

PUBLIC PETITIONS COMMITTEE

Wednesday 11 June 2003
(Morning)

Session 2

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CONTENTS

Wednesday 11 June 2003

	Col.
INTERESTS	1
CONVENER	3
DEPUTY CONVENER.....	4
LEGACY PAPER.....	5

PUBLIC PETITIONS COMMITTEE

1st Meeting 2003, Session 2

OLDEST COMMITTEE MEMBER

*John Farquhar Munro (Ross, Skye and Inverness West) (LD)

COMMITTEE MEMBERS

*Jackie Baillie (Dumbarton) (Lab)
*Helen Eadie (Dunfermline East) (Lab)
* Linda Fabiani (Central Scotland) (SNP)
*Carolyn Leckie (Central Scotland) (SSP)
*Michael McMahon (Hamilton North and Bellshill) (Lab)
*John Scott (Ayr) (Con)
*Mike Watson (Glasgow Cathcart) (Lab)
Ms Sandra White (Glasgow) (SNP)

*attended

CLERK TO THE COMMITTEE

Steve Farrell

ASSISTANT CLERK

Joanne Clinton

LOCATION

Committee Room 2

Scottish Parliament

Public Petitions Committee

Wednesday 11 June 2003

(Morning)

[THE OLDEST COMMITTEE MEMBER *opened the meeting at 09:16*]

John Farquhar Munro (Oldest Committee Member): Good morning everybody and welcome to the first meeting of the Public Petitions Committee in the new parliamentary session. Members will find this an interesting committee and I am sure that their participation in it will give them a lot of pleasure, because it takes important decisions that affect the lives of many within our great country of Scotland.

It does not please me to find myself in the chair this morning, as I am here because I am the oldest committee member. That is something that I could do without, but that is the situation that we find ourselves in. I welcome any members of the public and press who are present. I look forward to working with all members in the course of this session. Sandra White has intimated her apologies, but we have no other apologies.

Interests

John Farquhar Munro: The first task that I am required to perform is to ask members to declare any interests that might impinge on their work on the committee. Members have been given a note of what might be considered an interest or item that they might wish to declare to the committee.

I will set the ball rolling. As the committee deals with so many issues, for my part I think it appropriate to mention that I am a member of the board of directors of Sabhal Mòr Ostaig, which is the Gaelic college on Skye. I am also a board member of the Gaelic arts group Tosg and I am a member of the Gaelic Language Promotion Trust. Apart from stating that I am a deprived crofter from the Highlands, I think that that covers all the interests that I would like to declare.

I invite members to declare their interests.

Jackie Baillie (Dumbarton) (Lab): Apart from what is in the register of interests, my membership of the Transport and General Workers Union and of Unison might be considered a relevant interest, should they ever present a petition.

Linda Fabiani (Central Scotland) (SNP): I have nothing to declare beyond what I have

already declared in the register of interests. My membership of the Transport and General Workers Union could also impinge. I am also a member of the Chartered Institute of Housing.

Mike Watson (Glasgow Cathcart) (Lab): I have nothing to declare further than that which is in the register, which includes my membership of Amicus MSF.

Carolyn Leckie (Central Scotland) (SSP): I am a member of Unison, which I hope will help my participation rather than hinder it. I am a registered midwife, now resigned, from North Glasgow University Hospitals NHS Trust, which might be relevant.

Helen Eadie (Dunfermline East) (Lab): Everything is in the register of interests.

Michael McMahon (Hamilton North and Bellshill) (Lab): Likewise, I have nothing to declare beyond what is in the register, but I should mention that I am a member of the GMB union.

John Scott (Ayr) (Con): I have nothing to declare in particular beyond what is in the members' register. However, I should declare that, like everyone else, I am a member of a union—I am a member of the National Farmers Union of Scotland. I am also the chairman of a hill sheep and native woodland advisory project, which takes place in the Highlands and is under the auspices of the Scottish Agricultural College.

John Farquhar Munro: I omitted to ask members to ensure that all mobile phones are switched off.

Convener

John Farquhar Munro: The Parliament has agreed that only members of the Labour party are eligible for nomination as convener of the Public Petitions Committee. I ask for nominations for that post.

Mike Watson: I nominate Michael McMahon.

Michael McMahon was chosen as convener.

John Farquhar Munro: It is my pleasure to invite Michael McMahon to take the chair and conduct the rest of the business of the meeting. I congratulate him on his appointment.

The Convener (Michael McMahon): Colleagues, thanks very much for putting me in this position. I have no experience in the previous session of being on the Public Petitions Committee, but I know, as most people do, the great reputation that the committee earned for itself. That good reputation was entirely justified and I hope that we can work together, not only to continue it but to enhance it. I am looking forward to working with you all on the work of the committee. I am also looking forward to what the people of Scotland will bring to us. I hope that it will be an enjoyable time for us all.

Deputy Convener

The Convener: My first duty is to seek nominations for the position of deputy convener. The Parliament has agreed that only members of the Conservative and Unionist Party are eligible for nomination as deputy convener. Therefore, I ask for nominations of members from that party.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): I nominate John Scott as deputy convener.

John Scott was chosen as deputy convener.

The Convener: Congratulations, John.

Legacy Paper

The Convener: The only other item we have to discuss is our legacy paper. I know that everyone has received a copy of that thorough document. Rather than formalise proceedings, I suggest that, if members have issues to raise, they take this opportunity to make those points.

