

# **PROCEDURES COMMITTEE**

Tuesday 2 November 1999  
*(Morning)*

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## PROCEDURES COMMITTEE 6<sup>th</sup> Meeting

### CONVENER :

\*Mr Murray Tosh (South of Scotland) (Con)

### COMMITTEE MEMBERS :

\*Donald Gorrie (Central Scotland) (LD)  
\*Janis Hughes (Glasgow Rutherglen) (Lab)  
\*Gordon Jackson (Glasgow Govan) (Lab)  
\*Mr Andy Kerr (East Kilbride) (Lab)  
\*Mr Gil Paterson (Central Scotland) (SNP)  
\*Michael Russell (South of Scotland) (SNP)

\*attended

### THE FOLLOWING MEMBER ALSO ATTENDED:

Iain Smith (Deputy Minister for Parliament)

### COMMITTEE CLERK:

John Patterson

### SENIOR ASSISTANT CLERK:

William Venters

### ASSISTANT CLERK:

Jim Johnston



## Scottish Parliament

### Procedures Committee

*Tuesday 2 November 1999*

*(Morning)*

[THE CONVENER *opened the meeting at 10:01*]

**The Convener (Mr Murray Tosh):** I think that all the dramatis personae have now gathered, so we will begin. Welcome to the sixth meeting of the Procedures Committee.

### Standing Orders (Draft Changes)

**The Convener:** The first item on the agenda is a set of extracts from standing orders incorporating a variety of changes. I propose that we do not go through these documents page by page and paragraph by paragraph, but that we take them section by section. If any member has a question to ask or points to make, they will have the opportunity to do so.

Many of the changes are technical. The clerks' view is that if, once we have approved the changes, they discover any consequential changes of a minor nature, they should be allowed to make them without further consultation or reporting back to the committee. I hope that we can agree to their doing that, as it is essentially a technical and legalistic process.

**Members indicated agreement.**

**The Convener:** In chapter 2, there is a change to rule 2.2.

**Michael Russell (South of Scotland) (SNP):** I would like to say something, as the change involves consequential changes. The effect of this change, and subsequent changes, is to imply that Parliament's normal meeting day on a Wednesday should continue until 7 o'clock. I am pretty certain that the intention of the committee—and, I know from discussion, the intention of the Parliamentary Bureau—was that there should be the option of meeting until 7, but that it should not be enshrined in standing orders that that should happen every Wednesday. We need a form of words that makes it clear that it is possible to meet until 7, but that members will be given substantial warning if that is to happen. That should be included here and throughout the standing orders.

**The Convener:** That is a pertinent point. I see from the indications that members are making that everybody agrees with what Michael Russell is saying. We will instruct that the necessary changes be made.

That takes us to chapter 5. There are changes to rules 5.2 and 5.6. Are we happy with those?

**Michael Russell:** Consequential changes will have to be made to rule 5.6 as regards times for meeting on a Wednesday.

**The Convener:** We will make those changes throughout.

**Michael Russell:** Under rule 5.6.1(b), there is no formula for the division of the half sitting days for Opposition business, apart from one agreed between the Opposition parties. I do not have a problem with that, but it needs to be pointed out. Although the Procedures Committee decided that it would offer a half day to the two smaller parties, that will take place on the basis of a decision by the committee, rather than being enshrined in standing orders.

**The Convener:** If we have not done so, we can cover that by a letter to the bureau indicating our intention. I think that the bureau would be likely to accommodate that.

**Michael Russell:** The Tories and the SNP have agreed a division of five and 10 half sitting days for Opposition business. The two half sitting days for the smaller parties will now have to be added. The bureau should be notified of that.

**The Convener:** Is everybody happy with that?

**Members indicated agreement.**

**The Convener:** That takes us to chapter 7, on the conduct of meetings, to which rule 7.2.5 has been added. Iain would like to comment on that.

**The Deputy Minister for Parliament (Iain Smith):** I want to question whether it is necessary to include this provision in standing orders. The Executive is now content with the view of the Procedures Committee, as expressed at its previous meeting, that in Opposition day debates it should be the normal practice for the party that moves the motion to sum up. It does not seem necessary that that should be specified in standing orders. It might complicate standing orders unnecessarily to include something about who should sum up in debates. Perhaps we should simply accept that the practice will be as the Procedures Committee has agreed and advise the Presiding Officer accordingly.

**The Convener:** If the committee were minded to accept that, we could outline our decision in a letter to the Presiding Officer. As an Opposition debate is scheduled for later this week, we would do that immediately. By adopting Iain's proposal, we would be attempting to avoid being over-prescriptive in standing orders.

**Michael Russell:** I accept what the clerk says about this creating something of an anomaly, but I hope that if we sent a letter to the Presiding

Officer, he would be minded to rule that a precedent would be set this Thursday and followed thereafter. We have fought hard on the issue, and I am grateful to the Executive for the attitude that it has taken. In those circumstances, we want to ensure that this becomes established practice, rather than merely something that happens from time to time.

**The Convener:** I think that Sir David is very receptive to guidance notes from this committee.

**Iain Smith:** I am sure that the Presiding Officer can be given such advice at today's meeting of the bureau.

**Donald Gorrie (Central Scotland) (LD):** I voted for the suggested change, but it is quite clear to me that, on all other occasions—whether it is moving a motion or seeking to put through legislation—the Executive should have the right to reply, regrettable though that may be. However, if a member were to propose a bill on fox hunting, for example, I am not sure whether he or she would have the last word. Do we need a ruling on that, or should it be a decision for the Presiding Officer? Again, if the Procedures Committee, for example, were pushing through a bill that was not a Government bill, would the convener have the last word? It would be worth examining that in the future.

**The Convener:** I agree. I do not think that we need to add this to the priority issues, but the committee will need to consider and, if necessary, act on it, before the first member's bill comes before Parliament. We will, of course, be examining the procedures for members' bills. Donald Gorrie has made a pertinent point, which, as he says, also applies to committee bills.

That takes us to the deleted rule 7.4, the new rule 7.4 and the long and constructive legal opinion that is bracketed on the following page. My own view is that those matters can be dealt with perfectly adequately by the Presiding Officer, applying his own interpretation to the circumstances in which he might want to keep the staff on standby until midnight. That is most unlikely to occur, except in the most abnormal circumstances, so we need not detain ourselves on the issue any longer. However, if anyone is otherwise minded, we can discuss it, although we may end up back in Tom Shields's diary.

**Donald Gorrie:** There needs to be a good system for informing members of the Parliament about the late reconvening of a meeting that has suspended. If it is a needle issue and members do not hear about what has been decided, they will moan about being disfranchised.

