decision on Taking Business in**  
**Private**

09:00

**The Convener:** Our second agenda item is a decision on taking business in private. Item 4 is a discussion about the evidence that we are about to hear, and item 5 is consideration of guidance on chamber business. Is the committee happy to take items 4 and 5 in private?

**Members indicated agreement.**

## Committee Effectiveness Inquiry

09:01

**The Convener:** Our third agenda item is the third in a series of four oral evidence sessions in our committee effectiveness inquiry. The inquiry is seeking to answer the question of whether changes to the Parliament's procedures and practices would help committees to work more effectively. Our call for written views on the inquiry has now closed, and the submissions will be published on our website in due course. Today, we are seeking to explore committee effectiveness in the context of changes to the committee system in other legislatures and how those have been measured and evaluated.

I welcome Professor Diana Stirbu, co-director of the centre for applied research in empowering society at London Metropolitan University, who joins us online; Professor Philip Lord Norton of Louth, professor of government and director of the centre for legislative studies at the University of Hull; Dr Stephen Holden Bates, senior lecturer in political science at the University of Birmingham; and Dr Ruth Fox, director and head of research at the Hansard Society.

This is a round-table evidence session. Although there will be the usual approach of questions from members to witnesses, it is intended that there will be opportunity for discussion between the witnesses on points in order to encourage a more open and free dialogue. There is no expectation that witnesses will answer all questions. Should anyone wish to come in on a question or in response to a point made by another witness, please indicate by catching my eye or that of the clerks. For Professor Stirbu, who is appearing remotely, I ask you to type the letter R in the chat box or pop your hand up, and I will notice and be most grateful.

As tends to be the case, you will be thrown on the mercy of the convener for the first set of questions. I want to look at the definition or meaning of "effectiveness of committees". Is effectiveness context specific? If so, what are the factors that shape whether committees are effective in the places where the witnesses have worked and that they have observed? What is effectiveness in the context of committees?

**Dr Stephen Holden Bates (University of Birmingham):** In part, effectiveness has to be defined in audience terms. Committees have different audiences, and how a committee is effective might be different from one group of people to another. You are engaging with the electorate, the Parliament, the Government or stakeholders of one kind or another. Different

parts of committees' work will be directed differently depending on the audience.

I will give you one example from a little piece of work that we did. We looked at the number of times that committee reports were tagged in Westminster debates of one kind or another. On that measure—that is, the percentage of reports that were tagged at least once—the Defence Committee came out on top. In other words, it was very good at informing the house. One of the jobs of House of Commons select committees is to inform the house, and the Defence Committee did very well in that regard. At the bottom of the pile was the Culture, Media and Sport Committee. It did not get a high percentage of reports tagged in debates in the house; in fact, the percentage was very low.

However, you could, unofficially, argue that those committees have different audiences. The Defence Committee is very inward looking—it is like a police patrol, examining what Government does and taking a look at the Navy, the Air Force and the Army on a regular, clockwork basis—whereas the Culture, Media and Sport Committee often responds to things going on out there in society that are important to the public. That effectiveness in engaging the public and responding to public concerns is different from the effectiveness of the Defence Committee in informing the house and ensuring that other MPs are up to date with and on top of its work. Therefore, we need to define effectiveness both in terms of the audience and in terms of the job that particular committees do.

**The Convener:** Do you think, then, that there is a balance to be struck in terms of effectiveness regarding to whom a committee is speaking? As you have said, the audiences will be different, depending on what the committees do, but do committees have a responsibility to be as effective as possible to the most audiences? If not, which audience takes priority?

**Dr Holden Bates:** That is the million-dollar question, is it not? Can a committee be effective if it is looking to engage with all audiences all of the time? I imagine that the answer is no. A committee is going to be driven, in part, by its policy area or its concerns. Certain committees are, by their very nature, going to be more outward looking, while others will perhaps be more concerned with the operation and scrutiny of Government.

**The Convener:** Are there any other comments?

**Professor Philip Lord Norton of Louth (University of Hull):** Perhaps I can reinforce the point that each legislature and each committee has two audiences—they will be outward facing to the executive and the public, and there will be a

relationship not just between the tasks in that respect, but with how they are evaluated.

When it comes to evaluation, I think that you have to take a nuanced approach. If you are looking at your dealings with the executive, that will normally be in relation to legislation and public policy, which, to some extent, is measurable. When a bill comes in, does it go out as exactly the same bill? Has the legislature made a difference? With policy, you can look at how many of the recommendations that have emanated from a committee have been accepted by Government. You can do that sort of evaluation quantitatively, because you have something to measure.

However, any such approach has to be nuanced, because things are not always quite that simple, for two reasons. The first is what in Westminster is known as the delayed drop effect. A committee will make a recommendation; the executive will say, "No, that's rubbish. We're not doing that"; and strangely enough, two or three years down the line, it will get carried out. A new minister comes in, dusts off the report, and the executive says, "That's quite good." However, it is not necessarily going to credit the committee, so you cannot actually prove a causal relationship in that respect.

The other element that you need to bear in mind is that sometimes your work and your reports can influence thinking and inform the debate, but not necessarily in any hard, measurable way. That is, as I have said, worth bearing in mind; reports can be very important for shaping debate and influencing how people see an issue. However, there is some degree of measurement that can be looked at there.

The more difficult task is evaluating how the public view the legislature, because what you are trying to achieve might be viewed differently. I am afraid to say that there is a problem with how the public view the legislature, not least with regard to whether they think that members are doing a good job and whether they trust it. Quite often, that is determined by variables that are independent of the legislature and dependent on how people view the political system as a whole and whether it is delivering what the Government is doing. In a way, the view of the legislature derives from that rather than from what it is doing in its own right.

I just wanted to make those points. You can be doing a good job, but that might not always be appreciated by people outside if public policy is not having the effect that they were expecting it to have.

**The Convener:** Ruth Fox, do you want to add anything to that?

**Dr Ruth Fox (Hansard Society):** One way to think about effectiveness is to say that a

committee needs to have short, medium and long-term lenses to look at its work and its effectiveness. The committee system as a whole within a Parliament may have strategic priorities and objectives, which must be assessed across all the committees, and each committee might have its own strategic priorities at the start of a parliamentary session—and then each inquiry should have its own priorities and objectives. Those inquiries may have different audiences and types of objectives, and, therefore, different evaluation measures might need to be applied to them.

We can get very focused on whether a committee is as effective as it could be or whether it is having the impact that we want it to have, but, for the reasons that Philip articulated, sometimes the committee is having that impact—it is just that you cannot necessarily see it on the timescale on which you are looking at it. That links to one of the issues with effectiveness, which is turnover of members of the committee and the resulting ability to take a long view and to track the effectiveness of the committee beyond, in Commons terms, a session of a Parliament.

**The Convener:** Do you think that there should be a specific onus on committees to identify their expected successes or what a measure of success should look like for specific, short-term inquiries and in the medium and long terms?

**Dr Fox:** Yes. One big challenge for committees in any Parliament, no matter their size or capacity or the resources that they have, is the lack of time. They always complain that there is so much that they would like to do but that they do not have the time to do it. They have to prioritise ruthlessly in order to be effective.

A committee does not necessarily have to publish those priorities—although it may summarise them for public consumption—but, for the purposes of the committee's internal dynamics and of planning its work, it may be useful to have an internal document to help it to choose and evaluate the work that it does. Otherwise, it is operating on a blank sheet of paper.

**The Convener:** Diana Stirbu, I turn to you—good morning.

**Professor Diana Stirbu (London Metropolitan University):** Good morning. Thank you for the opportunity to participate virtually.

I agree with everything that has been said about the importance of having a nuanced approach to effectiveness, audiences and strategic planning.

Your first question was about whether the definition of effectiveness is context specific. To an extent, it is. In the simplest terms, effectiveness is the extent to which the goals that were set at the

beginning of a process are achieved. In this context, depending on the goals that each committee sets, effectiveness will be a little bit different. Taking a functionalist approach, most Parliaments will have a set of core functions, and committee systems will have a set of core tasks or roles to fulfil. Those are other criteria against which we can evaluate whether committees are effective.

