

PROCEDURES COMMITTEE

Tuesday 6 March 2007

Session 2

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PROCEDURES COMMITTEE

2nd Meeting 2007, Session 2

CONVENER

*Donald Gorrie (Central Scotland) (LD)

DEPUTY CONVENER

*Karen Gillon (Clydesdale) (Lab)

COMMITTEE MEMBERS

*Richard Baker (North East Scotland) (Lab)
*Chris Ballance (South of Scotland) (Green)
Alex Johnstone (North East Scotland) (Con)
*Kate Maclean (Dundee West) (Lab)
Mr Bruce McFee (West of Scotland) (SNP)

COMMITTEE SUBSTITUTES

Murdo Fraser (Mid Scotland and Fife) (Con)
Patrick Harvie (Glasgow) (Green)
Tricia Marwick (Mid Scotland and Fife) (SNP)
Irene Oldfather (Cunninghame South) (Lab)

*attended

THE FOLLOWING GAVE EVIDENCE:

Hugh Flinn (Scottish Parliament Directorate of Clerking and Reporting)
Peter McGrath (Scottish Parliament Directorate of Clerking and Reporting)

CLERK TO THE COMMITTEE

Andrew Mylne

SENIOR ASSISTANT CLERK

Mary Dinsdale

LOCATION

Committee Room 6

Scottish Parliament

Procedures Committee

Tuesday 6 March 2007

[THE CONVENER *opened the meeting at 10:23*]

Decision on Taking Business in Private

The Convener (Donald Gorrie): We will make a start. Bruce McFee has sent his apologies. We have to decide whether to discuss our legacy paper in private, as is normal for reports in progress. It will be published in due course anyway, so do members agree to discuss it in private?

Members *indicated agreement.*

Guidance

The Convener: We have three volumes of revised procedural guidance to consider. Hugh Flinn is here to tell us about one or two of them.

Hugh Flinn (Scottish Parliament Directorate of Clerking and Reporting): Two of them.

The Convener: Will Peter McGrath tell us about the third volume?

Peter McGrath (Scottish Parliament Directorate of Clerking and Reporting): Yes.

The Convener: We will start with "Guidance on Parliamentary Questions", which I just happen to have in my hand, and which updates existing guidance. It is for internal use by clerks and other people who have to deal with these matters, but it is also available for MSPs and our friends outwith Parliament who are interested in such things. Is there anything new or altered that you would like to draw to our attention?

Hugh Flinn: There have already been three editions of the guidance, so we needed to make only minor changes. The only section that is substantially different is section 4, on oral questions. Paragraphs 4.1 to 4.11 reflect the new procedures for oral questions that the Procedures Committee proposed a year or so ago. There are now themed and general questions. There is a two-stage process for members to submit their names and for selected members to then lodge questions. That is the only significant area of change in the guidance.

The Convener: The change reflects the current system.

Hugh Flinn: Yes.

The Convener: Do members have any questions or observations on the paper on oral questions? I know that the committee has spent many hours on the subject and that we all have our views. However, this is not the occasion on which to make suggestions for changes. We are considering whether the guidance reflects accurately the status quo.

Chris Ballance (South of Scotland) (Green): I received the papers on Saturday. Given that there are 100 pages of detailed text, I will not be able to clear any of the guidance for publication, although I will be happy to abstain in a vote, because I simply have not had time to read and digest the papers. To clear the guidance would suggest that we have read and understood it and checked it against current practice.

The Convener: The volumes of draft guidance are not our papers. We are invited to cast an eye over them. I do not know whose documents they are. Do they belong to the chamber desk?

Hugh Flinn: I think so.

The Convener: I accept Chris Ballance's point—there is a lot of stuff to read—but our scrutiny does not need to be as precise as it normally is.

Chris Ballance: I just wanted to put that on record.

The Convener: It was a fair comment.