**The Convener:** Again, that is a matter for the operation of the chamber. The Presiding Officer should attend to it, in any suspension that he

initiates. Here, again, we should not be over-prescriptive in standing orders. However, as with all these matters, if we misjudge that, we can return to it.

**Michael Russell:** Rule 7.4.1(e) might be slightly over-prescriptive in referring to "a lunch break". One can imagine circumstances in which there was an emergency meeting that went on all evening. We would then have to suspend for "a lunch break", although we were actually breaking for dinner. I do not want to be picky, but I wonder whether we should not add something to make it clear that the meeting can be suspended for lunch, coffee, meals and so on.

**The Convener:** It stands as a reproach to our legal advisers that they did not pick up on that technicality. However, Mike Russell makes a pertinent point—should we change the wording to "a lunch or other break"?

**Members:** Yes.

**Gordon Jackson (Glasgow Govan) (Lab):** One man's lunch is another man's dinner.

**Iain Smith:** I was wondering whether rule 8.16, on adjournment and closure of meetings, when moved by members, should not logically be included under rule 7.4. At present, rule 8.16 follows the rule on motions for adjournment of a debate, but it seems more logical that it should be included under the rule that deals with suspension and closure of meetings.

**The Convener:** We will consider that. I think that we have ruled out a disturbance. Is everyone happy with that?

**Members indicated agreement.**

**The Convener:** That takes us to rule 7.8, about which there is also a legal question. The suggestion is that, currently, the rules applying to committees are more flexible and we would be wise to leave matters as they stand. I think that we should accept that.

**Members indicated agreement.**

**The Convener:** That takes us to chapter 8. There is a change to rule 8.2, to deal with the issue of sub judice.

**Donald Gorrie:** Can Gordon or some other expert tell us whether there has recently been a definition of offensive language? I am asking him as a lawyer, rather than as a propagator of offensive language.

**Gordon Jackson:** It is like an elephant—it is hard to describe, but you know it when you see it. I cannot offer a definition of the word "offensive".

**Mr Andy Kerr (East Kilbride) (Lab):** I think that people work round the fringes of any definition.

**Michael Russell:** I am worried about the sub judice rule. I hear constantly about people being advised under the sub judice rule that they cannot raise a particular matter. I accept that the rule should be in standing orders, but either now or later I would like us to receive papers from the clerks on the sub judice rule and the rule of privilege. Members need to understand those rules, and it would help if the Procedures Committee considered them first.

**The Convener:** We can include that in our on-going work programme.

**Gordon Jackson:** I agree with what Michael Russell said. Recently, in the Justice and Home Affairs Committee, the deputy minister appeared before us and we were given legal advice by the staff that he could not speak about certain things. The convener, Roseanna Cunningham, thought that that was ridiculous, and I thought that she was absolutely right. I could not see any sense in the ruling. The issue needs to be clarified.

**Michael Russell:** The interpretation of the rule is so tight that we might not be able to discuss changes to parental placing regulations, if any appeals against such regulations were under way anywhere in the country. That has not happened yet, but there is some suggestion that it might. It would mean our ending up with complete gridlock on certain matters.

I am also worried about the issue of privilege. Although my understanding, on the basis of a previous ruling that I sought from the clerks, was quite clear, there still seems to be some nervousness in the advice that we are getting as to whether we enjoy the same rights of privilege that are enjoyed in other places. I suggest that at a future meeting we receive papers on sub judice and privilege, which would form the basis of a ruling that all members can understand.

**The Convener:** That sounds sensible. Is everybody agreed?

**Members indicated agreement.**

**The Convener:** Rule 8.5 remains the same, but there is a change to rule 8.16. That concludes our consideration of chapter 8.

We now come to chapter 11. There is a change to rule 11.2, which is consequential on all the others.

**Michael Russell:** In rule 11.2.2, 18:30 must be optional rather than prescriptive.

**The Convener:** We will pick that up, in the spirit of what we agreed earlier.

In rules 11.4 and 11.5 there are consequential changes. There is a substantive change to rule 11.7, to take issues 3 and 4 into account. There is a small consequential change in rule 11.8.5. There

are changes to rule 11.10.

10:15

**Michael Russell:** An issue arises out of rule 11.7.2(a), which will be relevant to other parts of the standing orders. I presume that somewhere in the standing orders it is stated, "for Presiding Officer, read Deputy Presiding Officer"—and that it is understood that the Deputy Presiding Officers are Presiding Officers for the purposes of the standing orders.

**The Convener:** We ruled on that in a sense, in handling the terminology, when we said that we would address them as Presiding Officers and would therefore regard the deputy as the Presiding Officer for all those definitional purposes.

**Michael Russell:** I would not want a challenge to them on that basis.

**Donald Gorrie:** I ask about the sentence underlined in rule 11.8.2. The first time that I read:

"If any member disagrees with the question put under this paragraph,"

I thought that it meant a member disagreeing with the wording and that it did not represent the issue. On second reading, I realised that it did not mean that. It seems a curious form of words to say:

"If any member disagrees with the question".

Is it a technical term, that a member "disagrees with the question"?

**The Convener:** When a question is put and a member disagrees, there is a division.

**Donald Gorrie:** Okay. It is just that the first time I read it, I misunderstood it, which means that other people might do the same.

**Iain Smith:** I wish to make a similar point to Donald's. On rule 11.4.3, is it necessary to have the part about casting votes again in that paragraph, because it makes it cumbersome and complex to read? When a division is taken again, it is not a fresh division—it is still part of the same division. Is it necessary to include that, as it adds to the confusion?

**John Patterson (Committee Clerk):** The officials debated this long and hard. Our advice was that it should be made crystal clear that members were casting their votes again. That is why that form of words appears.

**Michael Russell:** That is probably correct.

**Donald Gorrie:** If a member is very swithery on an issue, can he vote differently the second time from the first time? Is it a revote or a new vote? That could be an important point if someone was nobbled between divisions.

**Gordon Jackson:** Heaven forbid.

**Michael Russell:** I cannot imagine that happening.

**Donald Gorrie:** I might change my mind on an issue such as hunting, on which I am ambivalent. Am I allowed to do so between the first and second divisions?

**Michael Russell:** Are you saying that if—for the purposes of argument—hunt saboteurs were to interfere with the electronic machinery, they would still have a chance of getting your vote, as long as you had to vote twice?

**The Convener:** That could well be in *The Guardian* again, chaps.

**Michael Russell:** The issue cannot be addressed in the standing orders. It is a political point.

**The Convener:** We had reached rule 11.10. I was galloping through, or attempting to—no hunting analogies, please.

If members are happy with rule 11.10, we will move to chapter 12. There are extensive changes to rule 12.1.