Ruth Fox said something about the importance of setting such goals at the beginning of either an inquiry or a parliamentary session. On the basis of the research that I did in the Welsh Parliament a couple of years ago, I think that that process is quite well defined in the Senedd. There are external facilitators who come and support members to prioritise and set goals and facilitate the strategy base that eventually leads to a forward working programme for the committees. That is an important piece of work to happen.

I agree with Ruth Fox that, rather than have only a simple forward working programme, we need to set goals for committees in the short, medium and long terms and that the programme of activity should derive from that set of goals.

09:15

My last point is that, when we talk about effectiveness in committees, the default position is to look at the relationship between the committee and the Government, whether committee reports have been implemented, whether legislation and amendments in committees have been accepted and so on.

In my work with the Senedd, in which I interviewed all the then committee chairs, I asked about their aspirations and goals and what they saw an effective committee as being. I was not that surprised to notice that, apart from their committee's relationship with the Government, committee chairs held a series of other high-level goals and aspirations, such as diversity and the need to engage with a wide range of individuals and organisations in their deliberations. They had a goal of not only learning as a committee but facilitating learning in the Government, especially for legislative drafting and so on. They had democracy and legitimacy goals and higher-level goals around visibility and public profile. Such things are notoriously hard to measure, but it is nevertheless quite important to bring them to the discussion around effectiveness, because they are seen as being very important for members and, in particular, committee chairs.

**Professor Norton:** One point to bear in mind is that, if you are going to talk about goals and evaluate whether they have been achieved, you must first take a step back, because who decides

the goals is a fundamental question. Does the committee itself decide them? Does the legislature impose certain goals? How do the public view the committee? The public's expectation of a committee—what it thinks the committee is about and what it does—and how it evaluates it, might be very different from how the committee itself sees its role. You need to take all of that into account.

**The Convener:** That is interesting, because my next question is on the committee's statement of purpose, which exists at Westminster but is probably even more developed in the Senedd. What is that statement's role, and is it Parliament wide? Should we perhaps consider committee-level statements of purpose in the Scottish Parliament?

I ask Diana Stirbu to answer first. I know that a lot of work is being done on that in the Senedd. Do you have a view? How do you develop such a statement?

**Professor Stirbu:** The statement of purpose is important because, in a sense, it links with the idea of strategic planning and being strategic. At the Senedd, the statement of purpose, which they call the criteria for world-class committees, came out of a review of committee support.

We also need to bear in mind the context in which the concept of world-class committees evolved in the Senedd, which is a very small institution. Senedd committees are very small—they sometimes have four members but can have up to six or eight members—and committee support is very important in achieving the ambition of having world-class committees. It sets a framework against which committee chairs and committees as a whole work. They seek to embed a culture of collegial and collaborative working, which involves leaving party politics aside and conducting inquiries and fulfilling tasks in an independent and authoritative way.

My interviews with committee chairs and with staff at the time emphasised the importance of being clear about what committees are for and being clear about what we are trying to achieve—even within a parliamentary session or a particular inquiry, as Ruth Fox mentioned earlier. That is the case even at the inquiry level, because there are situations in which a committee might just want to put pressure on the Government, or there might be inquiries in which the committee just wants to hear broad evidence or cast a spotlight on an issue that is not necessarily on the Government's radar. A statement of purpose at either the inquiry level or the committee system level is very important. That particular work has been endorsed by the Chairs' Forum, and the structure in the Senedd is quite important in fostering a shared view of what committees are, what their purpose is



and what is meant by effective chairing and effective committees.

**The Convener:** In the Senedd, there is a very explicit expectation that the Government will work with the committees but also that the committees will work with the Government. Do you think that setting the bar for that expectation has been of assistance in achieving effectiveness?

**Professor Stirbu:** Yes, I think so. There is a discussion to be had about whether that particular expectation is actually a legacy of the corporate body culture and the original set-up of the Senedd—the Assembly as it was then. At the time, as academics, we very much criticised that particular model, with the ministers sitting as committee members, but the fact is that, by virtue of the ministers sitting on committees, the committees had access to a lot of Government information and so on. As part of the discussions that I was privy to, back in 2006 and 2007, when I was doing my PhD and monitoring the process of the formal end of the corporate body, there were discussions about throwing the baby out with the bath water—whether having that separation would substantially change the relationship between committees and the Government. However, there is still a bit of a legacy of that structure, and the situation now might also be a legacy of the political arithmetic in the Senedd, because it is a very small institution and committee chairs move on to become ministers and so forth.

**The Convener:** Does anyone else want to comment on the idea of making a statement of intent and on whether that should sit at a parliamentary level or whether committees should consider having their own—or, indeed, as I think Diana Stirbu was suggesting, whether that sort of statement can help to attune the ideas for an inquiry and act as a guide to what success or effectiveness would look like?

**Professor Norton:** At Westminster, there was an external statement of what was expected of the committees. For example, when the departmental select committees were established in the House of Commons by standing orders, they were set up to examine the expenditure, administration and policy of the relevant Government departments and associated public bodies. However, in practice, the committees then focused heavily on policy. The liaison committee has now established all the key tasks of the select committees, but, again, committees tend to focus on the particular tasks that interest them, so other tasks get somewhat neglected. There is a bit of a balance between the two; there is a broad framework, but there is some discretion for the committees to focus on what they think is—

**The Convener:** It is signposting rather than making it a requirement.

**Professor Norton:** Yes, exactly.

**Dr Fox:** The idea of a statement at the collective parliamentary level is fine, but it will inevitably be quite a broad-brush and anodyne one. At the committee level, the approach can become more granular.

In the House of Commons, select committees have 10—it may be 12, now—core tasks, some of which are legislative, involving pre-legislative and post-legislative scrutiny and scrutiny of statutory instruments and estimates, and some of which are policy related. There is also a public engagement core task.

The challenge for those committees has always been around whether to use those core tasks as a guide for planning their work or as a sort of tick-box checklist at the end of the parliamentary session that enables them to say that they did, say, six of their core tasks during the session. Inevitably, that will be different for each committee, because they are free to determine their workload. To some extent, the workload of some committees will be determined for them, if there happens to be a particular draft bill or statutory instrument that they want to look at, although that happens very rarely. It is also the case that some of them might want to speak to a celebrity witness, because they want to get on the news. Similarly, some committee inquiries will be driven by the fact that the committee members want an achievement—they want to be able to say, “I delivered this.”

It is all very well for me to sit here and say that you have to take a long view of impact and effectiveness. If someone has trudged through five years on a select committee and, at the end of the session, they cannot point to much in terms of impact, that is actually quite difficult, from a personal perspective. Therefore, understandably, many committees will go for low-hanging fruit, with members trying to secure a particular objective, be it legislative policy change, influence over a minister or whatever, instead of engaging in a more strategic, future-looking inquiry that might, in the long term, be more important, but that, in the short term, will not deliver any sense of accomplishment and achievement for members.

**The Convener:** Following on from the issue of the timescale that you mention, is there any evidence from other legislatures of committees looking beyond the tight timetable of their existence in one session into further sessions? Has any such long-scope thinking come to fruition, or are we still waiting to see whether that approach points to a more effective type of committee?

In the Scottish Parliament, as in lots of Parliaments, towards the end of a session, we produce a report that we gleefully hand over to

those unknown members who will come after us, and we wait to see what they do with it. Is there any evidence of anything that goes beyond that, involving long-term planning and long-term effectiveness, with people coming back in the long term to see the effectiveness of something that they have done?

**Dr Holden Bates:** I can say a couple of things on that. The Defence Committee looked at the impact of climate change on warfare and tensions around the world, and that obviously involved taking a long-term view. Similarly, another committee—the Science, Innovation and Technology Committee or the Environment, Food and Rural Affairs Committee—has considered topics such as antimicrobial resistance, which also involves taking a long-term view.

**The Convener:** I am sorry to interrupt, but did the Defence Committee decide to look at the impact of climate change on warfare, or was that something that a previous committee had highlighted as being something that should be considered? What I am getting at is this: has any committee successfully sown the seeds of a future inquiry?

**Dr Holden Bates:** I see what you are saying. The one concern that I have about setting goals in the short, medium or long term is that, if there is high turnover, you can end up with a committee with completely new members who just do not care about the issue. That means that the work will not be as effective, because there will not be as much buy-in and all the work will be left to the clerks. There must be some flexibility to respond to not only new things going on in the world, but new members and new chairs coming in with different concerns.

