

# **STANDARDS COMMITTEE**

Wednesday 5 June 2002  
(*Morning*)

Session 1

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## STANDARDS COMMITTEE

### 10<sup>th</sup> Meeting 2002, Session 1

#### CONVENER

\*Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD)

#### DEPUTY CONVENER

\*Tricia Marwick (Mid Scotland and Fife) (SNP)

#### COMMITTEE MEMBERS

\*Susan Deacon (Edinburgh East and Musselburgh) (Lab)

\*Lord James Douglas-Hamilton (Lothians) (Con)

\*Mr Kenneth Macintosh (Eastwood) (Lab)

\*Paul Martin (Glasgow Springburn) (Lab)

Kay Ullrich (West of Scotland) (SNP)

#### COMMITTEE SUBSTITUTES

Alex Johnstone (North-East Scotland) (Con)

Michael Russell (South of Scotland) (SNP)

\*attended

#### CLERK TO THE COMMITTEE

Sam Jones

#### SENIOR ASSISTANT CLERK

Sarah Robertson

#### LOCATION

Committee Room 4



## Scottish Parliament

### Standards Committee

*Wednesday 5 June 2002*

*(Morning)*

[THE CONVENER *opened the meeting at 10:31*]

**The Convener (Mr Mike Rumbles):** Good morning and welcome to the 10<sup>th</sup> meeting this year of the Standards Committee. We have apologies from Kay Ullrich and Susan Deacon will be slightly late.

### Item in Private

**The Convener:** Our first task is to decide how to take agenda item 4, which is on the details of the recruitment process for the parliamentary standards commissioner. Given that the item is about internal parliamentary policy, a draft person specification and an advertisement for the standards commissioner post, I propose that we take it in private. Do members agree?

**Members** *indicated agreement.*

## Cross-party Groups Review

**The Convener:** At our meeting on 8 May, we agreed in principle to conduct a review of parliamentary cross-party groups. The clerks have prepared two papers to help us to set the scope and format of the review. Before we consider those papers, I think that it is worth restating the reasons for the review.

The committee has acknowledged on several occasions the important role that cross-party groups play in acting as an interface between the Parliament and wider Scottish society. Indeed, our survey of cross-party group activity in 2000-01 painted a generally positive picture. Given that the groups may have, or may be perceived as having, influence in the Parliament, they are required to comply with rules set out in the "Code of Conduct for Members of the Scottish Parliament". In the past year, the Standards Committee has received representations from group conveners about the application of the rules, particularly those about the use of parliamentary resources. The committee is also aware of instances of groups not complying with the rules.

Rather than making piecemeal changes to the code, the committee agreed that a comprehensive review of the rules and the operation of the groups in practice would be a sensible way forward. We need to decide on the scope of that review. The clerks have produced two papers that raise a series of issues that we may wish to consider. There may also be other areas that members would like to investigate. We should also consider the format of our review—for example, whether we want to take written or oral evidence.

The meeting is open now to members' views on how we should proceed. Members may take particular points from the papers or make general comments.

**Tricia Marwick (Mid Scotland and Fife) (SNP):** We should write to all the cross-party groups. They need to know that we are conducting a review and the scope of that review, which will be decided today. We should ask the groups to give us input and feedback from their perspective. We also need to get across the message that the Standards Committee does not want to act as the police for cross-party groups and that we do not want to stop them carrying out their valuable work or to inhibit them in any way. However, we must ensure that the members of the cross-party groups and the Standards Committee understand the purpose of the groups and what the Standards Committee can do to assist them. We do not want to be perceived as trying to hinder the groups.

I read carefully the useful paper that the clerks

provided, but I think that a section is missing on a matter that we perhaps have not addressed previously. The issue concerns financial support for cross-party groups. It is important that we detail what we consider to be appropriate financial support. For example, I would certainly like us to say clearly in any future rules that secretarial support is acceptable but that, if there is outside support, we need to know precisely what the funding is for. We have not yet addressed that matter, but it might become part of future discussions.