**Donald Gorrie:** The officials raised a valid issue on rule 12.1.12. We agreed unanimously that we did not need a vice-convenor or deputy convenor, but if the convenor was ill and there was work to be done between meetings, to whom would the clerk relate to get it done?

**Michael Russell:** Rule 12.1.11B deals with that. It states that the temporary convenor

“shall exercise all functions of the convenor of that committee until the convenor is again able to act as convenor.”

**Donald Gorrie:** How would we establish a temporary convenor if, during the recess, when a lot of work was being done, the convenor were to walk under a bus or get hit by a golf club and were incapacitated?

**Mr Kerr:** Or fell off his horse while hunting.

**Donald Gorrie:** If the convenor were incapacitated, to whom would the clerk relate in progressing with any business?

**The Convener:** The oldest member.

**Michael Russell:** Presumably there would then be a meeting to elect a temporary convenor.

**The Convener:** The only difficulty is that if those tragic circumstances were to arise in the summer, a meeting would have to be called in the recess.

**Janis Hughes (Glasgow Rutherglen) (Lab):** The point that Donald is making is that if urgent business was to be decided, a meeting would have to be called anyway. If a decision had to be taken, a meeting would have to be called at which

a decision could be made about a temporary convenor.

**Michael Russell:** I think that is covered.

**The Convener:** Failing which, it would be the oldest member. Donald should have declared an interest.

**Donald Gorrie:** I was trying to relieve myself of some work.

**The Convener:** I well understand that point.

Is everybody happy with rule 12.1?

**Michael Russell:** Is the issue of the oldest member being unwilling to act covered?

**The Convener:** There is an issue about the oldest member chairing the first meeting to elect the convenor. That is taken up in one of the later papers.

**Michael Russell:** That still imposes a burden on the oldest member, who might not be willing to act.

**John Patterson:** That is covered by rule 12.11C (b).

**Michael Russell:** Yes. The rule states that any reference to the oldest committee member means the oldest member of the committee

“who has indicated to the Clerk that he or she agrees to chair the meeting.”

**The Convener:** In those circumstances, it could conceivably be that the oldest member was the youngest member.

**Michael Russell:** Yes. I feel a press article coming on; you had better be careful about that remark. We should not discuss it.

**Janis Hughes:** Rule 12.2.1 states:

“including the convenor, or deputy convenor”.

Should that say “temporary convenor”?

**The Convener:** Yes, it should. Well done.

**John Patterson:** Apologies.

**Mr Kerr:** That is a black mark.

**Michael Russell:** That is 1-0.

**John Patterson:** Surely more than that.

**Michael Russell:** Yes, it is about 100-1.

**The Convener:** That takes us to chapter 13, on statements and parliamentary questions.

We have made changes to rule 13.3 and 13.5 and extensive changes to rule 13.6.

I had a thought about paragraph 5 in rule 13.6, which is on oral questions. Hitherto, the standing orders had specified that there would be three questions to the First Minister. The suggestion is that that should become four. I wonder whether we



should specify a number. If the fourth question does not last five minutes, the Presiding Officer might wish to have a fifth question available. It would be regrettable if he were to be precluded by standing orders from establishing whatever number seemed reasonable. We might want to avoid being too specific.

Would members like to comment on that?

**Iain Smith:** I agree with the principle of what you are saying. I am not sure that there should be such a tight prescription, given that we are moving to a 20-minute open question time.

Another issue is how the questions are selected. The argument that questions for First Minister's question time should be lodged later for topicality perhaps removes the need for the Presiding Officer to select questions that he thinks might be topical.

The practice that has developed is that the Presiding Officer tends to select a question in the name of the leaders of the two main Opposition parties, to ensure that they get an opportunity. If we are moving to a more open procedure, provided that they are guaranteed the opportunity to participate in the topical debate, does the Presiding Officer need to select all the questions? Perhaps he could select two questions, and the others would go into an open ballot in the same way as other questions.

Do we need to follow the same procedure for what is a different type of question time from the original? I am not sure that the Presiding Officer is enthusiastic about having to select all these additional questions.

**Michael Russell:** A number of questions must be published. If it were left open, all the questions would have to be published. I think that four is unduly prescriptive. On Thursday, we could have fitted four questions into 15 minutes. Perhaps five or six should go on the order paper. We need to specify the number of questions to be published, but four is too low.

Iain has raised an interesting issue. It must be guaranteed that the leaders of the Opposition parties are given an opportunity to question the First Minister. The present mechanism is that a question from each of them heads the list. That is the best way to do it. Therefore, two of the six questions would be automatically chosen. There could then be another four questions, of which we might reach two or three.

I accept what Iain is saying, that we might draw in the leaders of the Opposition parties on supplementary questions. I am not sure that that is as good as giving the opportunity for questions to be asked.

**Iain Smith:** It depends on the sort of questions

that they ask. At present they are asking, not quite, "What are your engagements for today?" but questions such as, "When did you last meet the secretary of state?"

**Michael Russell:** That is because questions had to be in eight days in advance.

**Iain Smith:** Absolutely. If there was an assurance from the Opposition leaders that they would ask genuine, topical questions, which would be answered, that would be fine.

**Michael Russell:** I do not think that an assurance will be given.

**Iain Smith:** If we are moving the time of lodging First Minister's questions to ensure that they are more topical, we should ensure that the questions lodged are topical.

**The Convener:** We are straying away from strictly procedural matters and into bureau business. We are examining the standing orders, and those mechanics are not necessarily for us to resolve.

**Michael Russell:** I suggest that we publish six questions in the business bulletin, rather than four.

**The Convener:** Is everybody happy with that suggestion?

**Members:** Yes.

**Iain Smith:** Perhaps two questions could be selected and four chosen by ballot.

**The Convener:** I do not think that we will specify that, but it would seem to be a logical conclusion, applying existing practices.

**Michael Russell:** The logical conclusion of applying existing practices is that the Presiding Officer can select questions. I would have no objection if there were two questions from the leaders of the principal Opposition parties and four by ballot.

**Janis Hughes:** We could suggest that to the Presiding Officer, and it would be up to him how he dealt with it.

**The Convener:** Mike is making the point, which is correct, that the standing orders specify that there is a ballot for closed questions and that there is a choice by the Presiding Officer in open questions. If we wanted to operate the bulk of First Minister's question time in the same way as the existing closed question time operates, we would have to change the standing orders further than they have been changed here.

**Michael Russell:** In stipulating that there are two questions from the principal Opposition parties and then four others, we are legislating only for this Parliament. There could be three principal Opposition parties in a future Parliament. We

should leave it to the Presiding Officer, but he should receive a note from the Procedures Committee stating that what we expect is that there would be questions from the principal Opposition leaders and he would select others on their topicality and to achieve balance in the Parliament.