Karen Gillon (Clydesdale) (Lab): It was a fair comment, because although the papers are not legal documents, they set out what becomes the practice and convention of Parliament. In the past, things that have appeared in guidance, which have become practice and convention, have not been discussed with anyone. We should say in our legacy paper that documents of this sort should be sent out to members two weeks in advance, so that they have adequate time to consider them in detail, particularly given that members have other engagements at weekends and on Mondays.

Hugh Flinn: It might assist members to know that we will not be sending the documents to print until dissolution. If they have any comments to make over the next week or so, we will endeavour to take them on board.

Karen Gillon: That is helpful.

The Convener: If, when they have had a chance to read the document more carefully, members have any comments, should they send them to Andrew Mylne or to Hugh Flinn?

Andrew Mylne (Clerk): If members send their comments to me, I will pass them on.

The Convener: Andrew Mylne will also note for discussion of our legacy paper the point that members should have adequate time for reading such documents. In this case, we are nearing the end of the session, so our timetable is a bit tighter.

We move on to the revised "Guidance on Motions". Hugh, do you wish to draw anything to our attention?

10:30

Hugh Flinn: I am happy to answer questions. As the covering note makes clear, the changes that have been made to the first edition reflect established practice and precedent that have not been put in guidance before. That applies in particular to section 5, which concerns amendments.

The Convener: I liked the Loch Ness monster motions in that particular section.

I might be transgressing against my earlier comment that it is not up to us to change policy

but, on members' business motions, paragraph 2.18.a at the top of page 7 says:

"Motions will ... have an explicit local or regional dimension; or ... raise issues of national policy in a local or regional context and have cross-party support".

Some members feel that having to introduce a local dimension into a motion can be a pretty artificial exercise, but they have to do it to keep within the rules. It is a question of interpreting the balance between having a view on whether, for example, a national policy or service is working well and being able to highlight a local example that will allow the motion to qualify for a members' business debate. The point is that such a local dimension might not necessarily improve the motion.

Hugh Flinn: I understand that, but we are constrained by the Parliamentary Bureau's decision on the matter. Paragraphs 2.18.a and 2.18.b at the top of page 7 of the guidance follow the wording of the bureau's decision, which was, in turn, reflected in an announcement in the *Business Bulletin*. We did not feel that it was for us to put an additional gloss on the matter.

The Convener: The guidance seems to be fairly straightforward. As with the guidance on questions, if members have any afterthoughts on the document they can contact Hugh Flinn via Andrew Mylne.

We move on to "Guidance on Public Bills", which is a larger document. I understand that the paragraphs that have been changed significantly are shaded grey.

Peter McGrath: That is correct.

The Convener: Is there anything in particular that should be drawn to our attention? Where are the bodies buried, so to speak?

Peter McGrath: No significant changes have been made, except with regard to standing orders, in which respect I should highlight four changes: first, in the section on members' bills, from page 23 onwards; secondly, in the section on timetabling motions at stage 3, on page 53 at the very end of the document; thirdly, in the section on amendment deadlines at stages 2 and 3, on pages 38 and 39; and, finally, in the section on revised accompanying documents and the memorandum on delegated powers, on page 13.

I echo Hugh Flinn's comment that the document will not be published until dissolution, which I hope will give members enough time to absorb the various points. If they have any comments, they are very welcome to pass them to Andrew Mylne.

Chris Ballance: I have just noticed that paragraph 1.6 on page 2 refers to "the Sewel convention". This committee established the

convention of referring to legislative consent motions. Ought that to be adopted in the wording?

Peter McGrath: The Sewel convention led to the use of legislative consent motions and that is reflected in the wording of paragraph 1.6. It goes on to refer to legislative consent motions. However, there was something called the “Sewel convention”.

Karen Gillon: The whole point of the parliamentary inquiry was to move us from where we were to where we want to be. If we start going back to using the words “Sewel convention” and “Sewel motions”, what was the point of the work that we did?