**The Convener:** Okay. Are there general comments before we go through the papers?

**Susan Deacon (Edinburgh East and Musselburgh) (Lab):** I would like us to discuss several matters about the scope of the review, but first I have a general observation, which follows on from what Tricia Marwick said. I was genuinely concerned, on reading the helpful papers that the clerks produced, to find that most of the cross-party groups seem to be paying scant regard to many of the existing rules. The words in your opening remarks on the subject were measured, convener. I agree with Tricia Marwick that the Standards Committee should not become a policing mechanism for the cross-party groups. Rather, we must encourage discipline in cross-party groups. There is not much point in our embarking on a review of existing rules if the adherence to and the enforcement of those rules are negligible.

The message from the committee to cross-party groups must be that we are looking for better practice than currently exists. My sense is that that would be supported across the parties in the Parliament. Currently, the clerks to the committee have to spend a lot of time chasing people up in relation to basic practices to which everyone signed up at an early stage, such as those on attendance and annual general meetings. We should signal our concern that a significant number of cross-party groups—I am being careful not to generalise too much—are not adhering to those practices. If we do not send that message now, we could go through the time-consuming process of changing the rules but still face the problem of how seriously the rules are taken. We should send a message—not as the policeman of Parliament, but as the conscience of Parliament—that we are at the start of a process that should result in everyone concerned taking the process a lot more seriously.

**Mr Kenneth Macintosh (Eastwood) (Lab):** I echo some of the sentiments that have been expressed, but take a slightly different approach. The main problem with cross-party groups is that they are fulfilling a function that was not entirely envisaged when the rules were drawn up. Part of

the reason why the cross-party groups are in danger of not following the rules is that they are not the vehicles that they were originally set up to be. I welcome the chance to have a review, which should be not just of the rules of the groups, but of their function.

I would pay particular regard to how the groups are perceived by people outside the Parliament. Some members of the committee are also members of the Procedures Committee, and we are conscious that, of the four principles of the Parliament, sharing power is the one that we are having greatest difficulty in translating into practice. One of the possible advantages of the cross-party groups is that they give members of the public, lobby organisations and others outside the Parliament access to the Scottish Parliament. In that regard, the cross-party groups provide a valuable platform.

I do not want to prejudge our report, but I am anxious to hear views on the role of cross-party groups as a method of access, a way of sharing power with the wider community and a way of allowing people to use the Parliament to raise their agenda. We must ensure that that happens in a fair and transparent manner. The difficulty is that, if the groups do not follow the rules, their status is diminished. It is important that the groups abide by our rules to give them greater dignity.

**Lord James Douglas-Hamilton (Lothians) (Con):** I agree with what Susan Deacon said. Notes on the rules, in the form of guidance, would be useful for members. When we set up the review, we agreed, as it says on the first page of the clerks' document,

"to hold a review of the operation of CPGs."

My understanding was that we were to review how the groups operate rather than to change the rules at this stage. I do not think that there is anything wrong with the rules. Perhaps suggestions could be made, but the review should focus primarily on the operation of the groups.

Written evidence would be helpful. The cross-party groups are an important part of the democratic process and the topics mentioned in the paper could usefully be covered. It would be helpful if we could report to Parliament before Christmas. In the interim, simple guidance, running to no more than one sheet of paper, should be prepared. What usually happens at Westminster is that all-party groups are handled with a light touch, but are expected to follow the rules, which are drawn to their attention if they do not. I do not see why we should not follow the same practice.

**Paul Martin (Glasgow Springburn) (Lab):** It would be a helpful part of the process to clarify which external members are taking part in cross-

party groups. There are concerns about the involvement of lobby groups in the cross-party groups, so some analysis of exactly who is showing an interest would be helpful. Ken Macintosh raised a genuine point about sharing power, but whom are we talking about sharing power with? Is it the tenants association in Glasgow Springburn or a lobby organisation that may have a financial interest in ensuring that a particular point of view is reached? It is important to analyse that.