**The Convener:** The best-laid plans can go awry, depending on who is on the committee.

**Dr Bates:** Yes. There must be some flexibility built into the approach, to enable it to respond to events and turnover.

**The Convener:** Diane Stirbu, do you want to come in?

09:30

**Professor Stirbu:** If I understand your question correctly, an example that you will have heard of is the Committee for the Future in the Finnish Parliament, the eduskunta. It operates quite differently from other committees. It is not legislation focused, and it spends most of its time and resources on commissioning work and engaging in future governance, with a very broad remit. It has become quite a famous committee, though it did not start as such when it was established. It was established as a hobbyhorse of

two parliamentarians at the time, and it was tolerated for a period, but it became more and more important, and I suppose that it became a model for other legislatures dealing with future issues.

The Senedd has had to look at the future a lot, especially in relation to constitutional reform. Committees such as the Constitutional and Legislative Affairs Committee, ad hoc committees that were set up on electoral reform, and now the Future Senedd Committee, have all had to deal with and anticipate what would happen in the future, including changes to the structure and the operation of the Senedd.

I think that you were more interested in the policy side, but that is the example that comes to mind.

**Professor Norton:** I always remind my students that you have to distinguish between what is desirable and what is achievable. You can stand back and come up with some grand scheme whereby committees should take a long-term view, look to the future and fulfil a range of tasks that might be desirable. However, you then come up against what is achievable in terms of resources, the members and the politics. If members are elected, that influences how they view their role, their outward-facing activity and the sort of work for which there could be a fairly quick reward in visibility or effect.

That is where there is a contrast at Westminster between the two houses. We do not have that issue in the Lords, so we do not necessarily need that quick fix. We are not elected, so we can just focus on the detail and look at it in depth and, if necessary, in the long term. We have that capacity because we do not need the attention—we do not need to be seen in the same way. We can address topics that fall outside the normal conflict of party debate. Those topics are not particularly high profile, but they are important. We leave the more high-profile work to the select committees, where the members are looking for some degree of visibility and to have some impact. That is the reality of how the committees operate. You need to bear in mind the limited resources and members themselves. You have to take into account what appeals to the members. In a sense, you need to ask what is in it for them.

**The Convener:** On that point, I will pass over to Emma Roddick, who has questions on structure and culture in committees.

**Emma Roddick:** Good morning. When have other committee systems made use of rapporteurs or other services or people to spread out the workload? In what ways can that contribute to effectiveness without taking accountability away from committee members?

**Dr Fox:** I will kick off by saying that I am not terribly familiar with that, because it is not something that the House of Commons uses very much. I will not say that it is frowned on, but it is very rare that an individual committee member is tasked with going away to do a piece of work and reporting back.

Setting up a sub-committee is much more likely, so you occasionally find that. You might get three or four members to look at a particular policy aspect or task or to conduct a short inquiry when the members have a particular interest in that subject for whatever reason.

I cannot say an awful lot more than that. There are other mechanisms at Westminster, such as guesing. That is not a rapporteur model, but it has elements of it in that a member of a committee or, more often, a committee chair will attend an inquiry that is being undertaken by another committee when there is cross-policy or cross-departmental interest, to avoid siloing. Sometimes, those members will be invited to ask questions and they will sometimes be in more of an observer role, but they are there to input the expertise and interests of their committee to that inquiry and, likewise, to take away whatever they have learned and report back to their committee. However, that is not a formal rapporteur role.

**Emma Roddick:** It is interesting that you referred to the expertise of another committee. Is there enough training for members of committees, or is it more a case of just hoping that, if somebody is a member for long enough, they will pick up enough about the policy area to be an expert?

**Dr Fox:** That is very different from one committee to another. On the Health and Social Care Committee, for example, there might be a doctor—recently, at Westminster, there have been surgeons on the committee—or nurse, so they have expertise. However, I do not mean that committee members need to have direct in-depth policy expertise. In a sense, you are not there to provide that. That is where you bring in the experts and advisers and draw on the research resources.

You are there to provide what the rest of us cannot, which is what I would phrase as political nous, and to apply that to the policy discussion and think about matters in terms of the democratic lens that you bring to issues. You also need to think about trade-offs. The rest of us cannot do that; we do not have that role or that experience.

**Professor Norton:** It is a good question that is really important. You could look at it from two perspectives. One is about training in the substance of the subject that the committee is inquiring into and the policy area. In the Lords, members are generally appointed to committees

on the basis of having some experience and expertise in the area, so committees are normally informed on the subject. That has helped enormously with evidence taking, because the committees involve people who understand the subject engaging with experts in the field, so that they can have a properly informed discourse. If you know the subject, you not only know what questions to ask but can evaluate the quality of the answers, which is the most important thing when you are taking evidence.

The other aspect of training, which is perhaps what you were focusing on, is about the process of questioning witnesses—how you go about it. Some members might be lawyers who are used to forensic questioning, but other members are not, so you get members putting questions that are non-questions—they are statements or rambling questions—rather than knowing how to focus on the topic of the inquiry, what key questions they need to ask and how to evaluate the answers quickly so that they can pursue those with the witnesses.

That dimension of providing members with bespoke training and guidance on committee membership is important. We are now doing that in the Lords. Earlier this week, I met new members to explain how committees operate, to give them some basis for when they are appointed to committees.

As I said, we tend to appoint people who know about the subject, but, if there is a committee whose members are not particularly knowledgeable about the area, you will hold seminars and bring in people from outside so that the members at least get some grounding—some basic knowledge—about the subject area. It is very important that one should invest resources in that way, to maximise the effectiveness of the committees through members knowing how to operate as members and having some grounding in the subject area.

**Professor Stirbu:** There have been some instances in which the Senedd has used rapporteurs, and fewer in which it has used sub-committees. For context, the committees there are small, so establishing a sub-committee within a committee of, say, four members tends not to be doable.

In my interviews, I heard about committees using what are called reference groups to support particular inquiries. For example, in the fifth Senedd, the Children, Young People and Education Committee established a reference group of young people. Other such groups have included people who work with what we might call unheard or more marginalised groups, which also helps to inform committees' work. The use of such groups is not necessarily about sharing a

committee's burden or workload but enabling it to hear unheard voices, engage with service users with lived experience and so on, in cases where it feels that it cannot hear them effectively through more traditional consultation models. Such situations have happened.

I have heard less about rapporteurs and sub-committees working in the Senedd and more about the use of ad hoc committees. Especially in the past two terms, the trend has been more about establishing another committee rather than a sub-committee to consider particular matters.

**Emma Roddick:** I will go back to Professor Norton for a moment. Has the introduction of training in the House of Lords had a visible and positive impact on how members engage with subject matter?

**Professor Norton:** It is too early to say, as the training has only just been rolled out, certainly for the areas in which I have been involved. It is aimed at members who have the potential to be appointed to committees, to enable them to understand how those committees operate. We start from the basis that, when members are appointed to a committee, they normally have some knowledge of the relevant subject area. It is then a question of harnessing that knowledge for the purposes of inquiries, putting questions and encouraging members to get involved so that we can draw on their expertise.

When a committee is considering conducting an inquiry, it is fairly standard for it to have a scoping session in which it brings in external experts to brief members on the subject area before the inquiry proper gets under way. They will then have had some training, or at least a grounding in the subject, which will complement their existing knowledge base, which is always helpful. We have not gone beyond what I have outlined as regards training members to be committee members and going about questioning. However, it is always important to bear in mind providing such training rather than have members simply join a committee and think, "What am I doing here? Am I going about it the right way?"

**Emma Roddick:** Absolutely.

That brings me to my next question. Here, in the Scottish Parliament, about a third of members sit on multiple committees. What is your take on how effective members can be when their time is split across various policy areas, particularly when, for example, they might sit on two committees in which the subject matter is legislation heavy or detailed? Might there be ways around that?

**Professor Norton:** That last point is particularly important, because it identifies the problem. I have looked at this committee's membership. If I remember correctly, Ms Roddick is a particularly

good example of someone who currently serves on more than one committee. That is a problem because of the various commitments involved, but it is doable. I was just thinking that there was one period in which I served on three committees in the Lords at the same time, but that was exceptional, because one was a joint committee that was considering a bill. It is an issue, though. Serving on multiple committees is a burden on the individual members and has consequences for the committees.

