Official Report
Aithisg Oifigeil

Standards, Procedures and Public Appointments Committee

Comataidh nan Inbhean, Dòighean-obrach agus Cur-an-dreuchd Poblach

Thursday 25 June 2026

Session 7

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STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE
1st Meeting 2026, Session 7

CONVENER

*Jenni Minto (Argyll and Bute) (SNP)

COMMITTEE MEMBERS

*Jackie Baillie (Dumbarton) (Lab)
*Tim Eagle (Highlands and Islands) (Con)
*David Linden (Glasgow Baillieston and Shettleston) (SNP)
*Mark Simpson (North East Scotland) (Reform)

*attended

LOCATION

The James Clerk Maxwell Room (CR4)

Scottish Parliament

Standards, Procedures and Public Appointments Committee

Thursday 25 June 2026

[The Convener opened the meeting at 10:06]

Interests

The Convener (Jenni Minto): Good morning and welcome to the first meeting of the Standards, Procedures and Public Appointments Committee of session 7. We have received no apologies.

This committee has a unique role in the Parliament. We are guardians of the Parliament's standards, as set out in the code of conduct for MSPs, and of the Parliament's rules, as set out in our standing orders. This is a privileged place and, no doubt, we will have some substantial issues to discuss. Party politics will never be fully absent from our work, but there is a special responsibility on all of us to leave our party hats—if I may put it that way—at the door. I hope that we form a collaborative and trusting relationship; I am committed to doing so.

Our first agenda item is a declaration of interests. Each member of the committee must make their declaration of interests relevant to the remit of the committee. As the clerk's paper explains, if you think that you have relevant declarations to make, you should do so in a reasonably clear and transparent manner. I remind you also that this is a general declaration of interests—we also have a duty to make declarations where necessary in relation to specific items of business that we may have in future.

I will start. Per my entry in the register of members' interests, I have no registered interests to declare. However, I have made declarations of voluntary interests, which include that I am a member of the Islay Energy Trust and RSPB Scotland, and a trustee of the Museum of Islay Life. I do not derive any financial benefit from any of those. I also have a shareholding in the Islay Energy Community Benefit Society, which returns, on average, 4 per cent interest per year.

I turn to committee members, in alphabetical order.

Jackie Baillie (Dumbarton) (Lab): I have no relevant interests to declare. I refer people to my entry in the register of members' interests.

Tim Eagle (Highlands and Islands) (Con): I have no relevant interests to declare. Just to let everyone know, I am a farmer and I operate my own business—I own a sheep farm up in Buckie. I am a former councillor; I operate as the chief whip for my party, the Scottish Conservatives; and I am a member of the Royal Institution of Chartered Surveyors.

David Linden (Glasgow Baillieston and Shettleston) (SNP): I have no relevant interests to declare. In the interests of transparency, I stipulate that my partner, Cat Smith, is the British Labour MP for Lancaster and Wyre and is chair of the House of Commons Procedure Committee—so, obviously, this committee has some connection to her work.

Mark Simpson (North East Scotland) (Reform): I have nothing to declare.

Deputy Convener

10:09

The Convener: Our second agenda item is the nomination and selection of a deputy convener. The Parliament has agreed that only members of the Scottish Conservative and Unionist Party are eligible for the position. Tim Eagle is the representative of that party on the committee, so I nominate Tim Eagle to be our deputy convener.

Tim Eagle was chosen as deputy convener.

The Convener: I welcome Tim to the role.

Decision on Taking Business in Private

10:10

The Convener: Our third agenda item is a decision on whether to take items 4, 5 and 6 in private. Item 4 is consideration of correspondence from the Presiding Officer about his guidance on conduct in the chamber. Item 5 is consideration of whether to modify the party representation requirement for cross-party groups as set out in the code of conduct. Item 6 is consideration of our work programme. Do members agree to take those items in private?

Jackie Baillie: I suggest that we take items 4 and 5 in public. I accept that discussions of the work programme are usually held in private before the work programme is made public. However, I think that we as a committee should, where possible, operate with the presumption that we will do things in public, while, obviously, absenting those areas that are clearly sensitive. We should start as we mean to carry on; therefore, I move that we keep items 4 and 5 in public.

The Convener: Thank you, Jackie. That is a fair point well made. As there is no dissent in the committee, we will take items 4 and 5 in public and item 6, which is the consideration of our work programme, in private.