**The Convener:** I shall pull together some of the general comments before focusing on the review as laid out in the paper. All members are genuinely concerned that the current rules do not seem to be being adhered to.

On 12 April, the clerks wrote to all conveners and contact points for the cross-party groups asking for specific details. The cross-party groups are supposed to provide those anyway—they are not supposed to wait for the clerks to remind them. Even with that reminder, many of the groups have not fulfilled their obligation.

Would members prefer it if I, as convener, wrote to the conveners of the cross-party groups, reminding them of their current obligations and asking them to pull their finger out? That would deal with that problem. As Susan Deacon and others have said, we cannot hope to have a reasonable review of the operations, functions and rules of cross-party groups if the current, straightforward rules are not being observed. Are members happy with considering current compliance and for me to write to cross-party group conveners?

**Members indicated agreement.**

10:45

**The Convener:** Let us consider the content and approach of the review. I hear Lord James's point that the review was meant to focus not on the rules but on the operations and functions of cross-party groups. However, if we are examining the operations and functions, it would make sense for us to consider the rules as well. I am not sure how members would like to approach the matter. Do members want to consider each issue in turn or shall we consider the scope?

**Susan Deacon:** One thing that I would like to see in place as a backdrop for any further review is a clear and simple statement about the purpose of cross-party groups. I know that paragraph 6 of the white paper contains three bullet points about what we see as the primary functions of cross-party groups, but there is no short statement on the role, purpose and objective of the groups. We are all enthusiastic about cross-party groups, but I am concerned about what their function is and

how they are perceived and presented publicly.

The paper seems to go straight into the mechanics of operation rather than beginning with the objectives. If we are clear about the objectives, the mechanics will flow from that naturally. We might need to be less prescriptive about the way in which secretariats are provided, for example, if we are sure that everyone is buying into a set of objectives and principles. That might include a statement about what cross-party groups are not as well as what they are, which would take on board the external confusion between Parliament committees and cross-party groups.

In advance of or in tandem with a review exercise, I would like us to agree a statement of objectives. If we were clever about the way in which we went about that and secured widespread support, it would be helpful further down the track. We do not want to impose something on our colleagues. Ideally, we want to take a facilitative role and establish a consensus on the way forward.

**Mr Macintosh:** I agree entirely with Susan Deacon. We must review the objectives of such groups as well as considering how they function. That must be the start of the process. Are we going to go through the blue paper and then the white paper? I am trying to work out the difference between the two.

**The Convener:** The blue paper provides extra information. We will go through the white paper.

**Mr Macintosh:** I have several points.

**The Convener:** Do not feel restricted. You are free to delve into any of the information that has been provided.

**Mr Macintosh:** I welcome both papers. I agree with Susan Deacon that the purpose and perception of cross-party groups is fundamental. Paragraph 8 of the white paper suggests that cross-party groups play a key role in acting as an interface. That might conflict with the idea that the groups are parliamentary.

We have to resolve the issue without throwing the baby out with the bath water. We have to build on the success of many of the groups—they have been successful and we should not pretend otherwise—but we should curb their excesses.

Many points that I wished to raise are in the white paper, but there is one that does not have a title of its own. We have spoken about the parliamentary nature of the groups, but my concern is not their parliamentary nature, or lack of it, but their cross-party nature, or lack of it. Some groups may have become vehicles for party-political points or for individual MSPs. I am concerned about that abuse of the system and I believe that the rules should be tightened up—not

to exclude the public, but to make us more neutral.