09:45

The issue of size is particularly important for Holyrood and the other devolved bodies. From a Westminster perspective, we sometimes fail to appreciate that, because we have such large chambers. However, when the committees are the size that they are in Holyrood—and in the Senedd, as we have heard about—a particular burden is placed on the members. It also has consequences for the committees, because they are heavily dependent on the members attending. Therefore, the issue of resources becomes very important.

Unless you enlarge the membership of the legislature, how do you facilitate members of a committee being able to do their job? There is a resource issue there. Do you provide members with additional resources? In the House of Commons, the chairs of the committees are paid extra. One way to deal with the issue is to provide research support to members of the committees. You could do it collectively as well—there could be a scrutiny or research unit to service committees and give them the information that they need. Another possibility is to give committees a research budget of their own, so that they can commission independent research. That can be useful because, even if a committee is taking evidence, that will be interested evidence from people with a particular point of view.

There are different ways in which you might seek to assist members individually and committees as a whole through the resources available to members. However, there is a challenge if members serve on more than, say, two committees. Holyrood is in an unusual position in that most of its members do not serve on more than two committees. That is potentially manageable, but it is a burden that has to be addressed through resources.

**The Convener:** Diana Stirbu has a comment.

**Emma Roddick:** I was about to ask her.

**Professor Stirbu:** It will not be a surprise to anyone that the Senedd is in a particular situation in relation to multiple memberships of committees. That has been a leitmotif throughout the existence

of the Welsh Parliament and a driving force behind calls to increase the size of the Senedd.

One of the pluses of being in multiple committees—I wrote an article making this point about 15 years ago—is that you can share best practice and bring innovation from one committee into another committee. However, the fact is that, in the Welsh Parliament, there are simply too few people with too many portfolios.

When I interviewed one of the committee chairs, he was on four committees. Although that was an exception, members often sit on two or three committees. Sometimes, they sit on two policy and legislation committees, and the dangers involved in that are well known. It can result in selective attention and engagement in committees. Members might prioritise the work in only one committee, deprioritise the work in others and become less engaged. If, for instance, a committee has six members—as the Senedd policy and legislation committees have—who are doing that, it can affect the quality of deliberation.

The other leitmotif in the Senedd has been that the deficit in the number of politicians who are able to serve on committees has been offset by increasing the amount of resources available to them. The support in the Senedd operates through committee support and integrated committee service teams, whereby there are not only clerks and second clerks but researchers, a translator, a legal adviser, a public engagement official and a communications officer, all of whom are assigned to a particular committee. There is a healthy team to drive and support the work of the committee. The danger with increasing the resources and administrative support is that committees or the Parliament can become very much official led, and I do not think that anybody wants that.

Politicians being members of multiple committees is a problem, but it is not unique to small legislatures. Last year, I did some research in the Danish Parliament, which has more than 30 committees and 29 members on its committees, because of the rules on committee membership. Some members whom I spoke to sat on five committees, although they said that they do not go to some committee meetings—only the party spokesperson goes. Even in a larger Parliament, that creates a problem in that smaller parties are unevenly affected when having to fill committee seats.

**Emma Roddick:** I was going to bring you in on the problem of there being too few people. In the Scottish Parliament, between a quarter and a third of MSPs are members of the Government so, if the Scottish Parliament pursued the same ratio that the Senedd is introducing, we would need to have 175 MSPs. I am keen to get your view on the order in which we should look at things. Should we

say, “There are 129 MSPs, so how big should committees be?” or, “This is how big committees must be in order to be effective, so this is how many MSPs there should be”?

**Professor Stirbu:** That is a very big question. It was always accepted that the Senedd was small—it was smaller than some county or local councils. At the time, that was justified because it did not have proper legislative functions, but additional portfolios have gradually been devolved to Wales.

I cannot comment on the question of the Scottish Parliament. If there is an issue with MSPs having multiple committee memberships and workloads, that probably needs to be considered as part of a wider review. In Wales, that has been an issue over and over again since 2001 or 2002. A number of commissions, including the Richard commission, have made suggestions, but you can see how long it has taken for things to change. Although there has been silent political consensus for a long time that the Senedd has too few members, it has been difficult to publicly endorse change and to create the political conditions to increase the size of the Senedd. A wider review of the constitutional arrangements in Scotland would be required, with consideration of whether the Parliament is fit for purpose in relation to its size and powers.

**Emma Roddick:** I suppose that a lot of things could be borrowed from Wales. For example, the cube root rule is probably applicable to both legislatures.

I am keen to ask about what witnesses have said about clerking and research resources. The effectiveness of such resources depends on MSPs using them and understanding how to use them. How do you suggest that we get around that issue?

**Professor Norton:** That goes back to your question about the training of members. It is important to have experts available, but they should be on tap, not on top. Training is needed so that members know how to utilise experts to get the information from them but are in control of that information and how they utilise it.

To draw on my experience, including at Westminster, a committee can typically have its own policy specialist or analyst, who will be someone who specialises in the area. That will be over and above the clerks, who do all the administrative work. As well as having those specialist appointments as policy analysts or whatever, committees bring in experts for specific inquiries. That can involve bringing in outside academic specialists on an ad hoc basis. The normal rule is that you pay them on a per diem basis for their expertise as part of an inquiry.

A committee can have a permanent base of one or two policy analysts but complement that depending on the nature of an inquiry. That can be extraordinarily useful as long as the members of the committee know how to use that expertise. It goes back to the point that I mentioned earlier about bringing in resources, particularly when you have a small committee.

**Dr Fox:** In the House of Commons, there has been a significant increase in the support that is available to committees. There has been an increase in the House of Commons library capacity and in the number of staff available to provide support with communication, social media and digital comms. A lot of work has been done on integrating resources. Some resources operate across a number of committees and support each other.

A lot of that has been driven by the need to increase capacity because of Brexit. Ironically, despite what we have gone through with Brexit and Covid, we have seen quite limited institutional and procedural change, but we have seen significant change in resource capacity.

The support is institutionalised in each committee. Each committee has its own media manager and an administrator who does the logistics for the committee. The committees also have a clerk, who will be in charge of drafting reports, and special advisers—some committees have quite a number of those. Some committees are very well resourced compared to others, and I am never quite sure how they manage that. It is noticeable that there has been a step change at Westminster.

**Emma Roddick:** Do you have a handle on how consistently and appropriately House of Commons library services are used by members?

**Dr Fox:** It is difficult to say overall, but they are very highly used and very well used. Both for chamber and committees, the library is one of the go-to resources for members—if not the go-to resource—because it is trusted and impartial and is very high quality with a quick turnaround. It is very well used.

**Professor Norton:** We call it the House of Commons library but, in fact, it is a research division. It is well resourced, with experts in the area, as Ruth Fox says, who are highly respected. What those experts say is taken as authoritative by the house and by people outside—

**Dr Fox:** And by the media.

**Professor Norton:** Yes—by the media. It is a useful resource, both for individual members, who can get briefings very quickly on whatever topic they want, and for the House of Commons. Complementing that is a scrutiny unit, which has

experts in particular areas who are available to service committees. That is useful, and it is quite agile, because they can deal with different tasks across committees, complementing the staff that each committee has to provide policy advice.

The research part of the House of Commons library is a tremendous resource that benefits the institution enormously. The same applies to the House of Lords library. They are two very separate institutions, but the principle is the same. Whenever surveys are done of members on resources in the two houses, you always know that the library will come top.

**Emma Roddick:** Members of the public often claim that they really like to see cross-party working, particularly in committees. The ability for us to do that depends very much on the culture. How do we foster a culture that allows and facilitates cross-party working?

10:00

**Professor Norton:** The Lords is slightly different from the Commons. It is somewhat easier for us: the Lords has a far more bipartisan atmosphere, because we are not really in cross-party competition in the way that they are in the Commons. At committee level, in the Commons or elsewhere, what is important is that you already have some of those elements in place, because the membership exists for the whole of a parliamentary session. The turnover is not high, you are not just ships passing in the night and you actually get to know one another, which is really important.