Conduct in the Chamber

10:11

The Convener: Our fourth agenda item concerns a recent letter from the Presiding Officer. It is about two documents, both of which have the word “guidance” in the name, so I will try to keep my comments as clear as I can. First, there is the PO’s new “Guidance on Conduct in the Chamber”, which was issued earlier this month. Secondly, there is the “Guidance on the Code of Conduct for Members of the Scottish Parliament”. Our committee owns, as it were, the guidance on the MSP code of conduct, and it is for us to decide on any revisions to it. The PO’s letter—sorry, the Presiding Officer’s letter—asks us to consider how best to incorporate reference to his guidance in our guidance.

This is a good early reminder of the committee’s role as guardian, in effect, of the code of conduct and its interpretation through documents such as our guidance.

The clerks have set out two proposals for updating our guidance. The first is to follow precedent by summarising, within the guidance on the code, some of the key information that is in the Presiding Officer’s guidance. In annex B of paper 3, the clerks have set out how we could do that by using tracked changes to show the changes that are being made. The clerks acknowledge that working out which paragraphs of the PO’s guidance to highlight in that way is somewhat arbitrary, however helpful it is to do so. They have sought to exercise judgment on which paragraphs seem to be more important, but other choices could have been made.

The second proposal is to simply provide a hyperlink in the guidance on the code of conduct to let the PO’s guidance speak for itself, rather than to extract bits of it. That approach is shown in annex C. Do members have any comments on their preferred option?

David Linden: I am quite content to go with the second option, which, for clarity, is in annex C—it is to simply provide a hyperlink. That strikes me as being a fairly reasonable way forward. I propose that we go for that option.

Jackie Baillie: I am relaxed about which option is pursued. I could be persuaded to go for either.

However, I want to clarify a point that I think is fundamental to the operation of the Parliament. Under the first bullet point of paragraph 14, as set out in annex B of paper 3, it says:

“with remote participation limited to exceptional circumstances where prior consent has been granted by the Presiding Officers.”

We pride ourselves on trying to be a family-friendly Parliament, and there are many members with caring responsibilities. I am sure that it is not intended that, on each occasion that a member may have to go home to deal with something and need to vote remotely, they are required to get permission first. Can we get clarity on that particular issue? I would not want the wrong signal to be sent.

10:15

The Convener: I fully concur with that point and agree that that decision should be made by the parties themselves, as I believe is currently the case. I am very happy to get clarification on that point.

I think that you suggested that having a hyperlink was your preferred option.

Jackie Baillie: I am relaxed about either option.

Mark Simpson: I am also fairly relaxed. Having a hyperlink is probably the sensible way of going about it.

Tim Eagle: I am very relaxed about that.

I echo Jackie Baillie’s point, which was really well made. I did not see the phrase “exceptional circumstances”, but we do pride ourselves on being family-friendly. We have members who might have family duties at home and might have a change of circumstances at very late notice. I do not mind the sentence that Jackie Baillie referred to being in there, because it is beneficial for members to be in the chamber, but in circumstances in which a member needs to be at home, we need to accept that that can be arranged with their party. It would be good to get clarification on that point.

The Convener: Great. To confirm, we will get clarification on the requirement to seek authorisation from the Presiding Officer or others to vote and attend remotely, and there is general consensus that providing a hyperlink in the guidance is the right approach.

Cross-Party Groups

10:16

The Convener: Agenda item 5 is consideration of a committee paper on party requirements for cross-party groups. Section 6.9 of the code of conduct for MSPs explains that a

"CPG must have at least 5 MSP members including at least one MSP from each of the parties or groups represented on the Parliamentary Bureau."

Our paper speaks for itself, but it discusses the need to strike an appropriate balance between ensuring that, on the one hand, the "party representation requirement" is not too onerous and, on the other hand, is strong enough to ensure that all CPGs are genuinely cross-party.

My suggestion, which is based on our paper, is that we use the committee's power to require new or re-registering CPGs to have members drawn from at least four groups represented on the bureau. The requirement to have at least five members overall would remain unchanged.

I seek your views on that proposal.

Tim Eagle: I will be careful about what I say, because cross-party groups are very useful. I have been in the Parliament for only two and a half years and I see great benefit in them. However, I also recognise that MSPs can engage with people inside and outside of this Parliament in a broad range of ways, and nothing prevents them from starting up groups that are less structured than a cross-party group.