**Tricia Marwick:** I agree with much of what Susan Deacon and Kenny Macintosh have said. Committee members and, subsequently, other MSPs have to be clear in their minds about what cross-party groups are for. When we first considered the issue, we were clear that the groups had to be parliamentary in nature and that they had to have genuinely cross-party membership. The rules do not allow a cross-party group to be set up if it is not genuinely cross-party. However, it is not giving away too many secrets to say that, to form a cross-party group, a particular party is sometimes trawled to find an MSP who will sign up to it. That can happen even when the MSP has no intention of attending, as they simply do not have time. If we are artificially creating cross-party groups, we are not doing the Parliament any service.

We have previously discussed the possibility of MSPs being associate members, not full members, of a group, but that should not take away from the requirement that groups be parliamentary in nature. Cross-party groups are given a lot of leeway in the use of parliamentary facilities. They have a certain kudos. If you are a member of, or on the secretariat of, a cross-party group on X or Y, you have some influence. However—I have said this before but I will say it again—people from all over Scotland are coming to meetings of cross-party groups only to find that only one MSP is there. There are ways of engaging with parliamentarians without using the cross-party group system. In some cases, time and facilities might be better used if a cross-party group did not exist. They should not exist if their existence is being artificially propped up.

We have to get that message across to our colleagues. Paul Martin asked who some of the secretariats were. Are the cross-party groups becoming lobby-type organisations, giving people access to MSPs? Such considerations were what drove the committee in the first place to ensure that cross-party groups were parliamentary in nature—to draw a distinction between what we were trying to set up and what had existed for ever at Westminster.

We need to get the issue clear in our minds and then get the message across to our colleagues. We need to decide how the cross-party groups fit in with the parliamentary system. No one is saying that other organisations should not come to meet MSPs, but the framework of cross-party groups may not be the way to progress such contact. It does us no good to pretend that the success or otherwise of the Parliament hinges on cross-party groups being the interface between the Parliament and wider society. There are other ways of achieving that.

**The Convener:** Are there other contributions?

**Mr Macintosh:** The issue is how we will structure the review. I agree with virtually everything that Tricia Marwick said.

**The Convener:** I am normally quite well structured, but I, too, am struggling with how we should address the structure in this case.

**Mr Macintosh:** The briefing paper covers many of the issues and is an excellent basis on which to proceed with consultation, although some points are missing and some need to be beefed up. The process is difficult. Many of Tricia Marwick's points, which I whole-heartedly endorse, are views that should be submitted to the review rather than being part of it at the outset, because we do not want to prejudge the outcome. The essence of what she said is that anything that bears the name of the Scottish Parliament should reflect the principles of the Scottish Parliament. The cross-party groups do not currently do that, because they are not true to the original idea—they are not totally transparent or accessible in their operation. A number of points need to be tightened up.

I possibly disagree with Tricia Marwick on her final point. I believe that cross-party groups provide useful access to the Parliament. I am anxious that we do not remove that access while improving the functioning of the groups.

I mentioned that the groups must be cross-party in nature, which should be emphasised when we are looking for responses. As well as writing to the cross-party groups and all their individual members, we should consult members of voluntary organisations, the Scottish Civic Forum, the Scottish Council for Voluntary Organisations, the Scottish Trades Union Congress, the Convention of Scottish Local Authorities and the lobby organisations—I do not know whether they have excessive or undue influence—which provide secretariats for cross-party groups. I am sure that some of those organisations are rigorous in trying to provide a secretariat in a balanced way but, as Paul Martin said, we need to ask whether that is fair to the smaller, less well-resourced groups in the community.

**The Convener:** We can not only write to the normal suspects—if I can put it like that—that you mentioned, but ensure that every organisation that provides a secretariat to a cross-party group is on the consultation list as well. Is that what you are saying?

**Mr Macintosh:** Yes. I would like to hear those organisations' views on how useful the groups are. We should not be proud of this, but many organisations feel, "We need our cross-party group. Everybody else has one." They see cross-party groups as a way of getting their ideas on the political agenda. We have to watch out for that.



