

Annual Report of the Scottish Parliament Committees 2000



The Scottish
Parliament

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Annual Report of the Scottish Parliament Committees

2000

Foreword

To scrutinise Government, undertake wide-ranging investigations, initiate legislation, - this was the vision for the Parliamentary Committees as seen by the Consultative Steering Group and many others in Scotland in the run up to the creation of the Scottish Parliament.

George Reid Deputy Presiding Officer and Convener of Conveners' Liaison Group.

Over a year on in the life of the Parliament these aspirations are starting to be met. We have a flexible yet strong Committee structure, fundamental to bringing about openness, accountability, equality and the sharing of power to Scotland's new democracy.

All 16 Committees have set about meeting the challenges set by the Parliament with vigour and energy. They have come a long way in a short time, combining the Westminster 'select' and 'standing' role to good effect, proving to be competent inquirers and scrutineers. Individual members have had to amass specialised knowledge of their subject areas very quickly and this they have done in a serious and professional manner. MSPs are coming to grips with their roles in the Committees and this is evident in the quality of outputs set out in the Committee reports.

It is a credit to Committee members and the clerking teams that they have achieved so much in the face of such heavy workloads and tight timetables. Indeed, more than half the Committees have now been involved in the scrutiny of draft legislation. Many Bills have now been passed by the Parliament and subsequently enacted.

I commend the Committee Reports which clearly demonstrate a robust start for the Parliamentary Committees, and I have no doubt the Committees will continue to build upon a very promising start.

Audit Committee

The Audit Committee has spent its first year establishing the foundations for the new system of public audit and accountability in Scotland.

The Audit Committee has spent its first year establishing the foundations for the new system of public audit and accountability in Scotland. Much of the preliminary work on what systems should be set in place had been performed by the Financial Issues Advisory Group (FIAG) - a subset of the Consultative Steering Group (CSG).

The recommendations of FIAG were largely implemented in the Public Finance and Accountability (Scotland) Act 2000, for which the Audit Committee was the lead committee. This was the first piece of legislation passed by the Parliament using pre-legislative scrutiny. Several changes were made at this formative stage of the Bill and the fruits of this innovation were that the subsequent stages, following introduction, were typified by cross-party consensus on the vast majority of sections.

This Act established a new audit body, Audit Scotland, as well as the position of the Auditor General for Scotland (AGS). Several members of the Committee were involved in the selection process of the AGS. Robert Black, previously Head of the Accounts Commission, took up the position of AGS on 1 April 2000. He is responsible for scrutinising the expenditure of public bodies within his remit to assess whether they have achieved value for money and adhered to the highest standards of financial management.

The Committee's principal goal is to hold to account officials of bodies and agencies which are charged with spending public money with a view to ensuring that Scottish taxpayers obtain maximum value for their money. The Committee is not concerned with policy matters - that is a matter for subject committees. Instead the Committee has focused on the economy, efficiency and effectiveness of the way these policies have been implemented.

Convener: Andrew Welsh

In its first year, the Committee met 16 times, of which 8 included items that were taken in private. Three meetings were held entirely in private.

The Committee has examined and reported on the funding of Scottish Further Education Colleges preparedness in Scotland for the Millennium Bug threat; Private Finance Initiative funding of the M74 motorway; the Scottish Ambulance Service; Skillseekers Training funding from Scottish Enterprise.

The Committee is keen to ensure that its reports are not left to gather dust and the Committee has already set down markers for reviewing the progress that departments and agencies have made following the Committee's report.

This will be an important part of its programme.

The Committee has already established its own way of working. Specifically, unlike the Public Account's Committee at Westminster, the Committee can and has made site visits to Glasgow, Dundee and the Borders as part of the examination of the Scottish Ambulance Service. Members had a chance to see at first hand the experiences of staff in the field, which complemented the report of the auditors. It is hoped that this innovation will become a feature of the way the Audit Committee works in the future.

Education, Culture and Sport Committee

Enjoying pre-school learning

The Education, Culture and Sport Committee has a wide remit and its work programme has covered each main area: school education, children, culture and sport. Two substantial reports have been published on:

- the national arts companies including Scottish Opera and Scottish Ballet. The Committee made a number of recommendations to improve the stewardship of public investment in these companies and recommended the establishment of a Scottish national theatre company.
- the Standards in Scotland's Schools etc. Bill where as lead committee the Committee sought views from many organisations and individuals as well as from three other Parliamentary Committees. The recommendations for improving the Bill were reflected in the 36 Executive and 13 non-Executive amendments subsequently accepted by the Parliament.

The Committee also published 3 reports on subordinate legislation and contributed to the Local Government Committee's report on the Ethical Standards in Public Life etc. (Scotland) Bill where evidence was heard from the key schools-related organisations concerned with the repeal of Section 2A (Section 28).

Inquiries were begun into special educational needs, the state of school buildings and infrastructure, Hampden national football stadium and the case for appointing a Children's Commissioner. Members were appointed as

Reporters to the Committee on issues facing rural schools, sport in schools and the Scottish film industry. These may lead to future inquiries. The Committee also reviewed the cultural contribution of broadcasting in Scotland, hearing evidence from BBC Scotland and Scottish Media Group.

Convener: Mary Mulligan

Seven public petitions were considered and on one, concerning the Roman remains at Cramond, Edinburgh, a member was appointed to report in depth. A reporter was also appointed to advise the Committee on appropriate ways of consulting children and young people on Parliamentary business. As a result, research will be commissioned leading to guidance for all Committees on how to involve children and young people in their work. The Committee led in this area by consulting children directly on the Schools Bill, through visits to schools and by hearing from young people in a Committee meeting. A report on our behalf by Childline was also commissioned to reflect young people's views on the Ethical Standards Bill.