It comes back to the fundamental point that cross-party groups should genuinely be cross-party. There is a benefit in being able to say that, in the eyes of the Parliament, we are all working as one when we consider the establishment of a CPG. Otherwise, there is a risk of ending up with a large number of groups that are not supported across all parties.

I would argue that it is best to leave the arrangements as they stand rather than make changes. The existing approach forces us to all come together, explain exactly why they we want to establish a CPG and work cross-party to get the necessary approval.

The Convener: Okay. Thanks, Tim.

Jackie Baillie: This parliamentary session is unprecedented in that six political parties are represented on the bureau. Some parties are larger than others, and, in this session, setting up cross-party groups will require securing at least one member from each party. That will be particularly challenging for the smaller parties, placing the onus on them to field members for multiple groups; otherwise, those groups cannot be established.

I am inclined to agree with you, convener, that requiring CPG membership to be drawn from four of the six parties is not unreasonable and would be welcomed by those who engage in cross-party groups.

The Convener: Thank you. Mark, do you have any comments?

Mark Simpson: No, I have nothing to add.

David Linden: I have oscillated on this issue. I have a lot of sympathy with what Mr Eagle said, in that there should be a high bar. I am new to this Parliament, but I have experience in other legislatures of seeing a mushrooming of what, in the case of Westminster, are called all-party parliamentary groups.

The process tends to be that, at the very beginning of a session of Parliament, when there are lots of new members and everyone is excited—perhaps before they have got into their committee work—a lot of cross-party groups start springing up. However, many later wither on the vine.

I was struck by the session 6 legacy report that our predecessor committee produced, which stated that around 20 groups were struck off during that session.

My starting point, therefore, is that there should be quite a high bar for establishing a cross-party group. We need only look at the list of around 120 CPGs in the previous session to see some pretty clear overlaps.

I realise that saying that may not make me popular, but sometimes it is better to be right than popular.

On balance, based on Mr Eagle's argument, I am minded to suggest that we keep the current arrangements so that the bar remains high. I appreciate that there are challenges in the current session of Parliament; we are all aware that polarisation exists. There is therefore an onus on us, as MSPs, to work together, and, in time, that will bottom itself out.

My starting point is that we should have quite a high bar to ensure that people can get the numbers that they require for CPGs. I note that I am not convinced that the 120 cross-party groups that we currently have are all required.

The Convener: Thank you for your comments. There are other ways of looking at how we ensure that we have the right number of CPGs—another suggestion is to limit the number of CPGs of which an MSP can be a member.

I feel very strongly that we need to ensure that we have a broad range of CPGs in the Parliament that cover difficult topics that perhaps not every party supports. Given the balance of the Parliament, and—as Jackie Baillie mentioned—the smaller size of some of the parties, enabling members to attend different CPGs could become even more onerous.

My view, therefore, is that the starting point should be representation from a majority of parties on the bureau. That is the right way to go.

Tim Eagle: I hear what you are saying; you have probably put it slightly more eloquently than me. However, under that approach, a massively broad range of cross-party groups could be set up. I get your point about what the cap would ultimately be, but nothing prohibits an MSP from having a group outside the cross-party group context.

We are talking about trying to ensure, as I think that you were saying when you mentioned a high bar, that, where we have a cross-party group in the parliamentary setting, it is set up—this is not a popular thing to say—not to cause conflict or disagreement between parties, but to genuinely foster cross-party support and work on the key issues that we absolutely need Parliament to focus on.

I recognise that there are some very difficult topics that it would be beneficial to discuss, but that can still be done—there are other options for doing that.

Why four out of the six parties? At present, all six parties are required to sign up. I think that four out of six is too few. I personally think that it should be all parties, because that constitutes a genuinely cross-party group. I could be persuaded by five out of six, if we were not to agree to six, but I think that four is too low, as that would allow for much more division than just accepting that setting up a group requires at least the vast majority to agree.

The Convener: I hear exactly what you are saying. However, I think that, at this point, in a new session of Parliament with six different parties in the chamber with quite varying numbers, we must initially look at how we get the right CPGs set up. That is part of the responsibility.

My personal view, which I think reflects Jackie Baillie's view, is that putting the limit at six, with a member from each party, may make the bar too high for certain areas in which we require CPGs.

I have worked with CPGs across parties, and Tim Eagle is right that there is a huge strength in that. However, by setting the bar so high, we may be losing CPGs that cannot achieve that breadth but could still be established to work with parliamentarians and challenge the Scottish Government.