Carolyn Leckie: I have some questions because I am new to the Parliament and the committee. I was interested to read the legacy paper because it gives a flavour of what happened during the past four years. However, the process for prioritisation—how decisions were reached on which petitions to take up—was not clear. I know that an away day is planned to discuss the work programme in more detail, but I have some pressing questions about the suggestions in the paper, which include questions about the process and who has authority. For example, if a petition were referred to a subject committee and there was conflict about how it should be progressed, how would that situation be dealt with?

The paper includes a statement about the committee's ability to make recommendations on issues such as those relating to acute services reviews and health boards. It states that the committee was not competent in such areas. What is the background to that statement?

The Convener: I do not know a lot on the subject, so it might be helpful if the clerk, Steve Farrell, could assist us. I understand that the Public Petitions Committee can make decisions about priorities. There might be a technical procedure to follow if we cannot reach a consensus, but I hope that we can decide on priorities on a consensual basis. I hope that we can always find a way to agree on our priorities and I will work towards that.

The Public Petitions Committee remit is quite clear. We are not a committee of appeal. The Public Petitions Committee exists not to judge the merits or otherwise of the decisions that are taken by autonomous bodies but to look at the processes by which decisions are made. That is clear, although we have some latitude in deciding how to address concerns that people have about the decision-making process.

Steve Farrell (Clerk): The convener has hit the nail on the head. We are here to look at the framework in which decisions are made. If, following an acute services review, certain members of the public or staff who were involved in the process are concerned about how the process was implemented in respect of consultation or other issues, the committee can examine the process with a view to changing it if it is found to be flawed or if it did not operate as intended.

The previous members of the committee took a strong line on not interfering in the decisions of a health board or other public body. The committee agreed not to interfere because it is the responsible bodies themselves that have the powers to make decisions. However, the committee can examine instances in which the process is found to be flawed.

Carolyn Leckie mentioned possible conflict with subject committees. Once a petition is referred to a subject committee, that committee progresses matters that arise from the petition thereafter. The Public Petitions Committee might get dragged into any conflict that arose; if that occurred, for example if a petitioner were unhappy about the progress of a petition, there would have to be dialogue between the two committees to try to resolve the matter. I hope that that answers the member's questions.

Mike Watson: I have a query about the suggestion that the Public Petitions Committee could undertake more inquiries by itself, as opposed to working under the system that was in place in the previous session. I am not clear about what the process would be if we wanted to undertake an inquiry. Would we have to refer a petition to a subject committee and then wait for that committee to say that it did not have the time to, or did not want to, undertake an inquiry? Alternatively, could we say that a petition looked like one that we wanted to take on board and simply inform the subject committee of our decision? If we are not to follow one of those two options, what is the process likely to be?

The Convener: That is another matter on which we can be quite flexible. I understand that we should invite the subject committee to look at the petition. However, if the subject committee were involved in scrutinising a detailed piece of legislation, time constraints might encourage the committee to return the petition to us with a request that we consider it.

I hope that the subject committees would not use our ability to consider petitions as a way out of doing that themselves. We can decide whether to progress petitions based on their merits and an element of flexibility has to be included in the process. In the first instance, we should decide which committee should look at a petition and then hold discussions with that committee.

Mike Watson: So we cannot decide to take on the petition without asking the subject committee to take it up.

09:30

The Convener: My first instinct is that I would not want to close down that option. If we decide that we want to address a petition very swiftly, we

should leave that option open, although it would be a decision that we would make together with the subject committee. We want to deal with every petition on merit. I hope that that is acceptable to members.

Carolyn Leckie mentioned having an away day. I have spoken to Steve Farrell about it, and I think that an away day might be a useful opportunity. We could perhaps find some time for it towards the end of the recess. Do members have any ideas about the format that it might take? It is suggested that we meet for an afternoon somewhere that is central for as many of us as possible. I do not think that members are too geographically widespread. We could probably find a venue that would be suitable for us all, where we could get together and discuss all the issues before us and the practicalities of operating the committee. Do you wish to leave it to me and the clerks to make arrangements for the day?

Members indicated agreement.

John Scott: When are we talking about?

The Convener: The details will have to be agreed, but we should work towards holding the away day during the last week of the recess.

It has been suggested that the committee meet for a second time on 25 June, with a 10 am start, and that we hold meetings fortnightly. Do we agree to that, as a starting point?

Members indicated agreement.

Mike Watson: So the committee will always meet on a Wednesday.

The Convener: The next meeting is scheduled for a Tuesday.

Mike Watson: You said 25 June.

The Convener: Sorry—that is a Wednesday, with the meeting starting at 10 o'clock.

Mike Watson: I am on another committee, which has not yet held its first meeting, so I am not sure when that committee's meetings will usually be. I am aware, however, that the clerks get together to avoid clashes. Is the plan for us always to meet on Wednesday mornings, other committees permitting?

The Convener: The idea is that we agree to meet on 25 June and then let the clerks liaise with one another. I think that the Wednesday slot might be the one that is recommended to us. We have only one more meeting before the summer recess, in any case, and it seems that we have been allocated Wednesday 25 June for our next meeting.

John Farquhar Munro: At 10 o'clock?

The Convener: Yes. Is there anything else that members want to raise? If not, then I thank you for your attendance, colleagues.

John Farquhar Munro: Welcome to your new post, Michael.

The Convener: Thanks very much.

Meeting closed at 09:32.

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