In 27 meetings between May 1999 and 11 May 2000, the Committee heard oral evidence from 44 organisations or individuals as well as considering many written submissions. The Committee has met partly in private at eleven meetings, to consider items such as the approach to questioning witnesses, draft Committee reports or the appointment of committee advisers. No meeting has been held wholly in private.

Enterprise and Lifelong Learning Committee

Workplace learning at the Scottish Parliament

The first parliamentary year has been an active and innovative one for the Enterprise and Lifelong Learning Committee.

Most of the Committee's activity has been focused upon a major inquiry into Local Economic Development Services in Scotland.

The Inquiry was launched in September 1999, and during its first phase the Committee took oral evidence from 41 witnesses, and received written submissions from over 100 organisations. Amongst these sessions was one undertaken in Inverness in October, the first time that a Parliamentary committee had met outwith Edinburgh, and the first time that evidence had been taken in Gaelic.

The Committee published an Interim Report in December 1999, which concluded that there was overlap and duplication in the current arrangements, and radical change was necessary. The Committee's work had an immediate impact. A review of the enterprise network was announced by the Scottish Executive, as was the creation of an Economic Framework for Scotland, another key recommendation by the Committee.

During early 2000 the Committee undertook the latter phases of its Inquiry, and utilised some innovative methods including four case study visits by MSPs to examine best practice on the ground. In a particularly novel approach, the Committee organised a Business in the Chamber event, where 129 business men and women were invited into the Parliamentary chamber to debate the Inquiry's Interim Conclusions. The event was a great success, giving of the key external communities an input into the Parliamentary process, and assisting the Committee in testing its views with the customers of economic development services.

Evidence from these activities, and the results of research commissioned by the Committee was brought together in a Final Report, published just after the end of the first parliamentary year.

Convener: John Swinney

The Committee has sought to work in a constructive way with the Executive, as evidenced by its contribution to the new strategy for tourism. In January 2000, by arrangement with the Minister, the Committee considered the Executive's draft strategy in private and made a number of recommendations for its reinforcement. The majority of these were taken on board by the Executive and incorporated into a revised strategy, which was published in February and well received by the industry and commentators.

Another focus of Committee activity has been an inquiry into rural fuel pricing. The Committee held an evidence session in January 2000 with local groups from Arran and the Highlands and Islands, as well as the major oil companies. This was followed by private meetings with a number of oil companies.

During the first Parliamentary year the Committee has met formally 18 times, of which 13 were in public, 2 were in private, and 3 included private elements.

Equal Opportunities Committee

Disabled sailing, with thanks to Loch Vennachar Sailability

The establishment of the Equal Opportunities Committee gives effect to a founding principle of the Parliament: the need to promote equal opportunities for all.

The Committee held 19 meetings during the year, of which 12 were wholly in public, and 7 were partly in private. A total of 74 individuals, representing 39 organisations (Including ministers and the Scottish Executive) gave evidence to the Committee on a variety of subjects.

The Committee appointed reporters on disability (Michael Matheson MSP, then Irene McGuigan MSP), gender (Johann Lamont MSP), race (including religion) (Michael McMahon MSP), and sexual orientation (Nora Radcliffe MSP). The reporters met with other members of the committee and representatives of interested organisations to discuss these issues. The reporters gave progress reports to the full Committee at each meeting.

Key functions of the Committee include monitoring and working with the Parliament's 'subject' committees, and looking at how both the Parliament and the Scottish Executive can mainstream equal opportunities into their work.

Early in the year under review the Committee took evidence from the Minister for Justice on the Executive's action plan on the Macpherson Report on the Stephen Lawrence Inquiry. The Committee welcomed the main themes of the action plan, specifically the commitment to participation and consultation. Nevertheless, the Committee identified a number of areas in which it felt that the action plan needed to be strengthened.

The Committee issued a statement drawing attention to the negative impact of the Act of Settlement of 1700 on the equality of Scotland's people.

Convener: Kate Maclean

The Committee took evidence prior to consideration of the Standards in Scotland's Schools etc. Bill, and members successfully introduced an amendment which, for the first time, will put a duty on education authorities to set out each year how they will encourage equal opportunities in providing school education.

Another significant amendment to legislation came when, as a result of pressure by the Committee, the Adults with Incapacity (Scotland) Bill was amended. This will ensure that same-sex couples will have the same rights to be treated as 'nearest relatives', as do different-sex couples, for the purpose of being consulted by anyone making an intervention in the affairs of an adult with incapacity.

The 2001 Census will provide basic statistical data for service providers and planners for the following decade. If steps towards the achievement of genuine equality are to be taken, then knowledge of such factors as gender, ethnic origin, etc are essential. As a result of pressure from the Committee, the Parliament made changes to the Census legislation to ensure that the Census 2001 will include a question on religion, and a revised question on ethnic origin.

The Committee took much of the public evidence on the abolition of the controversial 'Section 28'. This evidence came from a wide spectrum of interested organisations, and the Committee reported in favour of abolition.

Evidence was taken from a number of organisations on the issue of violence against women in Scotland.

In the forthcoming year, the Committee looks forward to developing its work, and undertaking a number of formal inquiries into equalities issues.

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European Committee

With thanks to the European Commission

The first year of operation for the European Committee has been a challenging one.

European Community law and the implications for Scotland of decisions taken by the EC/EU is a subject of immense complexity, enough so that it merited a completely separate concordat (agreement) between the Scottish Executive and Whitehall.

The Committee has met on 18 occasions during the period for this annual report. Of these meetings, none were held fully in private, with only 2 containing an item taken in private.