The system may not have been abused—people should have their ideas discussed in Parliament—but we must be careful that organisations are clear about the role of cross-party groups and are aware of the other methods of pursuing their objectives. I want to talk to groups such as the STUC, COSLA, the Scottish Civic Forum, the churches and other organisations that were active in helping to form the Parliament in the first place, and which have a strong view on the principle of sharing the power.

The question of resources is crucial. My perception of cross-party groups is that they are not well resourced. Some of them have minimal subscriptions and some have none. For the groups to work effectively, they must have accurate minutes. Some of them have had difficulty making returns because their meetings are not well minuted, as they do not have professional or full-time secretariats. Resourcing is crucial. We should ask whether cross-party groups should be resourced by Parliament, and what the rules on resourcing should be. The current cross-party groups could not, in my opinion, be resourced by Parliament, because that would be an even bigger abuse of the current system, but if we tightened up the rules, there might be greater leeway to allow better use of parliamentary resources. There is a *quid pro quo*.

Tricia Marwick made a good point about the resources that are provided by the secretariats of cross-party groups. For example, the cross-party group in the Scottish Parliament on cancer recently hosted an expensive conference, which was paid for by a mixture of subscription and sponsorship. The conference was self-financing, but the finances were channelled through the books of the cross-party group. If nothing else, the rules on that type of situation should be clarified.

Paragraph 9 in the paper deals with MSP membership of cross-party groups. The paper mentions flexibility, which is important, but I would like more active participation by MSPs of more than one party. We should not be restrictive and say that all four major parties must be represented on all occasions, but more than one party should be represented and members from those parties should take an active part at all meetings. It is important that members of more than one party should sign official documents and reports. That would emphasise their cross-party nature. I work on an informal cross-party group on the south Glasgow hospitals. Although it does not have a title, it is more cross-party in nature than some of the formal groups in the Parliament, because all the parties are always involved.

11:00

**Susan Deacon:** I am slightly concerned by the direction of the discussion. We appear to be

travelling towards a wonderfully open and sprawling consultative process whereby six months from now lots of people will have made written submissions, the clerks will have spent lots of time gathering information and lots of people will have given up their time to speak to us, but we will not be much nearer a decision on what should be done.

I have a suggestion for an alternative process. We should produce a short, structured discussion paper that contains specific questions. As I suggested, we should draw up draft aims and objectives from the outset, covering points such as the fact that groups should be genuinely parliamentary, cross-party, participative and accessible, and that the public should have a clear understanding of where the groups fit into the parliamentary process. For each of the aims, we should come up with two or three focused questions that flow naturally about how the aims might be achieved. That would direct people towards providing practical suggestions.

We should consider how to give the process structure. We can give people the option of raising other points in case something that should be on our radar is not there, but we should channel people's minds towards practical suggestions for achieving our aims. My first practical suggestion is that we should produce a structured discussion paper.

I also suggest that we emphasise asking the questions of parliamentarians. Ken Macintosh said that outside groups will have many different aims and agendas for the cross-party groups. That is a bit pejorative, but it is true. If we want to adhere to the original principle that cross-party groups should be parliamentary, and not go down the so-called Westminster road of shifting the balance of control to outside bodies, we must be mindful that such bodies might have different views from those of parliamentarians. I refer not simply to members of this committee—I am talking about members in general.

I know that getting responses to questionnaires is not always easy. None of us is terribly keen or disciplined in that respect. However, there is more than one way to skin a cat. Perhaps we could organise one or two informal seminars with office-bearers of cross-party groups and glean suggestions from them. Ken Macintosh referred to the Procedures Committee inquiry, which is relevant in a number of ways. We do not want to replicate what it has done but a huge amount of evidence has been taken from a range of organisations. An issue that has repeatedly been raised is the need to use different methods of engagement and not always to fall back on producing a consultation document to which people have three months in which to respond.