The Convener: The wording is, in a sense, literally correct. We changed the expression “Sewel motion” to “legislative consent motion”, but the Sewel convention is like the Hague convention, or some such treaty, in the way that it is named.

Karen Gillon: But the Sewel convention is not written down anywhere. Lord Sewel said it in a statement to Parliament. The only thing that is written down is the legislative consent motion procedure.

Peter McGrath: I am happy to remove that phrase if members would prefer it not to be there.

The Convener: The members are correct. We did not quite sweat blood over it, but we did make quite a lot of effort to persuade our colleagues to adopt the phrase “legislative consent motion”.

Andrew Mylne: Perhaps I could clarify that point. The wording in paragraph 1.6 reflects the actual position. The convention is essentially an agreement between the United Kingdom Government and the devolved Administrations. Although the deputy convener is correct to say that “Sewel convention” is not a formal name for it—it is more of a shorthand term—the point is that the Sewel convention exists outside Parliament and it is not within Parliament’s gift to change it. It is within Parliament’s gift to change the terminology of its own documents and procedures and that is what was done by retitling Sewel motions as legislative consent motions. “Sewel convention” is still the term that is used in other circles, including Westminster and UK Government, to refer to the convention. It is therefore not really up to the committee or Parliament to change that. It will continue to be referred to as the Sewel convention regardless of the view taken within this Parliament.

The Convener: The phrase “Sewel convention” comes first in the paragraph. Could the two sentences be rejigged slightly so that they show that, in the Scottish Parliament, the procedure is based on legislative consent motions that sprang

from the Sewel convention and the Parliament doing its own thing?

Peter McGrath: I would be happy to do that.

Karen Gillon: That would be helpful.

The Convener: Some colleagues do get agitated about it.

Karen Gillon: I am not agitated, convener.

The Convener: I was thinking of the largest Opposition party.

Are there any other points? Again, I must say that because it is the longest document, I might have read it less carefully than I did the other two, so I would like a little more time to read it. Is that all right, colleagues?

Members indicated agreement.

The Convener: We must acknowledge that a great deal of work goes into such documents. They cause great excitement for only one or two people outwith Parliament, but I am sure that they are very useful to the officials who keep our operations going. I thank Peter McGrath and Hugh Flinn for their attendance. Andrew Mylne will pass on any of our thoughts.

Parliamentary Time

10:39

The Convener: The next item is our review of parliamentary time. Members have a paper that contains the correspondence on the subject between the committee and the Parliamentary Bureau. The head of the chamber office wrote to us to say that the bureau was not minded to allow time for a debate on our report on the use of parliamentary time. He said that Chris Ballance had strongly argued our case but that the other members of the bureau did not support him.

On behalf of the committee, I wrote to the Presiding Officer and asked whether Karen Gillon and I could meet the bureau to clarify the points that arose from its decision. George Reid replied and said that Karen and I could attend the bureau's meeting on 27 February. After the meeting, which I will talk about in a moment, Murray Tosh wrote formally to us and stated that the bureau had agreed not to schedule time to debate our report.

I have to be careful what I say about the Parliamentary Bureau meeting—it was a private meeting, so I am not allowed to say that X said this and Y said that, but I can explain the position in general.

Unfortunately, Karen Gillon was unable to come to the meeting, because she had to deal with a constituency matter. However, I spoke to her on the phone and mentioned my two main lines of approach, which were first, to ask members of the bureau why they objected to our proposal, and secondly, to argue that the bureau's proposal that we should pass the matter on to our successor committee in the next session of Parliament is not an intelligent idea. We cannot expect our successor committee to take up a somewhat controversial issue that has been bequeathed to it. Karen Gillon agreed that it was fair for me to make those points on behalf of the committee, which I duly did.

I was told, in general terms, that certain members of the bureau do not like the interpellation proposal and are worried about the idea that motions and amendments for ordinary debates in Parliament should be lodged earlier. Members of the bureau thought that most MSPs have not addressed the issue at all, but we know that we went to exceptional lengths to consult members. We had two rounds of consultation, debates and meetings, but the bureau thought that the whole thing might come as a surprise to most MSPs and that they needed more time to consider it.