The European Committee has taken its role of "policing" the handling of EC/EU business in Scotland very seriously. One of the main activities over the year has been to scrutinise, at as early a stage as possible, how the Scottish Executive has presented the Scottish case as part of the development of a UK negotiating line for any draft European legislation and to assess how the Executive has, or will, implement such legislation when passed. The scrutiny of draft European legislation has led the Committee to investigate and analyse over 1,100 items emanating from Brussels. The objective for the Committee is to encourage Scotland's views to be heard in relation to these new laws and to make the process more transparent.

The Committee has also been active, under its own initiative, in investigating a broader range of European-related issues of interest to organisations and the people of Scotland as a whole. The major focus of the year as a Committee has been to conduct a series of inquiries on the past and future management and plans for the next round of European Structural Funds.

Individual Members of the Committee have also acted as reporters enquiring into a range of subjects in the environmental policy, agricultural, economic and social fields.

Convener: Hugh Henry

In doing so, the Committee has taken on board the need for accessibility and, from the outset, chosen the challenge of trying to communicate the benefits of EU membership to a wider Scottish society. The Committee has organised informal seminars, funded through the Civic Participation scheme (e.g. 17 March 2000, Stirling), and has taken the whole Committee out for a formal meeting in Glasgow, the first in the city (17 January 2000). Moreover, the Committee has published 4 versions of "Europe Matters", its electronic newsletter, which is sent to about 200 plus recipients in the UK as well as being placed on the web.

The Committee has travelled further afield, completing a successful three-day fact-finding visit to Brussels, where they met Commission President Romano Prodi, Commissioner Fischler, MEPs and other dignitaries, as well as visiting Scotland House and Scotland Europa. These fact-finding and briefing meetings to the institutions will become a regular occurrence as the Committee seeks to develop early intelligence on forthcoming issues.

In a more "diplomatic function", delegations have been received by the Committee from Sachsen-Anhalt (Eastern Germany), the Swedish Parliament (twice), the Norwegian Parliament, the Basque Regional Government (Spain) as well as from the Luxembourg, German and French Embassies. Officials also held a video-conference with the Committee with the Finnish Parliament.

Finally, within Scotland, regular meetings are held to exchange information with the President of CoSLA, all Scottish MEPs and with politicians/ officials from the UK and devolved assemblies, with plans for ongoing meetings.

All in all it has been a challenging year. It is the Committee's intention now to review how it works, to best make use of its resources and to serve the Parliament and the people of Scotland to the best of its abilities.

Finance Committee

The Finance Committee was the first of the Parliament's committees to meet.

Since its inaugural meeting on 22 June last year, the Committee has met 21 times and considered items in private on 9 occasions, although no meetings were held entirely in private. The Minister for Finance has appeared on 7 occasions before the Committee.

From the outset, the Committee has been active in its principal task which is to lead on behalf of the Parliament in the scrutiny of the Scottish Executive's expenditure proposals. This function is the result of the work of the Financial Issues Advisory Group (FIAG), a subset of the Consultative Steering Group (CSG), which produced innovative recommendations for the budget scrutiny and approval process. Much of the Committee's work in the first year has been dictated by the need to set down ground rules for the way this procedure will work in future years.

Several of FIAG's recommendations on the budget process were implemented in the Public Finance and Accountability (Scotland) Act 2000, in respect of which the Finance Committee shared responsibility with the Audit Committee at stages 1 and 2. This was the first piece of legislation passed by the Parliament using pre-legislative scrutiny. The Act has since been supplemented by written agreements between the Parliament and the Executive which lay down the detailed arrangements. Throughout, the Committee was keen to impress on the Minister the need for the budget process to be as accessible as possible and as a result, the Minister made several concessions.

Convener: Mike Watson

The annual process will be a partnership between the Parliament and the Executive - the budget which is passed in February will be the product of prolonged and informed scrutiny which involves the people of Scotland. Just as committees in the Scottish Parliament have the opportunity to introduce legislation, the Finance Committee has the option of recommending to the Parliament an alternative set of spending proposals to those put forward by the Executive.

A Budget Act in respect of 2000/01 was passed in February and by the end of the parliamentary year, the scrutiny process had already begun for the 2001/02 budget. The Committee issued guidance to the subject committees and will co-ordinate the responses of the subject committees to the Executive's draft expenditure proposals.

The Committee has been keen to foster a mutually beneficial work relationship with the Executive and has on several occasions sought to broaden its understanding of the often complex areas of public expenditure by taking evidence from the Minister for Finance and receiving briefings from senior officials in the Executive.

In spring 2000, the Committee undertook an inquiry into the finance functions of the Scottish Executive - to enable members of the Committee to understand the role and workings of the Executive as part of their commitment to the budget process. As part of this wide-ranging inquiry, the Committee heard evidence from executives from the private sector, officials from local authorities, academics and a senior official from HM Treasury.

Health and Community Care Committee

With thanks to Liberton Day Hospital

Since the Committee first met in June 1999 it has undertaken a significant amount of work covering many diverse subjects.

In the course of the Parliamentary year the Committee has held a total of 28 meetings. Of these meetings 17 had only public business on the agenda, 10 meetings had both public and private items and only 1 meeting was held totally in private.

In the spirit of openness and accessibility the Committee has heard oral evidence from nearly 40 individuals and groups and in the first year published 16 reports.

A demonstration of the Committee's commitment to access by the public and ability to respond quickly is shown by two, in-depth, inquiries held as a result of petitions sent to the Committee. One of the petitions covered ward closures at Stracathro Hospital, Angus and the other concerned the siting of a medium secure unit at Stobhill Hospital, Glasgow. The Committee took the view in both cases that it would not consider the merits of decisions taken at a local level but would look at the wider strategic issues. As a result of the Committee's investigations recommendations were made to the Executive, the main thrust of these was to recommend the creation of guidelines for Health Boards for informing, engaging and consulting with staff and the general public on new proposals. The Stracathro petition became the subject

of the first full plenary debate based on committee work and was debated in the Chamber on 16 March 2000.