**The Convener:** Would it be acceptable if we made it clear that we see balloting as a reasonable way of selecting some of the questions? The standing orders would not then need to be changed, as it would become a matter of interpretation.

**Michael Russell:** As long as there is always space for the principal Opposition parties to ask questions.

**The Convener:** I do not think that anybody is disputing that.

**Donald Gorrie:** In closed questions, supplementaries must be relevant to the original question. Is that the case in open question time?

**The Convener:** We would have to follow the original question.

10:30

**Donald Gorrie:** In that case, the leaders of the Opposition parties must have the right to lodge a question, as it is possible that none of the questions drawn—however good—would raise issues on which they wish to do battle that day.

**Michael Russell:** Yes, that is a key issue.

**Donald Gorrie:** The same line should be followed in open question time.

**Michael Russell:** That is a very good reason for allowing the principal Opposition leaders to lodge a question themselves. However, the Presiding Officer should not be obliged to ballot. If questions are submitted three days before, he will have a better opportunity to draw a spread of questions on topical issues across the political spectrum for the 20-minute slot. He should be free to ballot if he wishes, but it should not be axiomatic that he has to do so.

**The Convener:** The current practice is that the third question in open question time is chosen from questions that are generally submitted to the Executive. The Presiding Officer should continue to choose such questions on that basis, if he thinks that they are good and topical.

There is now, however, an additional category of questions that are lodged too late to be included in the ballot. In such circumstances, the Presiding Officer might find that he has a fair number of reasonably topical questions. We should give him the greatest flexibility, not least to cover him

against the possibility that he might not be able to find four questions that have been submitted late in the week.

**Michael Russell:** Okay.

**The Convener:** It will make life a bit more complicated for the Presiding Officer, but someone has to pay the price for greater flexibility.

**Michael Russell:** There is a tiny anomaly between rules 13.6.4 and 13.6.4A. The closing time for lodging questions is 2 o'clock for closed questions and 2.30 pm for First Minister's questions. That will cause confusion in members' minds. Cannot the closing time be 2.30 pm for both question times?

**The Convener:** I do not see why not.

**Iain Smith:** The closing time for closed questions was 2 o'clock because the Presiding Officer had to have an opportunity to select questions for open question time before the ballot. Obviously, that had to be done before he went into the chamber.

**Michael Russell:** Shall we make it 2 o'clock for both closing times?

**Iain Smith:** The system has changed and the Presiding Officer does not have to do that anymore.

**Michael Russell:** That is true. Shall we make it 2.30 pm for both, then? That is a natural time, with members entering the chamber and so on.

**The Convener:** Let us agree that both closing times should be the same; the officers will work out which time is more sensible.

**Michael Russell:** One way or the other, the time has to be the same.

**The Convener:** Yes, in the light of reflection and advice, we should standardise the closing times.

**Iain Smith:** Another issue that puzzles me about rule 13.6.4 is why oral questions can be lodged only on the eighth or ninth day before question time. Although I understand the need for a cut-off time, I have never quite worked out why questions can be lodged only on those days.

**The Convener:** These things are given and lesser mortals do not challenge them.

**Iain Smith:** Well, I am a lesser mortal and I am challenging the rule.

**Mr Kerr:** Iain has a good point—I have never thought about it before.

**Iain Smith:** This is a particular problem in recess. It seems a bit daft that members have to be in Edinburgh on specific days to lodge questions for when Parliament meets again.

**Michael Russell:** Perhaps it is like buying lottery tickets—nobody buys tickets for the lottery after next. However, people may want to lodge questions on the 10<sup>th</sup> day, as well as on the ninth and eighth days.

**The Convener:** I myself have tried to lodge a question on a day when the clerks would not accept it.

**Janis Hughes:** What does the chamber office think? Presumably the issue centres on work load.

**William Venters (Assistant Clerk):** As I understand it, the *raison d'être* of the rule about the eighth and ninth days is to give the Executive notice of the questions that will be asked and to give it time to prepare for question time.

**Janis Hughes:** So the rule should say that questions should be lodged by the eighth day.

**Michael Russell:** There should also be a starting point, because one set of questions should not run into the previous set of First Minister's questions. Members should not be able to lodge questions until at least the Friday after a question time on the Thursday.

**Donald Gorrie:** Logically, members should be able to lodge questions at any time from the end of question time.

**Michael Russell:** But that would be almost two weeks before that particular question time.

**Janis Hughes:** A member might know that he or she will not be in the chamber for a particular question time, but want to lodge a question for the following week.

**Michael Russell:** There is a case for expanding the time for lodging questions to the Monday.

**The Convener:** I think that the officials have got the gist. We will ask them to consider any necessary changes to the standing orders.

That takes us—mercifully—to rule 13.7.

**Janis Hughes:** Rules 13.7.5 and 13.7.6 deal with the general issue of supplementary questions. The committee discussed supplementary questions from MSPs who had an interest in a specific issue for reasons of locality or otherwise. That has not been written into the rule. Can we firm up on that point?

**The Convener:** That would be difficult, as it relies on the Presiding Officer knowing that a particular MSP—out of all the MSPs who have pressed their buttons to speak—has an interest in a particular issue.

**Janis Hughes:** But is not it the case that, at Westminster, the Speaker might be told that a group of MPs—perhaps from neighbouring constituencies—has a vested interest in an issue

that has been raised and could be called to speak?

**Michael Russell:** It is not a question of being called to speak; such MSPs are motivated to ask questions. I do not think that anything could be written into the orders to cover those circumstances. A member might be passionate about a certain topic; however, the rest of us will not know that until the member asks a question, at which point we suddenly discover that they are an expert on, say, embroidery—unlikely as that might seem.

The Presiding Officer has to decide on the issue. Any member is free to approach the Presiding Officer before question time to tell him that they have a particular interest in a matter for certain reasons. I know that the Presiding Officer is very open to members notifying him that they want to be called because they have a burning question. However, I do not think that that can be written into standing orders.

**Janis Hughes:** Although I hear what Mike is saying, I am concerned that members with vested interests will not be able to ask a supplementary question because other members have got in before them. Is there any way in which we can give priority to members with such vested interests?

**The Convener:** Although Janis is right to raise the point, Mike is also right that it cannot be written into standing orders. In the periodic letters that the committee sends to Sir David, perhaps I should reflect our suggestion that, as he exercises his discretion, he should be aware of other members in the chamber with an interest in the topic under question.

**Janis Hughes:** That would be helpful.

In rule 13.7.9, the word “open” should not be included in the phrase “First Minister's Open Question Time”.