Again, size is important. Committees being relatively small might be of benefit, because members get to know one another as individuals, and you work and take evidence together. Select committees are certainly very different from public bill committees in the Commons, and they have different purposes. Select committees undertake inquiries in order to look at a particular topic—they are in charge of their own agenda and choose the subject matter.

The desire to avoid clashes can affect the topic choice, because you do not want to go for a topic that will clearly divide the committee and never be agreed on. You look for issues that are important but not necessarily overly partisan. You can do a public good by choosing the right topic for an inquiry, rather than other topics on which you will not reach agreement. The nature of how committees work, whether they are deliberating or taking evidence to produce reports, fosters that culture. That is quite helpful, because you are listening to evidence. Such features are important in the way that committees operate.

There is then the wider issue of how the Parliament's wider culture might affect that. That is certainly the case at Westminster, where the difference between the Commons and the Lords in how we behave, even at the dining level, is very notable. Other things, such as the allocation of offices, can make a difference. Nowadays, every member of Parliament has an individual office and is fairly isolated, whereas no one has an individual office in the House of Lords. You share offices with others, so you get to know one another, which fosters information exchange. The offices are allocated on a party basis, but the atmosphere is much more bipartisan. Having the same members on a committee for the whole of the parliamentary session means that you develop such links, so keeping committees relatively small is quite beneficial for that purpose.

**Professor Stirbu:** I completely agree with Lord Norton. When it comes to fostering a more collaborative, independent, away-from-party-politics culture on committees, chairs and conveners are very important. The whole process of goal setting, strategic planning and rallying to meet a particular set of goals and aspirations can be a unifying experience for committees. From the wider literature and from wider research, we know that committee cohesion and stability in membership lead to that as well. Very practical things, such as away days and off-site meetings where people have a chance to get to know each other personally, away from scrutiny, are also a way of ensuring that unity. In my Welsh Parliament research, I came across the idea of creating a sense of collective endeavour in the committee. Indeed, if there is a compelling story to tell about the successes that a committee has had, it is quite a unifying experience for that committee's members.

Also, as I mentioned earlier, there is the difference between high-level goals and more policy-related goals. In that respect, I can tell you what people have said about aspirations, the changes that they wanted to see in committees and what they thought an effective committee was. For instance, one of the aspirations for what was called the Constitutional and Legislative Affairs Committee in the fifth Senedd was to ensure the guardianship of the constitution in Wales, to ensure that legislation stood the test of time, and to ensure that the committee learned and shared that learning with the Government. Those are very uncontested and quite powerful goals. When you move on to questions such as whether justice, policing or whatever should be devolved to Wales, that is when party politics comes into play.

Ways of working are quite important, and those more high-level—and, I suppose, long-term—goals with regard to what committees are for and how they work are essential. From what I have

heard from Wales, the role of committee chairs is very important, and the introduction of elected committee chairs in Wales ensures that they have a more powerful mandate to drive a more independent approach in the committee's work.

**Professor Norton:** One important point that comes to me—

**The Convener:** I am just going to have to do that convener thing and say that I am becoming slightly conscious of the time, but please go on.

**Professor Norton:** I will be very quick. I think that the question highlights a fascinating contrast between Holyrood and Westminster—or, I should say, the House of Commons. In the House of Commons, scrutiny of legislation is separated out from scrutiny of policy, so you have select committees and public bill committees, if you like. There is a split, with one being inquisitorial and the other being adversarial, whereas here they are combined. An interesting question is which is more conducive to the point that you are making. Does a consensual approach to policy scrutiny carry over to legislative scrutiny rather than the other way around?

**The Convener:** It is fair to point out that, certainly in the House of Commons, bill committees are whipped.

**Professor Norton:** They are an extension of the chamber, yes.

**Emma Roddick:** The witnesses have mentioned consensus and common goals as examples of cross-party working, but does good cross-party working require agreement?

**Dr Holden Bates:** In a committee that I sat in on, one of the members wanted a witness from a certain organisation to come and another said, "Hang on—if you're having them, I'm having my favoured organisation." In the end nobody came, so nobody heard evidence on that subject at all. Therefore, I have a slight problem with consensus being reached, even in select committees.

Perhaps I can highlight two examples. At the 40th anniversary of select committees, Stephen Twigg, then chair of the International Development Committee, was showing off about how consensual the committee was. However, the debate around 0.7 per cent of gross domestic product is massive, and it seemed to me a little bit strange that that committee had not had any divisions for a number of parliamentary sessions. When we looked at the number of divisions in committees, we found that, following the financial crash in 2007 and 2008, the Treasury Committee did not have a division for years and years.

It seems a little strange that we have these massive events or debates in the public sphere and the select committees are either sort of

fudging the differences between their members or are not even addressing the issues. If you are too obsessed with consensus, there is a danger that you will not deal with subjects that are important to the public.

Further, there will, of course, be disagreements within committees, because we are talking about massively important issues and people have fundamental disagreements about how to respond to them. Therefore, I have some concern about the emphasis that is placed on consensus in the select committee system.

**The Convener:** Are there any other comments before I gently move us on?

**Dr Fox:** I will just give the other side of that, which involves thinking about political context. I can think of two examples in the last session of Parliament where committee consensus completely broke down and the committees were, therefore, just ignored to a large extent. One of those examples involved the committee that was scrutinising the Department for Exiting the European Union. It broke down not along party lines but along Brexit lines—Brexit was predominantly a party-line issue, but not wholly. That was a much bigger committee than normal, because it needed to reflect the range of views on Brexit. However, it did not really function very well. It produced reports, but there were usually minority reports as well, and you could see in the minutes all the divisions that there had been.

The other example concerns the European Scrutiny Committee, which was scrutinising documents at a very technical level and, prior to Brexit, had been one of the unsung committees—it did important work, but it attracted no attention and met mainly in private. It broke down largely on Brexit lines. In large part, the Opposition parties ceased to attend. That was a product of chairing. The committee was chaired by Bill Cash, who had a particular position and a particular approach to chairing the committee, which was not consensual or co-operative across party lines. That caused a problem, because important work was not being engaged with by the Opposition parties. On the other hand, you could see why they made the calculation that attending the committee was, frankly, a waste of their time.

Those are just two examples of how things can work the other way.

**Professor Norton:** As I said earlier, the desire to achieve consensus will affect the choice of topic for inquiry because, if you know that you are not going to reach agreement on an issue, you will probably avoid it. However, you are spoiled for choice when it comes to selecting extraordinarily important topics that are not the subject of division between the parties. I have served on and chaired

quite a lot of committees in the Lords, and never once—apart from a joint committee on the draft House of Lords Reform Bill—has there been a vote. When I have chaired committees, I have always believed that any member of the public attending would not be able to work out the party to which the members of the committee putting the questions belonged. There has always been a genuine attempt to find out about the subject, to reach agreement and to come up with some constructive recommendations that will take us further forward. When I chaired the Constitution Committee, we did big inquiries into devolution and inter-institutional relationships in the United Kingdom. We visited Holyrood, Cardiff Bay and Stormont, and we reached agreement and produced a very big report. As an aside, I note that, if that report had been implemented by Government, we would be in a much better position than we are in today.

Proceeding by way of agreement is important. Last year, the Statutory Inquiries Committee, which I chair, produced a report on public inquiries into tragedies, which we will debate tomorrow. You can make quite a big difference on important topics such as that one, which are not the subject of division between the members, and you can really add value by adopting an approach that involves proceeding by way of agreement. Further, as is implicit in what has been said, the reports carry greater weight because they are agreed by all the members. The Committee on Exiting the European Union had no impact because it was completely divided and was, therefore, not taken seriously. However, if all the members of a committee are agreed and are signed up to a report, it can make a significant difference. That is why the role of the chair is important in making sure that there is agreement, that they carry the members with them and that, as they go along, the members are in agreement with the direction of travel.

**The Convener:** As convener, I am gently going to move us along, because I am conscious of the time. I will bring in Sue Webber, as her questions build on what we have just been talking about.

10:15

**Sue Webber (Lothian) (Con):** Yes, they do, and there has been a significant amount of overlap in the questions. My questions are on committee workload and time management. With my eye on the clock and my old convener hat on, I ask for succinct responses from the witnesses, please.

The last thing that members of the public would want is 175 MSPs, because they wonder what on earth we are doing in here anyway. Can you comment on the current approach to committee subject coverage and how we are mirroring



ministerial portfolios? Are there other ways to organise committees? I suspect that we have an awful lot of ministers in this Government, given the size of the thing.