The Committee has used the system of appointing reporters to great effect. The work carried out on the Stobhill petition involved the use of a reporter, Dr Richard Simpson MSP. He is a member of the Committee and was delegated to gather evidence on the Committee's behalf from a considerable number of organisations and visited them in Glasgow. He went on to submit his findings to the Committee which formed the basis of the Committee's report.

Convener: Margaret Smith

The reporter system was also used when the Committee considered the Adults with Incapacity (Scotland) Bill. When considering, as secondary committee, this piece of legislation the Committee had very limited time in which to take evidence and appointed a reporter, Ben Wallace MSP. In addition members also attended meetings of the Justice and Home Affairs Committee to hear evidence which went on to shape the legislation.

The Committee has also conducted major inquiries into the allocation of resources within the National Health Service in Scotland (the Arbutnott Report) and made a substantial number of recommendations to the Executive. The Committee has undertaken an inquiry into community care provision in Scotland. Regarding community care, the Committee has particularly focused on the care of the elderly and on mental health issues, which are felt by the Committee to be neglected areas that deserve a higher profile. The Committee also carried out a series of fact finding visits throughout Scotland in relation to this inquiry.

The scrutiny of subordinate legislation forms a substantial part of the Committee's workload. The Committee also scrutinised nearly 50 Scottish Statutory Instruments which add detail to Acts of the Parliament. On a number of occasions the Committee has called the Minister for Health and Community Care to debate these regulations.

In the coming year the Committee will continue the work it has started and intends to play a full role in the examining health priorities and continue its rigorous scrutiny of the Executive, including a close examination of the budget process.

Justice and Home Affairs Committee

With thanks to the Faculty of Advocates and the Court of Session

Since its first meeting in June 1999, the Justice and Home Affairs Committee has been one of the busiest in the Parliament, meeting for around three hours each week.

Particularly during the latter part of the year, the Committee has had an exceptionally heavy burden of legislation to deal with.

The Committee has attempted, throughout the year, to balance its role in handling legislation with a more pro-active scrutiny function. Members identified at the first meeting a range of areas of interest, and the Committee has kept these priorities under review during the year.

In particular, the Committee has considered ways in which the law could afford more protection to victims of domestic violence, perhaps by extending to all victims of actual or threatened violence the right to apply for an interdict with a power of arrest attached. The Committee has appointed a reporter to take this issue forward, and hopes to propose a Committee Bill in due course.

Another major area of concern has been with the prison system. The Committee began by considering the annual report by Her Majesty's Chief Inspector of Prisons, following which members visited two institutions particularly criticised in that report. Later in the year, the Committee took evidence on the Scottish Executive's decision to divert funding from the prison service, and the restructuring proposals that resulted. The Committee has also taken evidence on the particular problems affecting women prisoners, and has signalled an interest in the issues of young offenders and drugs in prisons.

The Committee has conducted Stage 1 and Stage 2 of two major Executive Bills - the Adults with Incapacity (Scotland) Bill and the Abolition of Feudal Tenure etc. (Scotland) Bill. Despite fairly tight timetables, the Committee took a wide range of evidence on each, and succeeded in achieving important improvements to both Bills during their passage. The Committee was also lead committee for Stage 1 of the controversial Member's Bill to abolish poindings and warrant sales.

Convener: Roseanna Cunningham

The Committee produced a substantial report on a petition by the Carbeth Hutters' Association, took evidence on petitions relating to road accident

deaths, and responded to the Executive's consultation on freedom of information. At the end of the Parliamentary year, the Committee was engaged in scrutinising the Executive's budget proposals for 2001-02 and taking evidence on the draft Regulation of Investigatory Powers (Scotland) Bill.

In all its work, the Committee has striven to achieve a constructive, non-partisan and - where possible - consensual approach. It has developed an effective relationship with the Executive which recognises the Executive's right to pass legislation efficiently, while vigorously asserting the Committee's right to scrutinise, question and seek to improve that legislation in the process. It is perhaps significant that the Committee in its first year has needed to resort to a division only once in agreeing the conclusions of its reports.

The Committee met 31 times during the Parliamentary year. None of those meetings was held entirely in private, but items were taken in private at 16 meetings.

Local Government Committee

With thanks to City of Edinburgh Council, Department of Recreation, Access Services

The eleven member Local Government Committee has the remit 'to consider and report on matters relating to local government.'

Within this broad framework, the Committee has aimed to retain a strategic overview of the local government field, while bringing a more focused level of scrutiny and investigation to the key issues.

The establishment of the Committee, along with other Scottish Parliament committees, coincided with the publication in June 1999 of the Report of the Commission on local government and the Scottish Parliament, (The McIntosh Report). The report's recommendations were wide-ranging and far-reaching, and the Committee decided to concentrate during the first few months of its existence on considering in detail the recommendations of the report. While the Committee took evidence from a wide range of individuals and organisations in relation to the McIntosh findings, it decided at an early stage that, in order to obtain first hand information on the possible implications of McIntosh across the country, it would be necessary to visit as many councils as possible. The Committee wrote to all 32 councils seeking

responses to 10 core questions on issues arising from the McIntosh Report. Between November 1999 and February 2000, 'reporters' from the committee, with small groups of supporting members, visited 15 councils, to question senior members and officers on their responses to the core question, view examples of service provision and speak to council service users. The information gained from those visits - which encompassed urban, rural and island councils - was invaluable to the Committee in formulating its final response to the McIntosh Report.

The Committee also conducted an inquiry into the revaluation of non-domestic rates.

A total of 5 petitions were considered on a range of subjects. Over the course of the first year the Committee took evidence from almost 60 witnesses and published 9 reports.

