

Standards, Procedures and Public Appointments Committee

1st Meeting, 2021 (Session 6), Tuesday, 22 June 2021

Cross-Party Groups

Introduction

1. This paper invites consideration of a matter in relation to the rules on membership and registration of Cross-Party Groups (CPGs) which requires the Committee's immediate attention due to the timescales involved for CPG re-registration.

Re-registration of CPGs

2. Under the terms of Section 6 of the Code of Conduct (the Code), CPGs that were registered in the previous Session of the Parliament can seek to re-register. Standards clerks, in consultation with the Convener, will undertake a sifting exercise and highlight applications to be referred to the Committee for further scrutiny (either through a paper to the Committee or an evidence session with the Convener of the proposed group). Groups that do not require further scrutiny because they meet all of the requirements will be re-registered and can begin operating without having to seek fresh recognition from the Committee.
3. One of the considerations in relation to the re-registration of CPGs in this Session is the requirement that each CPG has at least one MSP member from each of the parties or groups represented on the Parliamentary Bureau, which is set out in Section 6.8 of the Code. However this section also provides that this requirement may be modified or waived by the Committee in circumstances where it considers there is merit in doing so.
4. In the previous session a number of CPGs seeking to re-register experienced difficulties in securing full cross-party representation. It is anticipated that this situation may recur in Session 6.
5. As a number of CPGs will not be submitting re-registration documents to the clerks until the summer recess, the Committee may wish to take a general view on the issue of party representation prior to recess to enable the clerks to re-register CPGs.

Previous use of the modification or waiver provision

6. To provide some context to the decision that the Committee is being asked to take, the clerks have confirmed that the total number of CPGs active in each Session of the Parliament to date has been upwards of 60 and last session was 106.
7. In Session 5 when both the Liberal Democrats and the Greens were represented on the Parliamentary Bureau the then Standards Committee agreed to an interpretation of section 6.8 of the Code which allowed previous CPGs to re-register and new CPGs to register if they had members from the three larger parties represented on the Bureau.
8. A similar issue arose in Session 4 when both the Scottish Liberal Democrats and the Scottish Green/Independent Group were represented on the Parliamentary Bureau the then Standards Committee agreed to an interpretation of section 6.8 of the Code which allowed previous CPGs to re-register and new CPGs to register if they had members from the three larger parties represented on the Bureau; and in Session 2 when both the Scottish Green Party and Scottish Socialist Party were represented on the Parliamentary Bureau. At that time, the then Standards Committee agreed to an interpretation of section 6.8 of the Code which allowed CPGs to re-register if they had members from the four larger parties represented on the Bureau.
9. In previous Sessions, a waiver has also been granted where, due to the area of interest covered, a CPG has found it difficult to secure a Member from each party represented on the Bureau.

For decision

10. The Committee is asked to consider whether to agree to a general modification to section 6.8 of the Code of Conduct to allow CPGs which have at least one MSP member from the majority of parties represented on the Parliamentary Bureau to register.

Katy Orr
Clerk to the Committee
June 2021