**Michael Russell:** Janis will be a marked woman after this meeting.

**The Convener:** She should not expect to get another supplementary question.

We move on to chapter 15 on openness and accessibility. There are changes to rule 15.4, allowing people to lodge petitions on different days from those initially specified.

We move on to chapter 17, entitled “Miscellaneous”. Rule 17.1 has been extensively changed, as the first paragraphs fall now that the standing orders have been adopted. Rule 17.2 now becomes rule 17.1.

We move on to the annexes, which are just for purposes of cross-referencing.

That dispatches the first item on the agenda.

## Priority Issues

**The Convener:** We move on to agenda item 2, which is a letter that was sent to Sir David Steel after a previous meeting, giving him advice and guidance on a number of issues that had arisen. I trust that the letter adequately summed up the committee's views on a range of issues.

Yesterday, I had a reply from Sir David; it was too late to be included in the agenda papers. He thanks me for the letters about proposals to the Procedures Committee and apologises for not having responded earlier—he has been on his annual holiday. He says:

"I have read with interest the committee's recommendations on the referrals from the Bureau and look forward with interest to you bringing forward a report to be considered by the Parliament."

**Donald Gorrie:** I want to pursue an issue that arises under the heading "Urgent Responses". The letter is not numbered but the text can be found about 10 pages in.

**The Convener:** Perhaps we should make sure that, in future, such letters are numbered.

**Donald Gorrie:** What bugs me at Westminster is that the Speaker system—not the lady herself, who does an excellent job—does not think that its job includes making ministers reply properly to questions. I think that its job should be to do that; what is happening is part of the creeping erosion of the power of the Parliament vis-à-vis the Executive. We should recognise that the civil service here is struggling to cope with a deluge of questions and letters. Perhaps the Parliament should give the Presiding Officer the power to tell ministers that they should bloody well reply smartly. If they fail to reply within two, three or four weeks, somebody should be able to crack a whip. Maybe that is an issue for the future.

**Michael Russell:** The Presiding Officer has the power to find ministers in contempt of the Parliament's standing orders. However, during Andrew Wilson's members' business debate, Andrew was allowed to show his displeasure at the Executive's practice of issuing press statements and announcements to pre-empt such debates.

Members should refer inadequate written and oral answers to the Presiding Officer; it would be a significant sanction against the Executive if he chooses to raise such matters from the chair. There is no doubt that many Opposition members are very unhappy with the quality of answers—particularly written answers—that they receive and with the time that it takes to receive them. Many members are raising that issue with the Presiding

Officer.

**The Convener:** Some issues have been flagged up and will be included in the committee's long-term programme. Other matters will simply arise from continuing experience of working in the chamber. That is a fair point to note for future discussion.

**Donald Gorrie:** Just to show that I have read the letter, I inform the committee that the section on holding answers mentions

"recesses of 5 days or more"

in the first paragraph of bold type. I thought that officials had decided that the 21-day deadline should apply to recesses of four days or more.

**The Convener:** They had indeed. That will be changed in the standing orders.

## Questions, Motions and Statements

**The Convener:** The third item on the agenda concerns the paper arising from Margo MacDonald's letter and the Presiding Officer's referral on topicality and urgency. The issues identified in the paper are emergency questions, supplementaries, emergency motions and ministerial statements. The officers have analysed each of those issues and have come up with recommendations. First, can we consider the recommendation on the decision to call an emergency question.

**Michael Russell:** That is a very important issue, as it is a matter of interpretation. It is extremely helpful to draw to the Presiding Officer's attention the fact that the standing orders can be interpreted to allow emergency questions on a broader range of matters. This is the right step to take.

**Donald Gorrie:** On the third page of the document, the sentence in bold type makes a good point about the inclusion of a wee note to explain why the question is urgent. That could be incorporated into whatever system we have.

10:45

**Mr Kerr:** Is there a question of balance? A member could conjure up an emergency and convince people that it was an emergency, yet he or she have chosen to omit mentioning certain issues to get the question treated as an emergency. I presume that the Presiding Officer will take a round view of the question that is posed.

**The Convener:** I think that that is desirable.

**Michael Russell:** The fact that no emergency questions have so far been allowed, despite requests for them, indicates that the presumption

is against having them. The explanation for that is contained in Sir David's letter. That presumption has to be shifted to a position of neutrality.

**Mr Kerr:** Sure.

**Donald Gorrie:** I have somewhere seen the important point made that such issues can be locally urgent rather than nationally urgent. A proposal to close a hospital in Ayr and to open one in Kilmarnock—or whatever—would be a big deal for the members who represent that area. That would not be a national issue, but it would still be urgent.

**Mr Gil Paterson (Central Scotland) (SNP):** There is a fear that someone might jump the queue. As there should be a written note, the Presiding Officer will be given the opportunity to decide whether the issue is an emergency and whether it is locally rather than nationally important, which is the point that Donald Gorrie raised.

**The Convener:** I think that we are generally in agreement on that item.

The next item deals with supplementaries to emergency questions. We are invited to suggest a change to standing orders so as to admit supplementaries from all MSPs at the discretion of the Presiding Officer.

**Michael Russell:** This morning, I had a brief discussion about this matter with someone in the Executive, who seemed to concur that the Executive did not oppose the proposal in any way, as it was an entirely logical development. If supplementaries are allowed for other questions, one could not disallow them in the circumstances of a national emergency and have only one member—who might not be the constituency MSP—asking a question. Supplementaries must be allowed.

**Janis Hughes:** We should bear in mind the point that I made earlier about supplementaries.

**Michael Russell:** Yes—that point is even more germane to this issue. One would want to ensure that the question was very focused, because it is an emergency question.

**The Convener:** Are members happy with that?

*Members indicated agreement.*

**Michael Russell:** Will we have to wait to implement this, or will it pulled into current procedures?

**The Convener:** It will be done right away.

**Michael Russell:** I ask because this is one of the urgent issues that we are discussing today.

**The Convener:** The decision on emergency motions seems to follow on logically on from what

we have agreed about emergency questions.

*Members indicated agreement.*

**The Convener:** I have, in a sense, jumped the gun on ministerial statements. I will report later on a meeting that I had with Tom McCabe. This issue was raised at that meeting and will be the subject of further discussion. I hope members are happy with that.

**Michael Russell:** That is fine. However, this matter is of considerable concern, particularly to Opposition parties. There should be opportunities—used sparingly, as they are—for Opposition parties to be able to request and obtain a ministerial statement on an issue. Currently, there is no mechanism so to do.