The bureau argued that it was more logical for the next Parliament, which will enjoy the benefits or otherwise of the changes, to make the decisions. That is a debating point, although it does not seem to be a very good one.

10:45

Following consultation, I suggested that if the bureau had said what upset them about our proposals, we could have divided our motion, or had one motion but two or three different votes on different aspects of it so that members did not need to vote down or accept the whole proposal—they could vote for what they liked and against what they disliked. The bureau members claimed that that would be “unprecedented”—the worst thing one can say about anything—and that it would cause confusion, which does not suggest a high estimate of members' IQs and is not a very good argument.

However, there was some support for at least having a debate, but not necessarily a vote. Chris Ballance—oh, I am not allowed to say that.

Chris Ballance: Feel free. I have no desire for privacy.

The Convener: Chris Ballance spoke up and some others in the bureau expressed some support for us, but it was clear to me and to Andrew Mylne, who came to the meeting as an observer, that we had to accept the fact that the majority was against us.

So what, if anything, do we do about it? I feel—I think other colleagues do, too—that it is an unsatisfactory decision by the bureau that demeans the committee structure. The committee worked for 18 months on an issue and went abroad at public expense to examine what other Parliaments do. We brought back what we thought was the best idea from those Parliaments and put it up for a trial, but the bureau is turning the whole thing down. It seems to me that the bureau is trying to stop the proper working of Parliament. What do colleagues feel and what, if anything, should we do about it?

Kate Maclean (Dundee West) (Lab): To a certain extent, I am fairly ambivalent about whether the report goes ahead or not, because I have not been involved in the tortuous process of compiling it, as other committee members have. However, if the bureau is talking about precedents, it is unprecedented that a committee report should be picked to bits by the bureau and not given time for a debate because the bureau does not agree with large parts of it. I am not happy about that situation and I am not aware that it has ever happened before.

As to what the committee can do about it, there are three or four weeks left of this parliamentary session, and although we are not happy about the situation, I suggest that nothing can be done about it. If the bureau has decided that the report is not going to be given parliamentary time, then it is not going to be given time.

We are going to discuss the legacy paper later. I would be reluctant to ask a future committee to take this report to Parliament, because it would have to go through the whole process again. I agree that it is an absolute waste of the time of everyone who has sat on the committee and of the very few MSPs who got involved and responded to the consultation. Some of the committee's activities have, as a result, involved a huge waste of money. I hope that, if the committee agrees, it will express that feeling to the bureau. However, I do not think that anything can be done. We should not waste any more of the committee's time on it, to be honest.

The Convener: Chris Ballance has two angles, as it were, on the issue.

Chris Ballance: Again, without breaching any of the confidences of a bureau meeting, a particular business manager argued on the one hand that MSPs hate parts of the report and, on the other hand, that MSPs know nothing about it. I find that to be a quite extraordinary combination of arguments.

Apart from the committee, I do not know how many members have read the inquiry report. The level of knowledge of it is probably quite low and I am deeply disappointed that the bureau could not even agree to the compromise that the report should be debated and noted. That would have been no skin off anybody's nose; it would have got the report out into the parliamentary domain, raised awareness of it and made it easier for a future committee to get involved with the debate and advance what is suggested in the report.

We have now effectively torn up the report and said that the committee has wasted its time, parliamentary money and resources for the past 18 months. The bureau's decision demonstrates a lack of openness to new ideas, which strikes me as being against the founding principles of the Parliament, to which we should adhere. It is about being open not only to people but to change and considering change. I am deeply depressed and annoyed by the stance that has been taken by the bureau but, like Kate Maclean, I am not sure what we can do about it, apart from trying to get more publicity for our anger about the decision.