Perhaps there is a chance to use a lighter touch and take a more participative approach. Ultimately, there are more effective methods of involving people. There could be one or two meetings of MSPs who have been particularly involved. Perhaps those who provide the secretariats could be involved. There are alternatives to formal evidence sessions. The session can still be open—I am not advocating doing anything in private—but there could be a more creative format. We might get more out of it.

I have made some suggestions but it is worth thinking carefully about the process. If I may be so bold, I will say that a mistake that many organisations, including the Parliament, often make is not to spend enough time on putting a good process in place from the outset. Several months down the road, we find that—surprise, surprise—we have lots of material, but it is not getting us where we wanted to go. If we are mindful of that at this stage, we could come up with a sharp product.

**Paul Martin:** I disagree slightly with what Ken Macintosh said. I have an open mind about the effectiveness of the cross-party groups. Ken made some excellent points in respect of how those groups operate, but we should proceed with an open mind.

An evaluation of the effectiveness of the cross-party groups would be helpful. We could take a sample of the groups and ask how often they meet and what they discuss and clarify the results of those discussions. Some cross-party group meetings that I have attended have been talking shops in which we get around the table and discuss various issues but do not subsequently act—the Parliament has also been accused of that.

The paper says, under the heading “The Purpose and Perception of Cross-Party Groups”, that such groups should

“help inform Members in pre-legislative scrutiny of draft legislation prior to Parliamentary scrutiny.”

No cross-party group with which I have been involved has done that. Cross-party groups tend to discuss topical issues.

I have a genuinely open mind about how effective cross-party groups are. There should be an evaluation of a sample of cross-party groups to get right into the bones of how effective they are. I do not want to pick on a particular group, but let us take the cross-party group in the Scottish Parliament on oil and gas as an example. How often does it meet? What does it discuss? How effective has it been in respect of oil and gas in Aberdeen and the North sea? Once such an evaluation has been carried out, we can deal with the point that Ken Macintosh and Tricia Marwick, I

think, raised. Do we need cross-party groups?

It will be interesting to find out how often the cross-party groups meet. We put one another under constant pressure to attend meetings. Ken Macintosh mentioned that. How often do members have the time to attend cross-party groups, over and above committee meetings and constituency engagements? I find doing that difficult.

Another key aspect must be whether giving our time to cross-party groups is the best use of our time. Tricia Marwick mentioned that. My experience is that I can engage on issues more effectively in my constituency than I can in cross-party groups.

**Lord James Douglas-Hamilton:** I understand that one purpose of cross-party groups is to advance the interests of a cause, such as human rights, learning disabilities, crofting or women's issues, but that was not one of the three aims.

If a questionnaire is to be drawn up, I respectfully suggest that it should be relatively tight. I was uneasy when Ken Macintosh mentioned resources. The Parliament is not obliged to fund outside groups. If it starts with one, others will complain that they have not been considered. Parliamentary resources are made available through the provision of committee rooms and facilities to enable people to advance their interest and get their message across. That is a central part of the democratic process. We have given enough information for the clerks to produce proposals for a further paper.

**The Convener:** I will summarise our views. The contributions have provided enough information. We must think about a timetable and a structure. The clerks could produce a tightly drawn paper that identifies the issues that we have just discussed and provides questions for a consultation paper. We could discuss and, I hope, approve that draft at our meeting in a fortnight's time, which will be the last meeting before the summer recess.

It would be useful to publish the paper. I know that Susan Deacon has talked about the usual reaction, with people saying, “Not another three-month consultation,” and I will return to that in a minute, but we must have something formal. After we publish the paper, three months will be a reasonable time for responses. That would take us to the end of September.

At the same time, we could do other things, such as hold a couple of seminars. We should consider inviting some office-bearers of cross-party groups, perhaps chosen randomly. I do not know how we would choose them, but we cannot speak to them all. We could select some of them to talk us through the process, their involvement and their experiences.

We could have a mixture of formal evidence sessions and a couple of informal seminars. We can decide in a fortnight's time whether we mix them together. Do members want oral sessions with some organisations of civic Scotland, or should we receive only written evidence from them?