**The Convener:** I asked the Executive to think about this issue and to work out a protocol—with which we would all be happy—to determine what should be announced in the chamber. The point was made that the Executive makes announcements all the time and that to announce absolutely everything in the chamber would consume the business time of the Parliament. However, the minister was receptive to the idea that some issues are of sufficient moment and significance that members would wish them to be announced in the Parliament. The Executive needs to think through how it allocates the various decisions and the stages at which those decisions are taken. There is scope for dialogue to resolve this matter to everyone's satisfaction.

**Michael Russell:** Murray, I wish to make another point about emergency ministerial statements to the Parliament following an Opposition demand for one, which should be infrequent. At the moment, there is no mechanism by which the Opposition can obtain such a statement.

**The Convener:** I did not raise that specific point, although I raised the point that, I think, Alex Salmond raised in a point of order. I asked about the mechanism for debating an issue that is suddenly important and topical. The minister's view was that pressure had not been brought to bear through the bureau for debates of that nature. He felt that Opposition parties could request a debate by going through the bureau and that they could also request a change in the agreed forward programme of Parliament. Again, we could, through discussion, evolve a practice.

I understand and fully support your point, Mike. I am not sure that the standing orders route is necessarily the right way of approaching this issue, although it is an option if we find that we cannot get a better and more flexible way of bringing up important issues reasonably timeously.

**Michael Russell:** Will we keep the issue of

ministerial statements under review?

**The Convener:** The issue is under discussion. My intention is to steer the talks reasonably crisply through to a code of practice, protocol or understanding—whatever may evolve—that will satisfy all interests. However, if I do not make progress, I will report back to the committee, which will have the opportunity to discuss what steps it wants to take as a consequence.

**Mr Kerr:** A balance should be struck, to be fair. Mike is right to say that the Opposition parties might want a discussion about some pressing matter. However, if the First Minister is working in the background to make his statement valid, correct and appropriate, he may require some time. We must find a resolution to the issue somewhere between the two positions. A pressing matter may be raised by an Opposition party that is saying, “Let’s exploit—”, or rather, “Let’s get more information about a situation”. However, the Executive must be allowed to respond appropriately and meaningfully with a statement that is not a knee-jerk reaction but that contains information that people will find of interest.

**The Convener:** Tom McCabe also made the fair point that there were occasions when ministers made an announcement that reflected a direction in which they intended to go on an area of policy, without having worked it up to the stage where they were ready to come to Parliament for detailed questioning. There are interests on all sides in this matter and a balance to be struck. I assure members that the committee will have the opportunity to discuss this matter again.

## Committee Witnesses (Interests)

**The Convener:** We now move on to item 4 on the agenda, which was raised by Alex Neil in a letter that is submitted again. We have a report and the view is that we should write to committee conveners—and use the conveners liaison group—to express this committee’s view that all committees should be aware of their witnesses’ interests in whatever matter is under discussion, without necessarily making people go through elaborate formulae where they attest to interests.

**Mr Paterson:** Could that be done in the form of a precursory question sent out to witnesses?

**The Convener:** It is more likely that the committee clerks will identify people who have a particular interest and will ensure that, when witnesses give evidence, they understand what the score is and that they should be above board in declaring anything that might inhibit or colour their evidence in any way.

**Michael Russell:** In serious circumstances, committees have the option, if they are worried, to

ask for evidence to be given under oath, in which case failure to declare an interest when questioned is contempt and a criminal offence.

**The Convener:** Is that okay?

**Members indicated agreement.**

## Parliamentary Mace

**The Convener:** That takes us to the fifth item on the agenda, which deals with the parliamentary mace and which, as members can see, has been extensively researched through a variety of different Parliaments and chambers. We are invited to discuss the issue, particularly whether the current arrangements are appropriate, whether we wish to reintroduce the ceremony that has taken place on a number of occasions or whether we wish to suggest an alternative ceremony.

**Michael Russell:** I think that committee members might be of a common mind. The present arrangements are fine. We need nothing more and should keep them for forever and a day.

**Mr Kerr:** A minimalist approach.

**Mr Paterson:** A quick dusting over.

**The Convener:** Are we all happy with that?

**Members indicated agreement.**

## First Meetings

**The Convener:** That takes us to item 6. The clerks do not want to be drawn into involvement with the initial setting up of the convenerships of committees.

**Michael Russell:** That is obviously to avoid the charge of planning a coup d’état.

**The Convener:** The clerks have struggled a wee bit to find a reason why they should not handle the nomination of conveners and have come up with a question. What happens if someone asks a point of order before the convener is elected? We could resolve that by saying that the committee could elect a temporary convener or that it is not competent to make points of order before the committee has elected a convener. However, I say that in the firm knowledge that someone will find another reason why the clerks should not deal with this matter.

**Michael Russell:** I am struck by the arrangements for starting a session of the Parliament, for which the chief executive or principal clerk takes the chair. That seems to be logical response to a situation in which no elected member is yet able to take the chair—it occurs in many local authorities. I am also struck by the fact that the same is not true for a committee, because any member of that committee could take the chair

in such circumstances. There are ways in which this matter could be addressed. The reasoned concession is that no one has taken the oath. The clerks are reluctant to be involved in this process—there is a key issue about the possibility of making rulings that would alienate members, but one can alienate members just by looking at them. It would be wise to stick with the solution that the oldest member takes the chair unless that member does not want to do it. We have already solved the problem.

**The Convener:** I am happy with that suggestion, as long as the clerks re-examine this issue to ensure that we have not tied ourselves in knots by adopting two contradictory positions. If so, it will be reported back to us. Why cannot the chief executive take the chair at the first meeting of every committee? *[Interruption.]* I am told that that is because of pressure of business.

**Mr Kerr:** There would also be the difficulty of omnipresence, in terms of the timing.

**The Convener:** The initial meetings took place on separate occasions.

**Mr Kerr:** Did they?

**The Convener:** I think that they did.

**Michael Russell:** The chief executive in person, or his depute, could chair the meetings.

**The Convener:** That would be feasible.

**Michael Russell:** That means that the clerk to the committee would not chair the meeting; the chief executive, who is a clerk, would nominate someone.

**Donald Gorrie:** Our committees are peculiar, in that the allocation of conveners is a behind-the-scenes political act by the Parliament. The election of convener is not a free-for-all—the candidature is limited to one, two, three or perhaps four members. Even more than most things in public life, that is a fix beforehand.

**Michael Russell:** Shame.

**Donald Gorrie:** This is a huge storm in a teacup. As a professional oldest member, I am very happy—as I think other people are—to preside over a rapid fix. It is not a big deal and I am all for the present system.

**Mr Paterson:** It would seem that, as we have one system, we do not need another.

**Donald Gorrie:** If the clerks do not want to do it—

**The Convener:** We have talked ourselves through this item to the stage where we accept the innate conservatism in the establishment of the Parliament. *[Laughter.]*

Having agreed Mike Russell's suggestion on item 6, we come to item 7.