Richard Baker (North East Scotland) (Lab): I am perhaps more sanguine about the situation. The committee has been here before. The previous committee, of which I was not a member,

held a massive inquiry and produced a document on the founding principles, which we looked at when we began our inquiry. The findings of the previous inquiry were not decided on at the end of the previous session. Our committee has looked into issues that came out of that and come up with recommendations and actions for the Parliament.

Following the bureau's decision, I suppose that that is all we can hope for now for our own report into parliamentary time. The bureau was not in favour of debating certain parts of it. We as committee members compromised on some issues because we supported other aspects of the report. For example, I am still not sold on interpellations. I did not have the benefit of going on any trips to see how the procedure worked and therefore I am not sold on the process—perhaps it is because I have seen it only on paper.

There is a wider issue. One thing that the bureau was right about was that the vast majority of members probably did not know about the report and therefore did not engage with it. That is not the committee's fault. We did everything possible to try to involve our colleagues in the debate.

Kate Maclean: It is the same with any committee.

Richard Baker: Yes, that is right. Although colleagues did not grasp our report, it would have been worse had we gone to the floor of the chamber with it and found out that they were sceptical about it and that there was a lack of awareness about it, with the result that they voted it down. I am more sanguine about where we are now on that basis, but that is not to say that I am not disappointed that there has been no proper engagement with the report.

We do not generally have engagement when we launch consultations on such documents. An issue for our legacy paper is, how the hell do we get members with busy lives, who are members of other committees and are overwhelmed by other matters, to engage with a fundamental issue about how this Parliament works? We need to advise the next committee to examine how we can get members to engage with such issues in future.

It is essential that the next committee looks into question time procedure. Inevitably, interpellations will come up as part of that. It is important that we include in our legacy paper the fact that we had difficulties in getting members to engage with such an important issue, and that when looking again at any of the matters in our inquiry it should examine further ways of getting members to comment, although we have not been shy in trying to do that.

I am disappointed with regard to receiving earlier notice of motions. As members know, I championed that proposal during the inquiry. It

would have been useful to consider it further. I will be disappointed if it is not discussed by the next committee.

Karen Gillon: Richard Baker is right that the previous Procedures Committee dealt with the subject before. Reports by other committees have also not been debated—it happens. Kate Maclean is right that the bureau's unpicking of the report, rather than simply choosing not to debate it, is probably unprecedented. There have been numerous cases in which committee reports have not made it to the floor of the chamber to be debated.

I am not concerned that a future committee will not pick up the issues that we raised. They need to be picked up and taken forward, particularly the issues about stages 2 and 3 and the notice period for motions and amendments. It is ridiculous that we are in a position today where we are lodging amendments to motions that will be debated tomorrow. The motions are not emergency ones; they relate to policy announcements that political parties made months ago, so they could have been lodged last week. That would have enabled members to engage in a decent dialogue with their constituents and with stakeholders. That is particularly true of the debate on alcohol misuse by young people, which is a serious issue. I know that the convener has strong views on that. If we want the process to be meaningful and not stage-managed by political parties—whichever they are—we need to get the notice period for motions and amendments right.

What can we do? Other members are right—we cannot do anything. The bureau has the power, and it has spoken. We need to take it on the chin and put the matter in our legacy paper. Those of us who are lucky enough to be here in the next session of Parliament can champion the matter with the next Procedures Committee. I hope to be back, but not on the Procedures Committee. [Laughter.]

Kate Maclean: I have a further point on something that the bureau said. If one of the criteria for getting items debated in the chamber was that members had read the relevant report or knew anything at all about what other committees were discussing, we would have a paucity of business in the chamber. If MSPs are members of one, two or three committees, they do not have time to study in detail the work of other committees. I am sure that I am not the only MSP who goes into the chamber, listens to debates and votes on subjects in which I have had no involvement.

Everybody knows what is happening here today and what happened in the bureau. We should not kid ourselves that there is any reason for the decision other than the fact that people do not

agree with parts of the report. The argument that members have not read the report or do not know what the Procedures Committee has been up to is spurious.