**Dr Holden Bates:** The question is whether, formally, you have to mirror the Government departments. If you do not, the question is whether you can reduce the number and the size of committees. Two of the aims of the Wright reforms in the House of Commons were to minimise the numbers of members on committees, which they achieved broadly, and to reduce the number of committees, which they did not achieve.

I did not know very much about the Scottish Parliament, but I looked into it and I was a bit surprised about the committee substitutes and how many there are. I wondered whether they are needed, what the position is with regard to being quorate and so on. The committees in the Scottish Parliament have a legislative function, so substitutes might be needed for that aspect, but when the committee is carrying out an inquiry such as you are doing now, do you need substitutes to turn up who might not be that interested in the subject matter? I had a quick look at the numbers and I saw that there are some interesting gender dynamics. Basically, female MSPs are more likely to be substitutes, and they are overrepresented in that role. There might be issues to do with workload in the Parliament that are gendered, which you might want to look at.

**Sue Webber:** That is interesting, because we have not picked up on that in the gender audit work.

**Professor Stirbu:** Committees in the Welsh Parliament do not mirror the ministerial portfolios, and they have broad remits. The advantage of that is that a minister can be asked to appear in front of two or three committees, which will scrutinise their portfolio. The downside to that is that some issues are not picked up by any committee. From my research, I do not think that I have strong evidence that suggests that one way is better than the other.

Common knowledge suggests that mirroring executive portfolios leads to better scrutiny, but I do not have anything to add to that, other than to say that the Welsh Parliament does not do that.

**Sue Webber:** That is helpful. Professor Norton, please answer briefly.

**Professor Norton:** At Westminster, we are spoiled, because we have two chambers and they are both very large. The Commons has the members that enable select committees to mirror the Government departments—for every department there is a select committee. The Lords does not duplicate the work of the Commons—we seek to complement it—so we have committees

that are cross cutting. Lords committees transcend departments and focus on—

**Sue Webber:** It is a little bit of both, then.

**Professor Norton:** Yes, so the question is whether you could have a mix of the two.

**Sue Webber:** That is helpful. Earlier, the committee heard—I think from you, Dr Fox—about an internal document and you said that committees need to “prioritise ruthlessly in order to be effective”.

There is also the question of balance with regard to being led by officials. Speaking as an ex-convenor for the Education, Children and Young People Committee, I can say that we were very much led by the legislative agenda, and you can see some of the pressures that the committee is facing in the coming weeks in relation to the Education (Scotland) Bill. The committee is now having to meet on Wednesday evenings and all sorts of things.

Dr Fox, as you mentioned the internal document that might help with prioritisation, are there any other tools and approaches that committees could adopt to help to balance the legislative work and the proactive inquiry work, which is probably of more interest to people outside the Parliament?

**Dr Fox:** I would think about mixing up the type of work that you do. Yes, in a sense, the work on the legislative agenda has to be done. I suppose that I would throw a question into the air: does it have to be done to the exact timetable that the Government is imposing on you?

**Sue Webber:** That is a nice question.

**Dr Fox:** That is an issue. We all know the political difficulties with that, but let us imagine a scenario in which a committee turned around and said, “Actually, we’re not going to sit on Wednesday evenings to get this done by this date.” As I understand it, the Scottish Parliament does not operate with session or annual cut-offs in quite the same way as Westminster does, so it ought to be possible to better manage the legislative pipeline. Therefore, if the Government has not done that, that is perhaps not a reason—

**Sue Webber:** It is not our fault, as a committee.

**Dr Fox:** Yes. If a committee declined to do that once or twice, it would be politically difficult, but the Government might not be inclined to repeat the exercise. Anyway, that is a big political problem.

**Sue Webber:** I enjoyed hearing that. It was quite helpful.

**Dr Fox:** On policy issues, if you want to get public engagement or a higher profile, I would look at a new initiative in the New Zealand Parliament.

The initiative is in its embryonic stage, so we do not know quite how it will work, but the Parliament has introduced a scrutiny week. The Parliament gives the Government notice that there will be such a week two or three times a year. In the New Zealand case, the Parliament links the week to the budget and the estimates, because it is very concerned about its scrutiny of the executive on financial matters and the weaknesses of the system. For that week, the Parliament sits only in committee—there are no plenary meetings—and ministers are expected to make themselves available. The committees require certain reports to be provided to them, and ministers are brought in for questioning.

The initiative has gained quite a high profile; there has been quite a bit of media attention on it. The Parliament is trying to develop almost a festival flavour around the week in order to generate some attention. Committees concentrate a high level of planning and effort over a short period, and that work is separate from their legislative work. It gives committees an opportunity to do something a bit different.

**Sue Webber:** That is interesting. My next question is on that theme, but it is about engaging not with ministers in that manner but with external stakeholders. How can we be much more effective in leveraging our relationships with external stakeholders to drive more effective scrutiny and support the work of committees? External stakeholders who give evidence, such as you, make committees more effective and provide a supporting role. Do you have any thoughts on that?

**Dr Fox:** I will make two very quick points. First, in the House of Commons, there is very effective use of an outreach service, which involves staff based in the regions who develop their own community networks and link into committee inquiries. They promote committee work through civil society networks and encourage more people to give evidence—

**Sue Webber:** They are not based in Westminster; they are geographically spread across the country.

**Dr Fox:** Yes, they are based in the regions. That means that more and more of the committees are able to get evidence that is not, bluntly, from witnesses such as us, the usual suspects, but is from people with lived experience—I hate that term, but it is well used—which is what you want, particularly for inquiries into health, education or welfare.

Secondly, in the Swedish Riksdag, there are future days. On two or three days a year, witnesses are brought in to consider big strategic questions. There is a mix of expert witnesses and

members of the general public, who are invited to suggest inquiries.

**Sue Webber:** We have touched on doing that with our people's panel on drug-related deaths, which I attended.

**Professor Norton:** In the House of Lords, we have a peers in schools programme through which we speak to schools online and go out to them in person. We have done that quite extensively, and a lot of peers are involved in that programme.

At the institutional level, there is the issue of having resources to ensure that what you are doing is accessible. The challenge is not so much with the institutions, because Parliaments are generally alert to the need to engage with people and to hear from them; it is getting people to want to be involved, because they are not always that interested.

That is a challenge however much you put out there. There are different ways of holding an inquiry, but what is the first thing that a committee does? It puts out a public call for evidence, emphasises that it is holding the inquiry and puts material online. However, how many people get in touch other than organised interests who are already monitoring what is going on?

The question is how you do that. I remember that when the Constitution Committee did the first big inquiry into devolution, we did a lot of work inviting members of the public to put in evidence, because we were already going to get evidence from the great and the good. We heard from a member of the public in Wales, but that was about it—although it was actually very good. There is a challenge, because you can put material out there—

**Sue Webber:** The public get fatigued by all the consultations that go on at different levels.

**Professor Norton:** Yes. When the Scottish Parliament was set up, you were very much ahead of the game on petitions, which have since really taken off at Westminster. There are now online petitions to the House of Commons, which is certainly one way of engaging the public.

I find petitions very useful from a parliamentary point of view, because you can see when a subject gets many signatures, and you might not have realised that the issue was so significant. In the Commons, if a petition gets 100,000 signatures, it is eligible for debate in the house, and, in practice, I think that every petition that has received that many has been debated. Indeed, many other petitions that fell short of 100,000 signatures but were on important topics have been debated, so the system is proving its worth.

**Professor Stirbu:** I agree with all that has been said. Storytelling is important, and a committee's

external and multichannel communications about an inquiry or their work should be managed in order to attract attention.

I made a point in the report for the Welsh Parliament in 2021 about the importance of the data infrastructure that the Parliament presents. Data about the work of the Parliament and the work of the committees should be available for institutions such as higher education institutions and researchers, so that proper evaluations and research can be conducted. Once data and insights from the Parliament are available, many people, such as us on this panel, will be very interested in analysing that data and communicating it much more broadly than this particular forum. That is also something to think about.

**Sue Webber:** That is helpful. We heard your examples about people in other parts of the country. How do visits from committees and off-site evidence taking impact the culture of committees and the relationships between committees, Parliament and the public?