## Financial Resolutions

**The Convener:** Item 7 is an examination of a report on the issue raised by Sir David Steel about the timing of financial resolutions rule 9.12.6. I have received a memo from Tom McCabe that contains a proposal that the Executive feels would resolve the difficulty. The officials could work quickly on that and bring a report to the next meeting, for inclusion in the priority report to the Parliament.

**Michael Russell:** This matter must be included in the priority report to the Parliament. While unintentional, it has horrendous consequences in terms of timetabling matters through committees, which could lead almost to gridlock if the Executive repeatedly produces financial memorandums at the same time as bills. We are already feeling some constraints, so this matter must be part of our priority review and must be a priority change.

**The Convener:** That is accepted.

## Mid-week Activities

**The Convener:** Item 8 appears on the agenda as "MSPs' movements mid-week"—despite instructions to the contrary, the clerks have removed the capital M from the word "movements".

**Michael Russell:** I am impressed that there have been 129 replies. Did we pressurise members until they gave in? That was very wise.

**The Convener:** I think that we must have done.

**Donald Gorrie:** I am not sure about the meaning of the answers. If I replied that I live in Edinburgh and go home to Edinburgh at night, have I qualified as a "stay" or a "travel"?

**Mr Paterson:** A stay, I think.

**Michael Russell:** A stay?

**Mr Paterson:** People were available in Edinburgh—that is the reason.

11:00

**Michael Russell:** Clearly, it will be difficult, but it will be no more difficult than we thought. I am surprised that half the members stay. In any case, if members meet on Wednesday night, it is not as if the transportation system grinds to a halt at 7 pm on Wednesday. It keeps running to most places for a considerable time.

**Iain Smith:** The transport system has ground to a halt all day.

**Michael Russell:** You are a Cabinet minister: you could make the trains run on time.

**The Convener:** It is an interesting piece of evidence. We can relay it to the Parliamentary Bureau for its information, as and when it chooses to hold a later meeting. It can take the evidence into account.

## Procedure Committee

**The Convener:** That takes me neatly to the next item, which is an exchange of letters between me and the chairman of the Procedure Committee of the House of Commons. It is here for our information, so that we know that an approach has been made. When we started to look at diaries at this end and at the Westminster end, it was very difficult. I do not know that a meeting will ever take place, but the intention is there, which is all to the good.

**Donald Gorrie:** The debate in the House of Commons represented, in my view, the House of Commons at its worst. Apart from the fact that I did not get a chance to speak, which was bad news, it was not very good.

To be fair, Mr Nicholas Winterton was good. He is a very good committee chairman.

**Michael Russell:** I understand that the document supply centre has copies of the Procedure Committee's report. I have not been able to get mine yet, but I want to get one because it would be useful for this committee to discuss it from our perspective at a future meeting. That might throw some light on the matter.

**The Convener:** I previously asked the clerks to ensure that they go through the debate and pick out matters that appear to be pertinent to this committee. I know that the Minister for Parliament has also been reading the report. I am sure that we will derive whatever benefit there is to be taken from that.

## Scottish Executive (Discussions)

**The Convener:** Item 10 on our agenda is a note of the meeting that I had with Mr McCabe. His suggestion is that we should meet regularly to discuss matters of common interest, as the First Minister likes to put it. I propose that we do that, and that I report back verbally on the discussions that took place.

We met last week. The gist of the meeting was that Mr McCabe asked me to express his gratitude to the committee for the way in which it conducted the review of the standing orders. I reported specifically on question time, on summing up on non-Executive days, and on the proposed additional half day, which I felt were the areas

where we had not necessarily accepted all the evidence that he gave to the committee. I raised concerns about ministerial discussions along the lines of the discussion earlier in the agenda. Mr McCabe raised the issue of the financial resolutions.

That is what we discussed, and we will continue to communicate on that basis in future, if the committee is happy.

**Michael Russell:** As delighted as I always am to discuss matters with you, convener, it is not necessary at the moment for you to meet the shadow Minister for Parliament, as I am here anyway. In future circumstances, were that not to be the case, meetings should take place not only with the Minister for Parliament, but regularly with the other parties, so that their views and those of the business managers or shadow Minister for Parliament are taken into account.

**The Convener:** I am perfectly happy to meet anybody whose role fits in generally with what you are saying.

**Michael Russell:** Given how the Parliament operates, meetings should be bilateral.

**The Convener:** I understand your point. Obviously, I have chats with Lord James Douglas-Hamilton from time to time, purely on a party basis. The logical consequence is that, whoever holds the post of convener of the Procedures Committee should always deal on an informal and regular basis with all the relevant people in the main parties.

## Work Programme

**The Convener:** There is an annexe to the forward work programme showing the various issues that have already been raised over the past few months, but which referred to the medium term rather than the short term. Obviously, they will come back to us.

My one question about this list of issues is on paragraph 9, which refers to the financial issue, rule 9.12. Presumably, that is the issue which Mr McCabe raised. We have agreed that it should be a priority issue.

Item 12 is a matter raised by Paul Grice, about which I should advise the committee. There is a feeling that there are matters concerning interparliamentary liaison which have nowhere to go. It might be appropriate for the Procedures Committee to examine the issue. The example that Paul gave was the question of what we thought about House of Lords reform. This Parliament has not had the opportunity to have an input into the matter.

As such matters arise, it might be relevant for



the committee to consider them. We felt that it might be useful to invite Paul to put those thoughts down in a more coherent form and to produce a proposal, which we could consider as part of the on-going remit of the committee.

**Michael Russell:** That is very wise. The issue of House of Lords reform almost fell between stools in this Parliament because of the time scale according to which the Parliament was operating and the time scale according to which the Wakeham committee was taking evidence. I made a point about the House of Commons Procedure Committee report. Although that committee made recommendations about the relationships between the members of legislatures, we as a Parliament have not yet made recommendations about members of the Westminster Parliament or of the European Parliament. We should discuss that report reasonably urgently, perhaps before Christmas.

**The Convener:** I gather that the Scottish Parliamentary Corporate Body is dealing with the housekeeping arrangements between the Parliaments.

**Michael Russell:** The House of Commons Procedure Committee report considered some of the issues concerning interparliamentary liaison. It is a procedural issue, about how the Parliament operates. There would have to be an amendment to standing orders to allow it to happen. There is no reason why we should not make suggestions to the corporate body.

There are two other issues, which I have raised already. First, I would like the rules on sub judice and privilege to be addressed.