Tim Eagle: I get that. However, if a group cannot command the support of five of six of the parties, I would find myself asking, "Why is that? What is it about that subject?" Take topics such as rural policy, brain tumours or crofting—we can naturally see why everyone would support a CPG that examined those areas.

If, however, we are talking about controversial topics such as Palestine or Israel, for example, we need to ask ourselves whether there is a benefit to having that cross-party group. If it cannot be genuinely cross-party in the Parliament and has only four of the six parties supporting it, what will that group achieve? Is it beneficial to the Parliament at that point?

I use those purely as examples, but I am not sure whether such groups are necessarily helpful in that context, or whether those are discussions that we should have outside Parliament, or ones that parties need to come together in order to consider what the remit of that cross-party group would be.

There should be a high bar for cross-party groups, because the whole point of them is to foster relationships between parties, not to divide them into different parts.

Jackie Baillie: To bring a practical note to the discussion, cross-party groups have 120 days in which to set up, not including recess, so the clock is ticking. A number are already struggling, for two reasons. First, some members are saying that they want to wait to see what happens before volunteering to join cross-party groups, which reduces the pool. Secondly, we have placed a cap at 10, so, in reality, once members have committed to 10 cross-party groups, they cannot get involved in any others. They can, of course, attend them, but not as members.

We will also be interviewing all of the cross-party groups, if they are not simply repeats of previous ones, so we will have an opportunity to test how cross-party they are.

I would be very reluctant to require membership to be drawn from all six parties, because that would hand a veto to a particular party if it disagreed with a cross-party group's topic. Much as I believe in consensus and working together, there are occasions when not everybody will agree, and that does not mean that the issue should not be highlighted. Therefore, I would absolutely reject the requirement being set at six. I am prepared to discuss my preference, but it cannot be six.

David Linden: Ms Baillie might be leading me towards the compromise position that Mr Eagle outlined. I am not on the right of politics; I do not have any candle for it. However, if we end up in

the proposed situation whereby at least five MSPs are required, including one from each of the four parties, we will, in essence, have the four parties to the left—broadly and relatively speaking—in this Parliament and, with respect to our colleagues from the Conservatives and Reform, they will not be represented.

In the interests of compromise—if, as a committee, we continue to take that approach, I would be very happy—my proposal is that the requirement should be one MSP from five parties. That way, we would ensure that at least one party from the right is part of a cross-party group and, whether from the Conservatives or Reform, that MSP would add a degree of plurality to the group's voice. Otherwise, we will simply end up in a situation in which some CPGs will be set up with a combination of Labour Party, Scottish National Party, Liberal Democrat and Green MSPs, and those conversations will give us a centrist left voice. If we do not have members from the Conservatives or Reform in support, we will not get a plurality of voices.

The compromise position would be to require members from five parties, which would ensure that at least one party from the right is represented. I accept Ms Baillie's point that six is simply too high a bar.

The Convener: From experience, I would say that the most successful cross-party groups have been those that involved members from the Labour Party, the Conservative Party and the SNP—they worked together on a cross-party basis.

10:30

Mark Simpson: I am still very new here, so I am trying to understand exactly how all these things work. I completely agree with David Linden about having a high bar for cross-party groups. Tim Eagle touched on the point that they need to be truly cross-party groups—they are called cross-party groups, so having that level of representation is important.

I also took on board what Jackie Baillie said about a requirement for the six parties on the bureau to be represented effectively giving smaller parties a veto on cross-party groups. Having listened and taken all the points on board, I think that five would be a fair landing point.

The Convener: Okay. I think that there is a consensus for five parties to be represented in the membership, but, as Jackie Baillie said, that will not stop members of the sixth party from attending.

David Linden: We should be clear—when colleagues come before us to establish groups—that it is our hope that the groups will involve all six parties. We recognise the political reality in this place, but, when it comes to the message that is put out, I think that the expectation should be for all six parties to be involved. However, with regard to what is written down, I can live with five.

The Convener: Good. I started my opening remarks by talking about collaboration, and that was a very helpful example of where we can openly discuss decisions that we have to take.

Do members agree that CPG membership should include at least one MSP from five of the parties represented on the bureau?

Members *indicated agreement*.

The Convener: That concludes our formal business in public.

10:31

Meeting continued in private until 11:14.

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