**Professor Norton:** It is a challenge. I have been on committees that have gone out and taken evidence, but committees usually take evidence from organised interests and there is no great public involvement other than the public being eligible to attend and follow the proceedings.

**Dr Holden Bates:** One committee that I sat in on had an evidence session behind closed doors with people who had been affected by a particular issue that you would not want to be talking about in public, and that was run very differently. We were not in a room like this; it was in Parliament but there was a relaxed atmosphere. There were pastries and so on. That was done in a very different way, and the committee was able to take evidence on a subject that it would not otherwise be able to get. You might be able to get people to fill in a form on such subjects, but you would not otherwise be able to get that kind of direct experience or the interactions between the committee members and the people affected.

**Sue Webber:** We did something similar with the Promise, which is a policy for care-experienced young people. We held an informal meeting with those young people, who were quite insightful.

**Professor Stirbu:** What I have heard from the Welsh Parliament perspective is that those off-site visits can be very powerful. Politicians love those, because they put them in touch with people with lived experience. The question is how you acknowledge the value of those exercises. It is important to translate that into a committee report and acknowledge what people have heard and learned from such visits—otherwise, they remain a

public relations exercise in the view of the people whom you have engaged with.

10:30

**Sue Webber:** How would you change those from a PR exercise to something much more substantial and connected?

**Professor Stirbu:** In the Welsh Parliament, for instance, committees have changed their way of reporting. Since the second or third Parliament, they have had sections in reports that describe visits or interactions with the public and acknowledge their value. Just being quoted or mentioned in a report makes a difference. It is about acknowledging the value of those exercises to the inquiry and to committee members.

**Annie Wells (Glasgow) (Con):** Good morning. Thank you for taking the time to speak to us today. My questions are on representation and diversity in committees. Obviously, other legislatures are looking at diversity and representation. Is there an argument for incremental change, or should there be an immediate effect to allow diversity to be embedded?

We are mainly a female committee. Do you believe that having diversity in a committee by having more female or ethnic minority members makes the scrutiny of witnesses better?

**Dr Holden Bates:** It certainly makes it different. We are doing a bit of research on the Treasury Select Committee, which traditionally was very male dominated. It then had a female chair, and then a male chair but a female majority membership, which certainly made a difference to the issues that were looked at. We are doing another bit of research—this has to be taken with a pinch of salt because it has not been published yet—that shows that having female chairs or majority female membership makes a difference to the proportion of female witnesses who are called. Work in the US relating to ethnic minority legislators has found that diversity makes a difference to the topics that are focused on, even in areas where you would not necessarily expect there to be a gender or race focus.

I have looked at the breakdown of members in the Scottish Parliament and, overall, it seems fine. Especially at convener and membership level, the situation seems to be broadly proportionate. Women are underrepresented among deputy conveners and, as I said, they are overrepresented among substitutes. However, when you look at individual committees, you find that they follow a pattern whereby men are overrepresented in policy areas that are perhaps more prestigious and that are seen as stereotypically masculine policy areas. That mirrors what goes on in other Parliaments.

I would prefer to go for a big bang approach, because there is no point in saying, for example, that there should be a minimum of one woman on each committee if you get one woman on certain high-profile and more prestigious committees and then a lot of women on the less prestigious committees.

Diversity makes a difference, both to whom committees talk to and what is talked about.

**Professor Norton:** I agree about the value of diversity on committees. As someone who has chaired committees as well as being on them, I am conscious of the value of that. You could say that in the Lords we have the benefit of it, because of the method of appointment. Because you are appointed, you can take that into account in ensuring that the membership is diverse; you are not dependent on election by members and on stipulating whom members should choose. Indeed, I was just thinking about the committees that I have been on, and the membership of the Constitution Committee, which I chaired when it was first set up, was quite diverse. Committees benefit from that.

**Dr Holden Bates:** I am sorry, but there is one more thing I should have added. Again, looking at the most recent elections for select committees, we see that, in terms of gender and ethnicity, the committees are doing very well, but there is some concern about geographical representation. A lot of the Treasury Committee members are from London, and I do not think there are any MPs from outside England on the Defence Committee. That is not how things have been done traditionally. When talking about these issues, you have to balance different kinds of representation.

**Annie Wells:** I have a very small supplementary to that. When we look at diversity, are we sometimes overburdening females by putting them on to more committees in order to get that gender representation? Is there anything more that we in the Scottish Parliament can learn from other places to ensure that we do not put pressure on females just to make up a gender-balanced committee?

**Dr Holden Bates:** There is a reasonable proportion of women in the Scottish Parliament, but the issue is that they are not evenly spread across committees. Therefore, the issue is not having those imbalances where some committees are all male and some all female, and ensuring roughly 40 per cent representation on each committee.

**Professor Norton:** It is not a motivation at Westminster. If there are women on committees, it is because they want to be on them; in the Commons, they will have stood for them, or in the Lords, they will have put their names forward and

said, "I would like to be considered for this committee."

**Annie Wells:** It is slightly different up here, because we get selected by our party. However, I will leave that there.

**The Convener:** I think that Diana Stirbu wants to comment, too.

**Professor Stirbu:** I have just a very quick point. I think that I agree with what has been said; we cannot divorce this question of representation and diversity in committees from the wider question of representation and diversity in the whole Parliament and whether a critical mass of women is being represented. Yes, the Scottish Parliament is ahead of the game in the gender-sensitive work that is happening; the issue is just the spread.

**Dr Fox:** It is also a product of the fact that, with the increasingly fragmented party politics that we have, certainly at Westminster, we are seeing an increasing number of smaller parties and a desire for them to be represented on committees, too. The challenge is in managing that when those party groups might have few or no women, as it will put a greater onus on women in the other parties to make up the diversity balance. That will become a different pressure.

In the House of Commons, members are elected within their party groups, but Labour deployed a 50 per cent requirement for women on committees. To what extent any of them might have been dragooned, though, I do not know. We do not know much about the internal party electoral system for committees in the Commons, so other factors might be at work in other parties, too.

**Annie Wells:** Thank you.

**The Convener:** Certainly, here in Scotland, we are bound by the d'Hondt principle with regard to party representation.

Just before I hand over to Rona Mackay, I have a question. Do we need incremental change to achieve this end, or do we take a brave step and say, "This is what we are going to seek in gender balance" and just write it in? Is there evidence that incremental change will get us there, or is there evidence that a solid decision by one chamber, whichever way it went, had effects that have carried on?

**Dr Holden Bates:** I would prefer to have the rules changed, and then people would have to abide by them. That seems, to me, to be the way to go, because otherwise, as I have said, you might get imbalances across committees.

**The Convener:** Thank you. Does anyone else have any comments? Having put that big question

out there, I am not going to close down the discussion.

**Dr Fox:** On the question about how that matches up against party politics and the political representation of balance, I would be concerned, purely because you could end up with a small number of women from one or two parties who face a greater burden.

Before going for the big bang, at the start of a Parliament, when you know the numbers of women, you would want to do a detailed analysis of what you are aspiring to but consider, "In practice, are we going to make the situation worse?"

**The Convener:** Should that be addressed as one of the first questions in a new session—perhaps just after the Presiding Officer's election but before anything else—because you would then know the template that you were sitting with?

**Dr Fox:** Yes, because you would know the numbers.

**The Convener:** That is helpful.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** Good morning, panel. I will probably be the last questioner, so I will just leave you with a few take-aways from what we have been discussing. We have 129 MSPs in the Parliament. I am the chief whip of the party that is in government, and all my members are on two or three committees, as we have talked about. They are populated through the d'Hondt system, which means that, as the convener has just referenced, the largest party gets the most committee members, so I work with 36 back benchers on 16 committees.

I do not agree with my colleague Sue Webber. I think that we do need more MSPs, because our workload is increasing, which is, thankfully, due to increased powers and so on. Nearly all our committees have a full legislative agenda, which leaves very little time for inquiries, scrutiny or things that we should be doing and would like to do but simply do not have the time or people to do. I am totally in favour of gender balance, and I am on the gender-sensitive advisory panel, but you can only work with the members that you have. At the moment, we have quite a good gender balance across the Parliament. It might not be like that in the next session, and the points that we have just been talking about will be really important right at the start, when we will need to look at the practicalities.