Secondly, at a very early stage, I raised the matter of a comparative exercise with other bodies' standing orders. I have recently requested, from John Patterson, information from other bodies. I have examined other documentation, including standing orders in Holland. This Parliament could learn from other people's experience. At some stage, we should have a discursive meeting on particular issues, informed by experience of other bodies' standing orders.

**The Convener:** The clerks have a general desire to have a thorough look at chapter 10 of the standing orders, which deals with Scottish statutory instruments. We should include that in the work list.

**Donald Gorrie:** I do not know whether this is the right vehicle for these issues. One is the relationship of civil servants to the Parliament—in particular to the parliamentary committees. They will work less efficiently than they should if they do not have good support from the civil servants. I am not sure whether that is a Procedures Committee issue.

If one had a suggestion on improving liaison between ministers and MSPs, to streamline and reduce the overall work load, and to reduce the number of unnecessary questions and so on, such as introducing a surgery system—would that be for the Procedures Committee, the Parliamentary Bureau, God or whoever?

**Michael Russell:** The power of prayer could be used.

**The Convener:** I would not like to answer for the Almighty, but as far as the Procedures Committee is concerned, we will examine suggestions and advise on how they might be tackled.

I cannot give you an off-the-cuff answer. I do not know, and I do not think that the clerks are sure either.

**Donald Gorrie:** If they are faintly relevant, I might put a few brief thoughts on paper for a future meeting.

**Mr Kerr:** The conveners committee is considering the first issue that you raise, with regard to support, and will discuss it again today. The matter has been taken care of. I suggest that it is not appropriate for the Procedures Committee to address it, because it is a resource issue for committee conveners.

**Michael Russell:** To be fair, there is a great deal of support in the bureau and elsewhere for ensuring that the maximum support is provided to committees. In his article in *The Herald*, John McAllion made some important points about the areas on which we should focus and about how we should find the resources to support committees through the information centre and elsewhere.

**The Convener:** We could still ask Donald to put his thoughts down on paper, so that we can ascertain whether some of the points that concern him fall to the other bodies that are dealing with the issue, which might be of relevance to us.

**Michael Russell:** Will we prioritise those issues at some stage? Can we get a prioritised list and timetable for between now and next March?

**John Patterson:** From January 2000?

**Michael Russell:** Yes.

**The Convener:** From January through to March.

**Michael Russell:** What is our present time scale for laying the standing orders?

**The Convener:** We are still hoping to do that before the turn of the year. We will soon start to hit the problem of time slots, but we have indicated that we do not anticipate that we will need a particularly long slot. Because there is general

agreement on the changes, there should not be great controversy on the floor of the chamber. I do not see the need for me to make a long speech, and I do not think that the minister sees the need to give a long reply. If we are willing to agree that we should submit our report fairly quickly, there could be more flexibility. However, if our intention is to take an hour and a half, which would allow everyone to have their say, it will be difficult to shoehorn that in.

**Michael Russell:** We should ask for one of the Thursday slots after First Minister's questions, which are the shortest slots available—about an hour and a half—by the end of November, so that we can get this programmed in and under way.

**The Convener:** Do we really need an hour and a half?

**Mr Kerr:** That was my point. Do we want to spend an hour and a half on this? Several four-minute speeches could be fitted in, and I do not think that the issue merits that much time.

**Michael Russell:** There are no shorter slots, although there is the possibility of sharing the slot with, perhaps, a ministerial statement, which would take half or three quarters of an hour. That would be the obvious way in which to proceed. However, we should still ask for the slot by the end of November, so that we can get the measure through. Once the standing orders are enacted, we will have to change to the new system of questions immediately, I presume. It would not be a bad thing to have the first new question time in December. We could then work out any problems, so that by the new year we were happy with the system.

**Janis Hughes:** I agree. We should look to complete the process by the end-of-year recess, so that we can return with the new standing orders. We must also bear in mind that, once we have agreed the final version of the standing orders, we will have to give the parties some time to discuss it, before we bring it before Parliament. I will take advice from the clerks, but I think that we should still be looking to lay the standing orders before the recess.

**Michael Russell:** It would be nice not only to have laid the standing orders before the recess, but to have had at least one new question time before we rose.

**The Convener:** The intention is that the standing orders should be ready to be laid by the end of November. That depends on how quickly the work can be completed, which is bound up with taking and receiving legal advice and sorting out the nuts and bolts. It also depends on timetabling. However, the indication from the committee is that we will do our best to get the business dealt with as early as possible.

**Michael Russell:** Of the issues on the list we have already dealt with, by and large, emergency questions. We have managed to dispense today with the method of electing committee conveners. We have also dealt with the declaration of interests, unless there is a wider issue than the one that we addressed with regard to Alex Neil. We are, therefore, reducing the size of the list.

**The Convener:** There are some fairly heavy things on the list—such as members' bills—that will take a lot of time. At subsequent meetings, members will still be free to bring up further points and priorities, and they will, no doubt, continue to be referred from the chamber.

## Communication

**The Convener:** Item 12 is a letter that I received, including a briefing paper, on the culture of our politics. Its joint authors would like to meet the committee—I am sure that the committee will agree to that. It would not be a formal meeting and would not require an *Official Report*. It would simply be an exchange with the organisation in question.

**Michael Russell:** I would have thought that those people would have liked to give evidence on the process so far. Alice Brown's department is doing work on members' experience of procedures.

11:15

**The Convener:** I do not think that they are looking to give evidence. If they wanted to do so, and to make specific points, that would be appropriate. I was under the impression that they wanted to talk about those matters on a more or less informal basis. We will ask them; if they want to present formal evidence and look for formal responses, we will have a formal meeting of the committee with them.

**Michael Russell:** If it is best to do so.

**The Convener:** We will make the offer.

## Correspondence

**The Convener:** Item 13 is an exchange of letters with the Scottish Daily Newspaper Society. If we are all happy to note that, that takes us to item 14.

## Finance Committee (Remit)

**The Convener:** Item 14 is the Finance Committee remit, which it got in in the nick of time. Can we deal with it in the time scale?

**John Patterson:** We will try.

**The Convener:** It might be that the issue is not just about the Finance Committee, but about the remit of all committees, and that we should look at the remits with a view to establishing that they are de minimis. No committee should be precluded from looking at something that is relevant simply because no one thought to include it in the original standing orders. We might look at that in future, but we must deal with the Finance Committee first.

**Mr Kerr:** That is also relevant to the conveners meetings. There can be a de minimis level, but the conveners meetings can be used to settle difficulties.

**Donald Gorrie:** It would be a power of general competence for committees.

**The Convener:** Yes, one could call it that.

That brings us to the close of the meeting. Thank you for your attendance and for your contributions.

*Meeting closed at 11:17.*



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