Chris Ballance: I should add that there is substantial opposition from more than one business manager to the concept of giving more notice of motions. That is deeply depressing because, as Karen Gillon and Richard Baker said, civic society cannot engage with the Parliament if members themselves do not know what motions and amendments have been lodged for debate until 6 o'clock on the evening before the debate. Society does not know what will be debated at 9.15 on a Thursday morning until the *Business Bulletin* is published at 8.30. The system is as opaque as it could be. It is ridiculous. I find it extraordinary, but our position does not have general support.

The Convener: It is helpful to get colleagues' views. We come from slightly different angles, but we all agree that we are disappointed.

The only opportunity to mention the matter in the chamber, other than in a point of order, is to challenge the business motion. Technically, one is supposed to go through the motions of opposing the business motion in order to speak to it, although people have done that in the past and then withdrawn their opposition. By opposing the business motion, one gets three minutes to state one's case and the Minister for Parliamentary Business has to respond. That would put the matter on the record. What we are saying now is on the record, but the matter will be more visibly on the record if it is raised in the chamber.

I welcome colleagues' views on whether it would be worth while having a brief debate on the issue.

11:00

Kate Maclean: Are you suggesting that we have that debate and not push the matter to a vote?

The Convener: Whatever colleagues think. I have challenged the business motion several times in the past. Occasionally, the vote in favour of my challenge has got into double figures, but one is on a hiding to nothing, really.

Kate Maclean: That would be 10 votes, then.

The Convener: It is, nevertheless, an opportunity for setting out a case on which members of the committee have strong feelings. I presume that the Minister for Parliamentary Business would have to represent what she thought were the bureau's and the Executive's views.

There is an additional point to be made. Through the good offices of Andrew Mylne, in working

through the official system, we are going to get a written response from the Executive—as opposed to the bureau—on its views on our report. That might be interesting reading.

Chris Ballance: That is quite a good idea. The advantage of challenging the business motion is that the convener would get three minutes in which to tell the entire chamber what we think are the key points of our report and why we think they should be debated. There would be 120 members there, so they would at least know that there is a Procedures Committee report. The report is not going to be debated, but it is hoped that some of the issues in it will be raised in the next session, and some of the members present will be future members of the Procedures Committee.

Karen Gillon: I would be cautious about that approach, convener. It might look as though we had had a fight, lost it and were taking our ball away in a big huff. Some other committee reports have not been debated because of decisions of the Conveners Group, or whatever. We should be cautious and think about what we would get out of that. Would it benefit us or would it not? We would have to be sure that it would bring benefit to a future committee in looking at the issues, which is what we want.

Kate Maclean: Have certain committee reports not been debated because the bureau did not like their content? I cannot think of any precedent for that.

Karen Gillon: They were never scheduled for debate by the Conveners Group, so we do not know whether it was because the bureau did not like their content. Committee business gets only 12 half-days in the chamber per year, and we have had those 12 half-days already. We are looking for extra time over and above that. It might be worth trying to get it, but I do not know.

The Convener: You are right to say that it would not be something to do lightly or inadvisedly. Nevertheless, if there was a brief debate and the subject was aired, that would at least reduce one of the arguments against the whole exercise—the argument that most MSPs have not engaged with the subject. It would at least open up the subject to some of our colleagues who had not given the matter any thought. That might help the future committee in dealing with the issue.

Richard Baker: It would be good to put on the record the fact that we have looked into the issues in some depth and that they should not just go away. However, I am torn as to whether what has been suggested is the right mechanism for the committee to use. It is common for individual members to challenge the business motion on individual issues, but perhaps the committee should do something more formal, such as write a

letter to the bureau. Like Karen Gillon, I have reservations about taking the proposed course of action. I agree with the convener that there needs to be a mechanism for the committee to place on the record our strong feeling that our successor committee needs to take up these issues. Perhaps that needs to go beyond the legacy paper.