The Ethical Standards in Public Life etc. (Scotland) Bill occupied the Committee for lengthy periods throughout the year, with the Committee taking the opportunity of publishing a pre-legislative scrutiny report on the draft Bill in addition to reporting on the general principles at Stage 1 of the legislative process. Most press attention focused on the section of the Bill concerned with the repeal of Section 2A of the Local Government Act 1986, and the Committee's Stage 1 report took into account the views of the Education, Culture and Sport Committee and Equal Opportunities Committee on this issue. However, the other aspects of the Bill also received detailed scrutiny from the Committee, and this resulted in the Executive bringing forward many significant changes to the Bill at both its second and third stage.

Convener: Trish Godman

The Committee also passed its views to the Justice and Home Affairs Committee at stage 1 of the Abolition of Poidings and Warrant Sales Bill and also scrutinised 21 items of subordinate legislation.

The Committee has held a total of 25 meetings. Of those meetings 16 considered business only in public, while 8 considered both private and public business. Only one meeting was held completely in private.

Over the coming year, the Committee intends to carry out an inquiry into local government finance. The Committee will also be investigating a number of other issues including Best Value, Community Planning and the Power of Community Initiative, and the potential effects on local government of the Immigration and Asylum Act.

Other issues which the Committee is likely to consider further include reform of voting systems for local government, remuneration for councillors and other issues arising from the findings of the Kerley and McIntosh reports, prior to the anticipated introduction of further local government legislation in 2001. As part of these inquiries, the Committee will visit counterpart committees at other parliaments and assemblies in the UK and Republic of Ireland.

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Procedures Committee

Discussing the Standing Orders

The first year of operation for the Procedures Committee, as for most Committees, has been an eventful one.

The Procedures Committee remit is brief ("to consider and report on the practice and procedures of the Parliament in relation to its business") but encompasses most aspects of Parliamentary process.

The Committee's work in its first year of operations has borne out the breadth of that remit. The main focus for the Committee was work on an entire set of Standing Orders to propose to the Parliament. The Standing Orders which the Parliament operated from its inception and which were contained in subordinate legislation made under the Scotland Act 1998, were the Committee's starting point, but many changes proposed by Members informed by developing practices in the Parliament required to be sifted and discussed.

The Parliament accepted all the recommendations of the Committee which reported 5 months ahead of its deadline for this work and which included proposals for enhanced Ministerial accountability, for example, the creation of a First Minister's Question Time, and changes to Question Time to improve the ability of Members to probe the Executive and generate debate; addressed the position of single member parties by recommending Parliamentary time for them; and proposed a number of further changes designed to improve procedures. The 1st edition of the Parliament's Standing Orders was published on 10 December 1999.

Convener: Murray Tosh

Over the course of the first year the Committee has held 15 meetings and

heard from 40 witnesses, including Ministers, representatives of various bodies, and a member of the general public. The Committee takes a pride in being accessible to all, and encouraging the comments of the public and Members on Parliamentary procedures. It has endorsed ongoing work on an electronic "Procedures Noticeboard" to which the general public and MSPs will have access. It has not met in private.

The Committee sees its work on the 1st edition of the Standing Orders as comprising a preliminary review only. The Committee and its clerks have approximately 60 procedural issues currently under active consideration. Arising from this work there are likely to be further changes proposed to Parliamentary procedures. The Committee is considering the Standing Orders as a whole and has agreed on a number of major projects for the coming year amongst which are consideration of the present arrangements for Parliamentary Questions, Private Legislation, Committee Procedures, Legislative Procedures for Public Bills and a review of the application of the Consultative Steering Group principles throughout the Parliament.

Public Petitions Committee

Receiving a petition

The Public Petitions Committee offers the people of Scotland a direct route to raise issues of concern with the Scottish Parliament.

It is a working example of the Parliament's commitment to openness and accessibility.

During the first Parliamentary year, the Committee met on 14 occasions. It considered 189 petitions submitted to the Parliament during this period. These covered a diverse range of subjects including:

- housing;
- transport;
- the protection of heritage sites;

- a range of health issues;
- GM crops;
- the justice system;
- schools; and
- the planning system.

It is the Committee's role to ensure that appropriate action is taken in respect of each petition submitted. In many cases, where it was agreed that action was required, other committees of the Parliament were asked to carry out further consideration of the issues raised. In others, the Scottish Executive, local authorities and other public bodies were asked to take action or provide information.

The Committee heard presentations from 45 petitioners during the year. It also ensured that petitioners were kept informed of progress at each stage of the Parliament's consideration of their petitions.

The Committee took the view at an early stage that it was essential that the public were made aware of its existence and of the procedure for submitting petitions. It therefore produced a comprehensive guidance note on the submission of petitions, together with a summary leaflet providing basic details. This material was distributed to Citizen's Advice Bureaux throughout Scotland and to the Parliament's Partner Library network. It was also published on the Parliament's website.

A facility was also introduced which allows the electronic submission of petitions via an interactive form on the website. The Committee has also entered into a partnership with Napier University's International Teledemocracy Centre to facilitate the submission of electronic petitions via its "e-petitioner" system.

Convener: John McAllion

The Committee held a highly successful meeting in Galashiels in March 2000 to hear a presentation on a petition calling for the re-introduction of a rail-link to the Borders. This meeting was attended by over 250 members of the public, as well as local MSPs and - a first for a committee of the Scottish Parliament - local Westminster MPs. This subject of this petition was subsequently debated at a meeting of the whole Parliament.

The Committee ended the Parliamentary year by carrying out an evaluation of its work during its first year, with a view to revising and developing its procedures and guidance in the light of experience.

The Committee will continue to develop its role as a gateway for public involvement in the parliamentary process.

