

## STARTS

### **The Scottish Parliament, Public Petitions Committee**

#### **Australian House Standing Committee on Petitions: Inquiry into the future of petitioning in the House**

- **Inquiries**

The Committee's general approach is to follow where the evidence leads and this may not lead to a specific formal inquiry. Essentially, each petition is a mini-inquiry. There are currently approximately fifty petitions under active consideration, which can fill the Committee's calendar for most of the year. The Committee is always keen to ensure that all petitions are given the appropriate degree of consideration. The Committee may perhaps undertake three formal inquiries in any one year.

- **Referral to other parliamentary committees**

Although the Committee has the power to refer petitions to other committees, in the past parliamentary year (May 2017-May 2018), it has done so on only five occasions. A petition would typically be referred if another parliamentary committee was doing work in the area of the petition. It would not be considered a good use of parliamentary time and resources for committees to duplicate work. It would also inconvenience stakeholders who would have to provide information or give evidence to two committees on the same topic.

In relation to the referral of petitions, the Committee has therefore tried to refer petitions to other committees only where consideration of the issue raised by the petition would fit with the existing work programme of the relevant committee. For example, the Committee referred a petition (which called for the Scottish Government to introduce legislation requiring that all single use drinks cups be 100% biodegradable) to the Environment, Climate Change and Land Reform Committee as part of that Committee's work on Scotland's approach to waste management. The Committee has recently referred a petition to another Committee as the action called for in the petition is within the scope of a Bill at Stage 1 which is being considered by that Committee; therefore, there is an opportunity for that Committee to influence amendments to the Bill to achieve the action called for in the petition.

- **Petitioners**

The reactions of petitioners can vary widely.

By way of an example, the Committee has been working for four years on a petition in relation to the use of mesh medical devices which were used in surgical operations in women primarily suffering from prolapse. It has become apparent that the devices have badly impacted many of the women who were operated on with life-changing consequences. Many of the women felt dismissed when reporting the impact to their doctors and medical teams. Through the petition and subsequent publicity of the matter, these women now feel that they are being taken seriously and have been heard. The Scottish Government has now stepped in to halt the use of the implants.

Conversely, when the Committee has to make the decision to close a petition - perhaps there is not support for an idea that a petitioner has floated – some petitioners are not always content with that decision.

However, the majority of petitioners are content that the issue they have raised has been taken seriously and has been investigated even if the outcome is not necessarily the one that the petitioner was looking for – perhaps for financial or other practical reasons.

- **Engagement with the public**

The public engages in many ways—

- writing emails to the clerking team and Members of the Parliament
- phone calls with the clerking team and Members of the Parliament
- making submissions to support petitions,
- attending meetings of the Committee, and
- reacting on social media.

Meetings of the Committee are normally held at the Scottish Parliament in Edinburgh but may on occasions be elsewhere in Scotland and the public are invited to attend these meetings. The Committee is currently undertaking an inquiry into mental health provision for young people and is using social media and interactive on-line techniques to enable the public to engage with that particular inquiry.

- **Reviewing and improving the petitions system**

The petitions process is always under review and suggestions for improvements are considered in the context of changes to technology and, of course, budgetary constraints. The clerking team will, for example, review the use of the interactive tools being used in the current inquiry and see if they could be used more widely in the work of the Committee.

Probably the most successful aspect of the system is that petitioners always have an opportunity to provide evidence to the Committee, either in written form or through oral evidence. The Committee tries, as far as possible, to invite at least 50% of petitioners to give oral evidence. Where that is less practical – or on an occasion where oral evidence may potentially not add a great deal to the Committee's understanding of the issues being raised in a petition – the petitioners always have the right of reply to any submissions the Committee receives, whether that is from the Scottish Government or other stakeholders. Another successful aspect – although there is perhaps still work to be done in this area – is the fact that petitions do not have to receive a certain number of signatures before they are considered. If a petition has only one signature, as long as it is admissible i.e. it meets all the criteria set out in parliamentary guidance, it will be considered by the Committee.

Petitioners may not be able to use a computer or have access to a computer – it is important that the public still has ways to reach the Parliament without relying on on-line systems so the Scottish Parliament accepts hard copy when necessary and will work with the petitioner to add the petition to the online system.

- **Participation by non-committee Members**

It is very helpful to other Members to be able to attend for petitions on subjects that perhaps the Member has been working on for a period of time. It is also helpful in enabling Members to support constituents. In the past parliamentary year, a total of 18 non-Committee MSPs participated in meetings, with some Members making contributions in multiple petitions.

- **Public Petitions Committee Statistics**

There were 39 new petitions lodged in the latest parliamentary year (86 petitions were considered over the course of 21 meetings). The latest figures cover the parliamentary year May 2017- May 2018.

Compared to previous years, there have been 39 petitions lodged this year compared to a total of 42 new petitions lodged in the 2016-17 parliamentary year and 45 new petitions lodged in the 2015-16 parliamentary year.

Initially, a high percentage of petitions submitted do not meet the requirements e.g. the petitioner will not have set out what action he or she has previously taken to resolve an issue; or the issue may be reserved to the UK Parliament and not one that the Scottish Parliament or Government has responsibility for; or is looking for intervention on a local issue (such as setting up a speed camera in a particular location). However, where possible, the clerks will work with a petitioner to make a petition admissible or will signpost the petitioner to another route to try and resolve the issue.

Under ten per cent of all the petitions submitted are received as hard copy – quite a low percentage. Where a hard copy is received, the clerks will work to convert this to an online petition.

ENDS