The Convener: If we wrote to the bureau, is there any means by which the letter could become a public paper and the figures would be on the record?

Kate Maclean: Could we not write to the bureau and copy the letter to all members?

Richard Baker: Why do we not do that? That would be sensible.

Kate Maclean: We could include a copy of the *Official Report* of today's meeting.

Chris Ballance: It would not be on the public record in the same way.

Karen Gillon: It is on the public record as a result of this meeting.

Kate Maclean: To be honest, if the matter is discussed in the chamber at decision time—when there are never any members of the press there—it will not be any more on the public record than it is now. Nobody pays much attention to what happens then, either.

Karen Gillon: My recollection of the round-table discussions that we had with people from outside Parliament was that they said that it was a matter for us and that we should get on and do whatever we thought was right. I do not get the impression that there is a huge clamouring from the public to find out exactly what we decided to do. Members have to decide how to proceed. Writing a letter to the bureau and copying it to all members with a copy of the *Official Report* might be a better approach. Let us be honest: at two minutes past 5 on a Thursday night, how many members are actually listening to what is being said? Would we be able to get over the points that we want to make? Directly sending each member a personally addressed letter might have more of an impact.

Chris Ballance: When somebody stands up to make a point of order or to challenge the business motion, members tend to listen, although they might not listen to some of the other things that are said.

Kate Maclean: We have to make a decision.

Richard Baker: I agree with Kate Maclean's suggestion.

The Convener: We will compose a letter, which will go from us to the bureau.

Karen Gillon: Will it go to the Presiding Officer?

The Convener: Yes.

Kate Maclean: And it will be copied to all members.

The Convener: Yes. A copy will be sent to all members. It will be a proper letter, not just an e-mail—although it could be sent both ways. It will also be sent to all the press to see whether we can interest some of them in the issue.

Richard Baker: Will it be copied to the press at the same time? I would send it to the Presiding Officer first.

The Convener: Right. We can report it to the press subsequently. We are trying to draw attention to the issue. It is not a burning issue for the press, but some of them might be interested in it.

Kate Maclean: I agree.

The Convener: The question is the mechanism of producing a letter that people can sign up to.

Kate Maclean: Could the clerks draft something based on the discussion that we have had and e-mail it to us?

The Convener: Right.

Karen Gillon: That would be the easiest thing to do.

The Convener: Thank you. We are all disappointed, but at least we discussed the issue in a reasonable fashion.

Richard Baker: How is the convener's blood pressure?

Karen Gillon: He was quite calm.

The Convener: I am quite calm. I am just biting my lip.

Annual Report

11:09

The Convener: The next item is the annual report, which is a factual account of what we have done. Does anyone have any questions or observations? The report will presumably cover what we have just decided. Is that right?

Chris Ballance: I think that it already does.

The Convener: Yes, paragraph 4 mentions it.

If there are no other points, I take it that we approve the annual report. What happens to it now?

Mary Dinsdale (Clerk): We are planning to publish it in the week preceding dissolution.

The Convener: We still have annual reports, as we decided previously.

On two or three recent issues, we have not supported the Conveners Group's views, so I feel slightly unpopular when I go to its meetings. However, I claim, "It wisnae me"—I blame all of you.

Karen Gillon: You keep telling them it was me—you are picking on me.

The Convener: No, it is a collective view.

Two or three papers have been circulated on subjects that are not agenda items. The one about the independent review of regulation, inspection, audit and complaints handling of public services in Scotland invites any of us who have views from either a personal or a Procedures Committee point of view to send them to Andrew Mylne. He will pass them to Paul Grice, who is collecting views on the governance of such matters to put to Professor Crerar.

That is an invitation to committee members to think, do some more reading and send in some stuff if they want. Some people get excited about having more or fewer ombudspersons, commissioners and suchlike, and about how independent is independent. I draw that paper to the committee's attention.

We end the public part of the meeting and will discuss the legacy paper in private.

11:12

Meeting continued in private until 11:22.

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