Rural Affairs Committee

With thanks to Pittenweem Harbour Authority

The remit of the Rural Affairs Committee is to consider and report on matters relating to rural development, agriculture and fisheries and such other matters as fall within the responsibility of the Minister for Rural Affairs. The Rural Affairs Committee recognised from the start that its remit could lead to an impossibly wide ranging agenda, and that the cross cutting nature of its remit meant that close liaison was needed with other committees of the Parliament with more specific responsibility for matters of rural interest. With 38 possible topics before them, members at their second meeting on 29 June 1999 agreed the following priorities for investigation:

- employment, housing and poverty in rural areas - a research contract for an Inquiry was let and Professor Mark Shucksmith appointed as adviser to the inquiry.
- examination of the Scottish beef industry, including beef on the bone and the current export ban - the Chief Medical Officer for Scotland was called to give evidence on 5 October 1999
- implementation of the Common Agriculture Policy including Agenda 2000 - objectives of an inquiry into Agriculture were agreed in December 1999
- development of a strategic vision for fishing, including fish farming - an inquiry on the Common Fisheries Policy was commenced in autumn of 2000

- transport in rural areas - members of the Committee have participated in an inquiry on petrol pricing (led by the Enterprise & Lifelong Learning Committee)
- the Scottish forestry strategy - the Committee has discussed the emerging strategy with Ministers and officials on 3 occasions in the first year
- the impact of land reform proposals on rural areas - the Committee held a 3 day tour of the Highlands to examine views on this subject

Convener: Alex Johnstone

The Committee held 23 meetings in the first Parliamentary year. 28 Executive officials appeared before the Committee and 29 witnesses were called to give evidence. In addition to the substantial volume of business generated by 16 petitions, 20 separate pieces of subordinate legislation, a substantial inquiry and latterly 3 Bills, the Committee has:

- investigated and reported to the Parliament on the impact of Amnesic Shellfish Poisoning (ASP) on the Fisheries industry;
- conducted an inquiry into the Scottish Executive Rural Affairs Department's administration of the Agricultural Business Improvement Scheme;
- launched a wide ranging inquiry into the Impact of Changing Employment Patterns in Rural Scotland and hosted a series of 6 consultation meetings undertaken across Scotland (including an innovative use of video-conferencing);
- investigated and reported on the impact of the Scottish Adjacent Waters Boundaries Order, 1999;
- reported on the Sea Fisheries (Shellfish) Amendment (Scotland) Bill, and started stage 1 investigations of both the Protection of Wild Mammals (Scotland) Bill and the National Parks (Scotland) Bill.

Of the 23 formal Committee Meetings, only one was wholly in private. Publishing 5 substantial reports during the year meant that 12 of the meetings, had at least one agenda item in private, usually to discuss the text of draft reports.

The ability of the Committee to carry out a full programme of inquiries and scrutiny depends on the quantity and speed at which Executive Bills are sent to it.

The Committee will use the Employment Inquiry as the basis for future work; it will ensure that work on developing strategies for the primary sectors of farming, forestry and fishing is driven forward; it will continue its objective scrutiny of the work of the Scottish Executive.

Social Inclusion, Housing and the Voluntary Sector Committee

Urban regeneration at Wester Hailes

The first year of the Social Inclusion, Housing and the Voluntary Sector Committee has been a busy one.

The Committee has focused itself on two major inquiries, housing stock transfer and drug misuse in deprived communities.

The housing stock transfer inquiry has required a great deal of written and oral evidence taking and the mastery of complex and technical issues. The Committee's commitment to inclusion has been demonstrated by the wide variety of organisations it has spoken to and its in-depth investigation into the effects of stock transfer. The Committee's report was published in July 2000 and debated in the Parliament in the autumn.

The inquiry into drug misuse in deprived communities has demonstrated the Committee's commitment to engaging with communities throughout Scotland and to tackling one of the greatest challenges facing Scotland. Members of the Committee have visited drug projects throughout the country and have spoken to those in the front line of this problem - drug users and their families, community, health and social care workers and people living in communities affected by drugs. The Committee published its report and looks forward to maintaining a watchful eye on the developments in this area.

In addition to its extensive inquiry work, the Committee has reported to the Justice and Home Affairs Committee on the general principles of the Abolition of Poidings and Warrant Sales Bill. The Committee questioned the Minister for Communities on the social inclusion dimension of the

Programme for Government and also reported on the Scottish Budget. Subject to referral by the Parliamentary Bureau, the Committee will be considering a number of Bills, including the long awaited proposed Housing Bill. The Committee has also scrutinised secondary legislation and considered 15 petitions on issues pertinent to its remit.

Convener: Margaret Curran

With reference to its voluntary sector remit, the Committee has taken evidence on the impact of Scottish Criminal Records Checks on voluntary organisations and on the review of charity law in Scotland.

The Committee met 29 times in the period covered by this report, 9 times completely in public, twice totally in private and 18 times in both public and private.

The Committee looks forward to the challenges of its next three years and to building upon the solid work undertaken so far.

Standards Committee

Looking after the Mace

The issue of standards in public life has in recent years been very much to the fore.

This has been reflected in an extremely busy and productive first year for the Parliament's Standards Committee whose remit is primarily concerned with the conduct of members in carrying out their Parliamentary duties.

The Committee has been heavily involved in developing the rules and regulations which cover members' conduct in the Parliament. A significant achievement was the drafting of a Code of Conduct for MSPs as allowed for

in the Parliament's standing orders. The terms of the Code were agreed by resolution of the Parliament on 24 February and came into force immediately. The Code provides a useful guide for members in carrying out their parliamentary duties and underlines the Parliament's commitment to maintaining the highest standards of probity.

