

## Submission to Commission on Parliamentary Reform

**Engagement**

While the Parliament is open to the public as is evident in the accessibility of Holyrood which I have witnessed for myself, the Parliament is very much the Parliament of the Edinburgh political classes and related industries such as banking and lobbying. The professional class has made the Parliament their own in terms of the revolving doors between the political parties, MSPs and party workers who move seamlessly from working for parties to working for lobbyists. The preponderance of lobbying firms which have developed around Holyrood- Charlotte Street Partners, Message Matters, Shandwick et al- illustrate the elite capture of the political and financial world, but this entire industry has sprung up and become established in less than a generation.

MSPs are accessible, but I feel that the Parliament should try to engage more with people in their communities through community development and engagement activities aimed at housing associations, community groups and events in libraries and leisure centres. An attempt to engage in communities where electoral turnout is low and where particular legislation is going to have a particular impact could help in engaging the disengaged or disaffected who do not vote. The political engagement and turnout which was evident in the Independence referendum demonstrates the possibility of engaging those whom the parliament seeks to serve.

The experience of walking into the Scottish Parliament and the ease with which a passer-by can enter the building is hugely positive. But this accessibility is not something that can be appreciated if one lives in Aberdeen or Lerwick, therefore the Parliament should be proactive in reaching out to geographically distant communities who see Holyrood as the Parliament for the central belt of Scotland.

**Distinct Identity**

The distinction between legislation which is reserved to Westminster and that which is devolved to Holyrood is one that could be emphasised in terms of a campaign which consistently highlights the issues which your MSP can deal with and those an MP can deal with. Rather than making the issue one of party affiliation, in libraries and health centres, a poster could simply illustrate the accessibility and influence of any MP and the issues they can help citizens with.

**Checks and Balances**

It is in the area of democratic scrutiny of the policies and the processes that the Parliament is most lacking. When a policy as fundamental as Standardised Assessments for children has to be investigated using Freedom of Information legislation in order to find out how this policy was implemented, then this is indicative of an over powerful executive and a

legislature failing in its duty to scrutinise and hold the executive to account. With regard to standardised testing, the process by which this was adopted can at best be described as ad hoc or perhaps opaque. The lack of minutes of meetings and the unwillingness of the SNP administration to divulge any details until they were compelled to by FOI requests does not bode well for future legislation or demonstrate anything other than a lack of proper scrutiny before it came to the chamber.

Whether it is the Named Person legislation, the Offensive Behaviour at Football Act, standardised testing of literacy and numeracy or even the introduction of the Baby Box, the Parliament should not be seen as the creature of the executive, but rather the legislature should be where the executive is held to account. The scrutinising powers of the parliament must be strengthened in terms of stronger and better known committees which hold ministers to account in rigorous and, if necessary, adversarial questioning. With more rigorous scrutiny, perhaps legislation such as the OBFA or standardised testing and their impact might be mitigated through a more challenging committee system.

As well as a deficit in scrutiny by the legislature, the influence of lobbyists and the revolving doors between Holyrood and the many lobbying companies is another area where the checks and balances are not fit for purpose. I have mentioned the sheer number of lobbying firms which seek to influence legislation. The recent lobbying bill is simply not fit for purpose in its failure to regulate anything other than face to face communication. David Cameron talked of lobbying as the next great scandal facing Westminster. I believe that the lack of regulation of lobbying in the Scottish Parliament is one of the most pressing challenges facing Holyrood. If a minister can simply resign and then go to work the next day for a lobbying firm where the ex-minister can then monetise their contacts and information for the benefit of private interests, then the scope for misconduct, the blurring of boundaries and the misuse of public office is huge.

A former SNP minister resigned as a minister and took a position with Message Matters, a lobbying company run by a former Conservative MP and a former Conservative spokesman where he joined a former Labour MP. All have privileged access to Holyrood and are subject to the lightest touch regulation. As a matter of fact, the lobbying bill was the result of a consultation in which the wish of lobbyists for light touch regulation was present in the lobbying bill which was passed. Scotland is a small world politically. Politicians become journalists, party insiders become lobbyists and lobbyists are former politicians. All know each other and all represent the elite which has captured the Scottish Parliament. I understand the inevitability of this familiarity within and between the political and media class in and around Holyrood. This is why it is essential that the links between these establishment insiders are effectively regulated. The idea that the only communication that is subject to regulation is face to face in this day and age is simply ludicrous.

I believe that the Scottish Parliament is vital in representing the interests of the Scottish people. I feel that for such a relatively young seat of government, Holyrood has developed some of the most egregious excesses that Westminster took centuries to develop including: the tendency to legislate in haste, the failure to scrutinise flawed legislation and the capture

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Written views from John Cawley

and exploitation of the public polity by lobbyists operating beyond effective scrutiny or regulation. I am willing to respond to any consultation or invitation to discuss any matters I have raised.

Sincerely

John Cawley