As chief whip, I allocate places on committees, and I try to ensure gender balance where I can, but that is not always possible. Sometimes, the logistics do not add up for you to do exactly what you would want to. Stephen Holden Bates raised the issue of substitute members, which are really

necessary in this Parliament because we have such a big legislative workload, and bills go to committees at stage 2. If someone is off ill, as happens in every workplace, we have to have somebody who can step in.

That is just a wee synopsis of what we have been talking about. My questions relate to the role of conveners, the move to having elected conveners, how that is working in other legislatures and the remuneration aspect. Diana, what has been the impact of the introduction of elections and remuneration for committee chairs in the Senedd, and how has it affected the role?

**Professor Stirbu:** That is a really interesting question, because the impact of electing chairs has not been formally evaluated. However, from the research that I conducted in my fellowship—I interviewed only the chairs, mind you—I heard quite interesting narratives around the fact that being elected gave committee chairs greater independence and authority and a more powerful mandate to run the committee in the way that they wanted.

The Senedd's Presiding Officer mentioned the importance of committee chairs being elected and able to command the agenda in such a way. Although there has not been a formal evaluation, the narratives from the interviews that I did, which I looked at a couple of days ago, were largely positive. The Chairs' Forum recommended the change, so it is embedded now.

10:45

The Future Senedd Committee recently looked at the various thresholds in the Senedd's standing orders for electing the chairs of committees. Currently, there is a threshold requirement for nomination that it be seconded by a member of the same political group if that group has more than 20 members. The Future Senedd Committee has recommended that the threshold of 20 members be removed and that all nominations should require a seconder but not necessarily from the same political party.

There has not been a formal evaluation of the impact of electing chairs, but various committees are picking up on the idea. The move may be quite small but it speaks to the fact that the change might become embedded and that it is seen as leading to committee chairs having more independence from political party groups.

There is also talk that the Chairs' Forum will conduct a formal review of committees before the end of this parliamentary term. We do not know whether the idea of elected conveners will be part of that review. However, from the evidence that I have seen, the Senedd's perceptions of the idea are largely positive.

**Rona Mackay:** When was the change introduced?

**Professor Stirbu:** It was introduced at the beginning of the fifth Senedd, in June 2016.

**Rona Mackay:** It was in 2016.

**Professor Stirbu:** It came on the back of a recommendation from the Chairs' Forum at the end of the fourth Senedd. The context of that was that there had been some examples of quite outspoken committee chairs who had been removed from their roles by their party groups. Most notoriously, Dafydd Elis-Thomas was removed from his role by Leanne Wood, so there was some political context there.

**Rona Mackay:** Does anyone else want to comment on the idea of elected conveners? Ruth Fox, I know that such a system has been in place in Westminster for some time.

**Dr Fox:** Yes. The Hansard Society was the first organisation to recommend paying committee chairs more. The society's objective was to develop a strand of senior back benchers who would see the committee corridor as an alternative to ministerial office. That has not happened. Stephen Holden Bates can tell you more about how the interplay between ministerial office and the committee chairs has developed, but that objective has not really been achieved. There are a very few exceptions, but those exceptions would probably have happened anyway.

The change has given status and profile to the role of committee chair. However, what we are seeing more often is that, from a committee chair, someone vaults into ministerial office—or they vault from ministerial office to a committee chair. There are advantages and disadvantages to that. The advantage is that the former minister knows where the bodies are buried. The former minister may also know which bodies they do not want to be uncovered—we tend to talk less about that. Stephen Holden Bates can talk more extensively about that than I can.

**Dr Holden Bates:** What Ruth Fox said is correct and I will add three things to it. First, the introduction of elections at Westminster was good for female candidates for committee chairs. There is not so much of an issue with that here in Scotland, as far as I can tell, although there is a bit of a gender imbalance in relation to which committees women MSPs chair.

Secondly, there is some evidence that the election of chairs and members raises the media profile of committees. It helps to get the message out to the public.

Thirdly, having an elected convener would help in one situation that has come up in this discussion. If there is pressure to hurry up the

legislative timetable, an elected committee convener might have more heft to say, "No, I am not going to do that."

In general, electing chairs and conveners strengthens the Parliament's position in its relationship with the executive. That is a good thing.

**Rona Mackay:** I am conscious of the time, so I will wrap up with some final questions. Do elections and remuneration for conveners have to go together? Could we have elected conveners without remuneration? Would elected conveners introduce a more political dynamic? How would elected conveners work with the general running of committees?

**Dr Fox:** Remuneration and elections do not have to go hand in hand. At Westminster, remuneration was introduced a number of years before the election of committee chairs was. I am trying and failing to remember when remuneration was introduced, but the aspects were introduced separately, so that can be done.

On the politics, the approaches to the electoral process for members and for committee chairs are different. Some committee chairs at Westminster are still appointed, not elected. When the position of chair is held by one party, by the nature of the electoral process, the main Opposition party in particular is given an outsized influence on the selection of that party's chair, and there is some evidence that Opposition parties like to think about who might be more likely to be a thorn in the side of ministers. You can see that in the electoral process and in how lobbying goes on.

There is plenty of evidence that, once someone becomes the chair of a select committee, even if they were seen as traditionally being more supportive of the Government, they feel that they have as much of an obligation to the house as they have to their party—some of them talk in that way.

The position might be different in Scottish Parliament committees, because there are the legislative obligations and the whipping that Westminster does not have, so the cultural context is different, but low party politics certainly goes on.

**Rona Mackay:** To be honest, it could not really be any other way—we have to be realistic about that.

**Professor Stirbu:** In Wales, committee chairs are paid for the role. I do not think that there should be a straightforward assumption that being a chair should involve extra payment, but that might make a difference in very small legislatures with very heavy workloads.

On the politics, during my interviews with committee chairs in Wales, I was surprised that it

was Labour chairs who were adamant that they should be critical of the Government, that committees should promote an independent and tough scrutiny culture and that the Government should not get away with things. I remember the particularly strong views of one Labour committee chair, who said that she had decided to run for chair because, time and again, she had seen recommendations of the committee, which she had served on previously, not being implemented, so no difference had been made. She took it upon herself, as chair, to drive scrutiny and the committee's agenda.

For some elected chairs, the role, the profile and even the remuneration are very important.

**Professor Norton:** At Westminster, the two houses have very different practices, and each is different from Holyrood. As Ruth Fox said, the election of chairs has transformed the culture in relation to the role of chairs and how they are seen. They are more independent and more critical of the Government, and they have a higher profile. They also do not need to be remunerated.

The Lords has a different method. Chairs are appointed by the house, so it is not like it is here, where committee members are appointed and choose the convener. In the Lords, the house appoints the chair, which gives them a different status, because they have the authority of having been appointed by the house. The motion that appoints committee members includes who will chair the committee. The Lords therefore uses a different method.

**Rona Mackay:** It is really interesting to hear how everything operates.

**Dr Fox:** The only other factor that I will throw into the mix links to what I said about the post-election situation. Depending on turnover, members' knowledge about the pool of candidates who are seeking election might be quite limited. That was certainly a challenge at Westminster, given the sheer number of new MPs after the election, and the MPs who sought to become committee chairs included some new MPs.

The House of Commons Procedure Committee is carrying out an inquiry into that electoral process, because MPs became so frustrated and annoyed with the immense level of campaigning by candidates for chairs. That is one side of the issue, and another relates to knowledge of the candidates. There is nothing wrong with change and having somebody new—that can be good—but there are also downsides if somebody loses out simply because they are not familiar to a massive new group of MPs. There are pros and cons.

**Rona Mackay:** The situation would be different in the Scottish Parliament, which is much smaller.

I am coming to the end of my second session in the Parliament, so, at the risk of sounding a bit creepy, I want to say that the back-up from the committee clerks and research teams has been exemplary. We could not have asked for more, and I think that everyone feels like that. We have fantastic committee back-up.

**The Convener:** I certainly do not think that that sounds creepy. I think that every committee member is glad to have that support.

I thank the witnesses for what has been a fascinating and, at times, in-depth discussion. If you have any subsequent thoughts, please reach out to the clerks as our inquiry goes on. Thank you for your contributions and evidence.

10:56

*Meeting continued in private until 11:19.*





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