**Lord James Douglas-Hamilton:** We will be able to make an objective decision when we have the responses.

**The Convener:** Are members content with that? We will deal with the matter at our next meeting with that time scale in mind. We hope to publish a report by Christmas. Is that agreed?

*Members indicated agreement.*

**Mr Macintosh:** I would like to clarify a point that Lord James made. I was not advocating greater use of resources. I was advocating greater clarity about the use of resources, because of the argument that we just had about whether broadcast facilities in the Parliament could be used. That decision would be easier to take if we were more confident about the nature of the groups. I do not think that we should spend public money on cross-party groups.

I agree with Susan Deacon's idea that we should give direction. Perhaps given my comments the committee did not think that there was a degree of consensus on what we want to happen, but there was. We should frame the paper in exactly the way in which Susan Deacon suggested. We should set out what we are trying to achieve. Only a couple of the questions that were mentioned were a bit more open-ended. We should frame the paper to say, "We are minded to do this, do you agree?" We should not say, "These are the questions, we would like your opinions." We should say, "We are heading in this direction and we would like your response."

11:15

**The Convener:** That is an important point. Are members happy with taking the approach of saying how we feel and asking for responses? I know that Paul Martin was more open-minded.

**Mr Macintosh:** I thought that that was what was being suggested, and I certainly agree with it. I do not want to go through a year and a half of consultation.

**The Convener:** The paper should be drawn tightly and should be directed. Do members agree with that?

*Members indicated agreement.*

**The Convener:** Before we finish this item, I want to re-emphasise the point that, although we are considering a review, there is an issue about

compliance with the current rules. I will write to all the cross-party contacts and I will draw in some of the extra information that we have here, to make it clear why we are concerned. We need to ensure that MSPs are complying with the rules as drafted. We will draw to their attention the fact that the review is on its way.

## Cross-party Group

**The Convener:** We stay with cross-party groups for our third item. We have a proposal to establish a cross-party group on learning disabilities. I hope that members have had a chance to read the proposal and I invite comments.

**Lord James Douglas-Hamilton:** This is an extremely important area, in which I know that enormous advances have been made over the past 15 years. I think that the proposal is appropriate. There are so many different forms of learning disability that a cross-party group could serve a very useful purpose.

**Susan Deacon:** Tricia Marwick asked me to raise a point in her absence. In section 5 of the registration form, under the heading "Financial or Other Benefits Received", two amounts of money are listed—£3,000 from Mencap City Foundation and £6,500 from United Distillers. Given that they are substantial sums of money, Tricia Marwick wanted to query what they are for and whether we should get further information. I hope that I have represented her question accurately. I understood from her whispers that that is the point that she wanted to raise.

**The Convener:** I return to the point that cross-party groups are supposed to be parliamentary. I am concerned about this proposal, but I do not want members to misunderstand me. We have approved cross-party applications for groups in a similar vein, but given the number of MSPs and non-MSPs that are identified as members, the balance is towards the group's being non-parliamentary. I know that we have not stopped other groups being approved for that reason, but I am concerned.

**Lord James Douglas-Hamilton:** The organisations in the group, which include Enable Scotland, the Royal National Institute for the Blind and the National Autistic Society, cover a huge number of different forms of disability. Rather than having separate all-party groups for each disability, it is better to have an umbrella all-party group that deals with them all.

**Susan Deacon:** I just want to note that there are separate cross-party groups for many if not all of those areas already.

**The Convener:** The other point that I wanted to make goes back to our earlier discussion about cross-party groups. I have no wish to identify the MSPs that are listed in the registration. I am sure that the MSPs who have put their names to it have done so because they have agreed to it 100 per cent. However, unless I am wrong, I note that there is only one Conservative member and only one Liberal Democrat member. I am conscious

that for other cross-party groups there have been cases of people trawling groups to add a name to the list. I am not suggesting that that has happened here—I make that clear. I am simply concerned that there is one name from the Conservative group and one name from the Liberal Democrat group.

