

Colleagues,

Many thanks for the opportunity to meet with you and other members of the Commission, both informally and in the evidence session for members of the Parliamentary Bureau. I appreciated the chance to contribute to your work, and I'm writing to follow this up with some further thoughts before you consider your report.

I'll begin with my recollection of my first experience within the Scottish Parliament during session 1, as a campaigner for the repeal of Section 2A during which time I lobbied MSPs and gave evidence as a committee witness. Having no formal political experience this could easily have been an intimidating process. However I found the Parliament to be an inclusive, open and welcoming place. I have often summed up my memory of this very intense period of campaigning by saying that the Parliament opened its doors and allowed us – the community affected by the legislation it was debating – inside to participate in the process. This was possible partly as a result of geographic proximity, but also because of its internal structures, processes and culture.

In those early years there was much about the Scottish Parliament which was innovative. In the years since then I think the world has moved on, some of those innovative ideas are now commonplace, others have been lost or downgraded, and new systems have built up around us to which we have not yet adapted. I believe that if you choose to be creative, you will be able to offer proposals by which we can re-capture that early spirit, the idea of a Parliament which shares power with the people.

Capacity of Parliament

Even before the most recent Scotland Act, I felt that the Scottish Parliament was straining at the limits of its capacity for scrutiny. With additional powers now devolved and the requirement for MSPs and the Scottish Government to act on a larger stage, I believe that significant change is needed to ensure that Parliament's work can be done to the standard that is needed. Some people have argued for an increase in the number of MSPs, however this does not seem likely to be a popular option, and I don't believe that it is the best or only way of addressing the situation.

The basic principle I would advocate is that the role of public participation should be enhanced not only as a way of bring more voices into political debate, but also of directly adding to the capacity of Parliament.

At present public consultation takes place prior to the introduction of legislation, and of certain types of ministerial order. However by placing public involvement onto a more formal footing through the use of devices such as citizens' juries and crowdsourcing ideas for debate in ways which would not have been possible back in the Parliament's early days we could achieve far more than paper consultation exercises. The reinvention of an organisation like the Scottish Civic Forum, which should have been improved rather than being effectively abolished, could allow us to blend the representative parliamentary process with participatory democratic systems.

Participatory budgeting has become part of Scottish Government policy since being pioneered by Edinburgh City Council, and has wide political support. Various attempts have also been made to drive up public participation in the planning process too, and where this is successful it can greatly reduce the level of conflict within the system. We are now the most networked generation that has ever lived, and it is clear that we are not yet harnessing the potential for direct participation in legislative, regulatory and deliberative functions in our democracy.

Both new participative systems and the devolution within Scotland toward local government have the potential to greatly increase public involvement in policy and decision making, toward levels which are normal in many other European countries.

Parliamentary business

I would like to reinforce a few points more specific to parliamentary business, which I made during the Business Managers' evidence session to the Commission.

I am certainly not opposed to the idea of elected convenors in principle. However I am not convinced that it will make a meaningful change given the smaller size of Holyrood in comparison to Westminster where this innovation has been introduced. I would certainly be opposed to the idea of anything more than a symbolic salary increase for convenors (and I took this view also when I was a committee convenor) given that MSPs are already paid very generously.

However an increase in the staffing allowance available to convenors, and to committee members in general, would certainly help to address some of the capacity issues. There is currently no link between the staff cost provision and the number of committees a member sits on. MSPs are not permitted to share private committee papers with their staff either. Both of these points should be reviewed, in recognition that in reality MSPs do need support from their staff for committee work, and the workload which a member of two major committees takes on is certainly comparable to the convenorship of one.

It is also possible to increase parliament's capacity by looking at the working week. Few MSPs would relish the idea of giving up the time they have to work in their regions and constituencies. However I see a strong case to be made that three days of parliamentary business may be inadequate. We certainly should not be unwilling to meet for more parliamentary days at particularly busy periods, such as during budget scrutiny. There is also a case for allowing business sessions to overlap, for example by conducting Members' Business debates in one of the larger committee rooms at the same time as the Chamber is meeting, subject to agreement by the Bureau.

Small parties / independents

Finally I would like to make some comments about my experience as a member of a small political group. To recap, in session 2 I was a member of the fifth group in order of size, in a session with six and later seven recognised groups. In sessions 3 and 4 my party had only two MSPs, and for much of this time we were not represented on the Business Bureau. Later in session 4 we joined with three

independent MSPs and formed a group under rule 5.2.2. However we found that there was no requirement for our group to be given the equal treatment we had hoped for. Although the standing orders require the Presiding Officer to take account of the interests of all members equally, it quickly became apparent that this would not extend to our participation in all aspects of parliamentary business. I would also note that even after forming a group our independent members were unable to act as committee substitutes for one another, since the rules on substitution refer to parties rather than to groups. Independent members are therefore alone in being unable to make such arrangements in any circumstances.

I would argue that any political group, of any size, should be represented on the Bureau, and that should there be any sitting independent members they should also be entitled to representation. They should be able to take part in all parliamentary business on the same terms as members of larger groups or parties. Finally, the call for equal treatment of all members, under rule 3.1.3 should be clarified. It cannot be right that two groups of equal size are treated differently in respect of participation the parliamentary process, purely on grounds of political affiliation or lack of it.

I recognise that you are now approaching the final stages of your work, however if you would like any further clarification of the points I have made, I would be happy to provide it. Meantime may I once again wish you and your colleagues well in your consideration of all that you have heard in the course of your inquiry.

Kind regards,

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