The Committee had to depart from its early work on the Code of Conduct and Lobbying, when faced with the allegations made by the Observer newspaper in September last year. This led to a complex inquiry attracting a lot of media interest. The inquiry was concluded within the five week timescale which the Committee had established and a report detailing the Committee's findings was published in November.

As well as introducing the Code of Conduct, the Committee has also produced reports on the regulation of cross-party groups, a complaint against a member, an interim complaints procedure and on a register for Members' Staff. On the last of these, the Committee has conducted further consultation with Members and staff before presenting a revised report to the Parliament.

The Committee has also conducted an inquiry into models of investigation of complaints and will submit a report setting out its recommendations and conclusions in the next Parliamentary year.

Convener: Mike Rumbles

In the Parliamentary year to 11 May 2000 the Committee met 24 times. The Committee decided to take parts of six meetings in private session; one meeting was held wholly in private. It has submitted six reports to the Parliament. The Committee also initiated a number of debates in the Parliament, including on Cross-Party Groups and the Code of Conduct.

The forthcoming year promises to be equally busy for the Standards Committee. The Committee has already agreed a forward work programme. Two major pieces of work have been identified. First, the Committee has agreed to conduct a wide-ranging inquiry on lobbying. Second, the Committee will be working towards replacing the existing Members' Interests Order with an Act of the Scottish Parliament.

Annual Report of the Scottish Parliament Committees

2000

Subordinate Legislation Committee

Meeting in progress

The Committee met on 29 occasions during the first Parliamentary year.

Over the period, the Committee considered 182 instruments and 6 bills. The Committee has submitted 36 reports to the Parliament or lead committees working on bills. Of these, 27 were on instruments and 9 on bills. Over the period of the report, all meetings of the Committee have been held in public session. The Committee has managed to deal with its work programme although one member short of its full complement of seven since the turn of the year.

The Committee has a well-established and constructive working relationship with the Scottish Executive in its task of scrutinising instruments and subordinate legislation provisions in bills. The Committee's remit has been amended in the period to allow consideration of general instruments not laid before the Parliament. A further refinement is under consideration with the Procedures Committee.

The greater part of the Committee's activity lies in engaging with the Executive on technical aspects of legislation. In this regard, the Committee has been effective in arguing for and achieving changes to subordinate legislation provisions in bills. Similarly, the contribution made by the Committee in its scrutiny of instruments is well recognised. Both these aspects of the Committee's work contribute significantly to the overall quality of the Parliament's legislation.

Convenor: Kenny MacAskill

The Committee established early links with the Joint Committee on Statutory Instruments (JCSI) at Westminster. The Convenor called on the JCSI in

October and held useful initial discussions with the Chairman, officials and legal advisers to the Committee. There are also effective working level contacts with the Select Committee on Delegated Powers and Deregulation. In March, members of the Committee and officials called on the Legislation Committee of the National Assembly for Wales in Cardiff. Members of both Committees were able usefully to compare their respective roles and consider ways in which they can exchange knowledge and experience.

The Committee has also welcomed the Parliament delegations from the Regulation Review Committee of the New South Wales Parliament and the Legislation Committee of the National Assembly for Wales.

The Committee has begun, with the Procedures Committee, a review of the Parliament's subordinate legislation procedures that will include consideration of how to introduce a greater degree of flexibility and responsiveness from the Executive side but without bringing in undue complication. The Committee would also like to address the very tight timescales within which it is required to consider and report on the instruments coming before it.

Transport and the Environment Committee

With thanks to the Traffic Controller Unit, Road Network Management & Maintenance Division, The Scottish Executive

The Committee has the wide ranging remit of transport, the environment, natural heritage, sustainable development, strategic environmental assessment and the land-use planning system.

The Committee met for a 2 day period in August 1999 to ensure that it had a full understanding of the issues within its remit. Over this period the Committee took evidence from a wide range of organisations in Scottish civic society including the Scottish Executive, local government, and the business community. From this evidence, the Committee agreed its priority areas for early action.

A major part of the Committee's time was spent working on an inquiry into telecommunications developments. In conducting its inquiry, the Committee received more than one hundred written submissions and heard oral evidence in 11 sessions from 20 organisations and individuals.

The Committee believe that this inquiry has been a good example of the strength of this Parliament's committee system - it is worth noting that the Committee was able to agree a remit, take action and reach a conclusion without having to resort to a vote on any issue.

The report the Committee produced made a significant contribution to public debate, in particular on the siting of mobile 'phone masts: an issue of importance to many people in Scotland. Since the report was published, the Scottish Executive have agreed to review their proposed approach to planning guidelines, a move which the Committee welcomes.

The Committee conducts the vast majority of its business in public. However, the need to agree draft reports and questions for witnesses meant that 10 of the total 18 meetings in this reporting period, had at least one item in private, with 7 meetings wholly public. However, the fact that only one meeting in this period was wholly private, and only 17 of the 92 Agenda items were in private demonstrates that the Committee is open and transparent in its work.

Convenor: Andy Kerr

The Committee also played a major role in considering the National Parks (Scotland) Bill. Despite a tight timescale, the Committee produced a substantial report on the Bill. It is important that it continues to work with the Parliamentary Bureau, who set the timetable for Bills, to ensure that there is sufficient time for key "stakeholder" groups to inform Committees' legislative scrutiny.

The Committee's responsibility to scrutinise the work of the Scottish Executive was exemplified in its examination of its future expenditure proposals. The Committee's report made a range of recommendations designed to help ensure that future financial information is more comprehensive and "user friendly".

All this must be set against a busy throughput of other work, including 13 pieces of subordinate legislation and 19 petitions. The ability of members of the public to directly petition the Parliament goes to the heart of members' desire to be accessible and responsive. However, there is no doubt that if Committees are to really make a difference they must prioritise - and this will unavoidably mean taking difficult decisions about the number of issues raised by petitioners which can be pursued in depth.