The proposed convener of a cross-party group used to come along to Standards Committee meetings to address some of our questions. I would like to ask Jackie Baillie to speak to us to ensure that some of the points get an airing. I am not suggesting that the list necessarily needs to be wider. Our job as the Standards Committee is to approve applications, but we should not just go through them mechanically, ticking off boxes and checking that there are the right number of names and so on. I would like us to be more satisfied that the proposed CPG is fine and that its intentions are as indicated. I do not think that it would be too difficult to come back to the matter at our next meeting and ask Jackie Baillie to talk to us.

**Lord James Douglas-Hamilton:** In response to the point that Susan Deacon made, a large number of the subjects that might have a slight crossover are medical. Learning disabilities is not just a medical matter; it is also educational. There has been an enormous increase in focus on learning disabilities in the past 15 to 20 years and there is a strong case for setting up a cross-party group on learning disabilities on educational grounds, quite apart from the health considerations. I do not think that any educational cross-party group covers the issue in the same way. It would be highly appropriate to invite Jackie Baillie to provide us with clarification.

**Mr Macintosh:** My concern is that we attempt to be consistent in our treatment of groups, which illuminates the need for a review. In the light of previous discussions about groups that have appeared before us, I have no difficulty in endorsing and approving the learning disabilities group and considering it to be an excellent idea. I would be slightly hesitant about applying different criteria.

**The Convener:** I raise the matter only because of information that has come to light and because we have been approving cross-party groups, which is leading to a problem. That is what I am getting at.

**Susan Deacon:** In the light of what Lord James Douglas-Hamilton said, I want to put on record the fact that I am very supportive in principle of a cross-party group on learning disabilities, for reasons similar to those that Lord James voiced. I do not want us to go off at a tangent, but I want to clarify the practical point that I was making. Lord James had indicated that the group on learning disabilities was potentially an umbrella group that

we could encourage, rather than separate groups. I simply noted the factual point that separate cross-party groups exist on a number of relevant areas and that those cross-party groups are not only medical in nature; they address educational dimensions as well. The autism group, in which Ken Macintosh is heavily involved, illustrates my point.

**Lord James Douglas-Hamilton:** Tricia Marwick referred to the figures of £3,000 and £6,500. I am rather astonished at the size of those grants and I think that clarification is necessary. Cross-party groups usually require only enough funding for postage, which costs less than £100. If substantial funding were available for a big function, that would throw in an outside dimension, which could be non-parliamentary. The situation needs to be clarified.

**The Convener:** Some issues need to be clarified, so I will write to Jackie Baillie to ask if she could come to our meeting in a fortnight to talk us through the application. Do members agree to that proposal?

**Members** *indicated agreement.*

**Paul Martin:** It might be helpful if all proposed conveners of cross-party groups were to attend Standards Committee meetings in the future, even though that is time-consuming for the committee. Ken Macintosh raised the issue of consistency and not setting Jackie Baillie apart from any other proposed convener. I appreciate that I am a new member of the committee, but in future proposed conveners should be asked to come before us to answer briefly questions on some of the points that have been raised.

**The Convener:** You are absolutely right. I do not want to single out Jackie Baillie. I am not trying to do that. It is a coincidence that our review has turned up all of the information that we have in front of us. For the record, when the process of approving cross-party groups began, conveners did come before us. At the time, it was seen as a formality and after a while it stopped happening.

Paul Martin rightly said that it would be a good idea to resuscitate the procedure whereby whoever is applying to establish a group comes before us as a routine measure to answer questions as they arise. Perhaps that process should be set out from now. It would be helpful. I thank members and confirm that I will write to Jackie Baillie.

As agreed at the beginning of the meeting, we move into private session to discuss item 4.

11:25

*Meeting continued in private until 11:31.*



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