A major piece of work undertaken by the Committee was consideration of the Transport (Scotland) Bill. The Committee took evidence directly from 45 witnesses representing 23 different organisations, and produced a comprehensive report on the Bill that subsequently informed line by line

scrutiny.

The Committee has also agreed to hold an inquiry into the water industry in Scotland and will continue to take a keen interest in issues such as the environmental impact of Genetically Modified Organisms and renewable energy.

This has been a challenging year for the Committee, but it is also one of which it is proud. The Committee would like to record its thanks to all those individuals and organisations who have contributed to its work in this historic first year.

Role of Committees in the Scottish Parliament Committee

Committee Chamber

In general terms, the role of all committees is to examine matters within their remits either of their own choosing or, in certain circumstances, those referred to them by the Parliament or another committee. Committees then report their findings and recommendations to the Parliament as a whole.

- Within the overall competence and powers of the Scottish Parliament the main tasks of the committees are to:
- Scrutinise the policy and work of the Scottish Executive and to hold it to account for its activities
- Initiate their own inquiries
- Consider proposals for legislation, including both the general principles and the fine detail
- Consider any European Communities legislation or any international

conventions or agreements

- Consider the need to reform the law
- Initiate Bills
- Consider the financial proposals and financial administration of the Scottish Executive, including variation of taxes, estimates, budgets, audit and performance.
- Consider public petitions

Committee Chamber

It can be seen from the functions of the committees that not only do they play a vital role in holding the Scottish Executive to account but that they also provide a forum in which legislation can be considered in detail. There are a number of advantages arising from the committees and the wide ranging powers that committees have, principal amongst them being the opportunity afforded for committee members to develop a particular expertise in a subject; by hearing from witnesses, being informed by advisers and from producing their own in-depth reports.

This understanding of detailed information can then help promote a more informed debate in the committees when considering legislation and enhances their ability to amend Bills. In this the committees of the Scottish Parliament vary from their Westminster counterparts where committees do not have this dual role.

Overall, the committees of the Scottish Parliament play a key role in monitoring the activities of holding the Scottish Executive to account, facilitating a wider civic participation in the Parliament and promoting a participative approach to the development, consideration and scrutiny of policy and legislation.

Committee Memberships

Audit Committee

Convener
Andrew Welsh

Deputy Convener
Nick Johnston

Committee Members
Brian Adam
Scott Barrie
Cathie Craigie
Miss Annabel Goldie
Margaret Jamieson
Lewis Macdonald
Paul Martin
Euan Robson
Andrew Wilson

Education, Culture and Sport Committee

Convener
Mrs Mary Mulligan

Deputy Convener
Karen Gillon

Committee Members
Ian Jenkins
Lewis Macdonald (10/02/00 -)
Kenneth Macintosh
Fiona McLeod
Mr Brian Monteith
Cathy Peattie
Michael Russell
Mr Jamie Stone
Nicola Sturgeon
Ian Welsh (17 Jun 99 - 21 Dec 99)

Enterprise and Lifelong Learning Committee

Convener
Mr John Swinney

Deputy Convener
Miss Annabel Goldie

Committee Members
Fergus Ewing
Mr Nick Johnston
Marilyn Livingstone
George Lyon
Ms Margo MacDonald
Mr Duncan McNeil
Dr Elaine Murray
Elaine Thomson
Allan Wilson

Equal Opportunities Committee

Convener
Kate Maclean

Deputy Convener
Shona Robison

Committee Members
Malcolm Chisholm
Johann Lamont
Marilyn Livingstone
Mr Jamie McGrigor
Irene McGugan
Mr Michael McMahon
Tricia Marwick (13 Jan 00 -)
Michael Matheson (17 Jun 99-13 Jan 00)
Mr John Munro
Nora Radcliffe
Tommy Sheridan (02 Jul 99-)
Elaine Smith

European Committee

Convener
Hugh Henry

Deputy Convener
Cathy Jamieson

Committee Members
Dennis Canavan (02 Jul 99 -)
Bruce Crawford
Winnie Ewing
Dr Sylvia Jackson
Ms Margo MacDonald
Maureen Macmillan
David Mundell
Ms Irene Oldfather
Tavish Scott
Ben Wallace
Allan Wilson

Health and Community Care Committee

Convener
Mrs Margaret Smith

Deputy Convener
Malcolm Chisholm

Committee Members
Dorothy-Grace Elder
Mr Duncan Hamilton
Hugh Henry
Margaret Jamieson
Ms Irene Oldfather
Mary Scanlon
Dr Richard Simpson
Kay Ullrich
Ben Wallace

Finance Committee

Convener
Mike Watson

Deputy Convener
Richard Simpson (18 Jan 00 - 01 Feb 00)
Elaine Thomson (01 Feb 00 -)

Committee Members
Mr David Davidson
Rhoda Grant
Mr Adam Ingram
George Lyon
Mr Kenneth Macintosh
Mr Keith Raffan
Dr Richard Simpson
Mr John Swinney
Andrew Wilson

Justice and Home Affairs Committee

Convener
Roseanna Cunningham

Deputy Convener
Gordon Jackson

Committee Members
Scott Barrie
Phil Gallie
Christine Grahame
Mrs Lyndsay McIntosh
Kate MacLean
Maureen Macmillan
Pauline McNeill
Tricia Marwick (17 Jun 99 - 13 Jan 00)
Michael Matheson (13 Jan 00-)
Euan Robson

Local Government Committee

Convener
Trish Godman

Deputy Convener
Johann Lamont

Committee Members
Colin Campbell
Mr Kenneth Gibson
Donald Gorrie
Mr Keith Harding
Dr Sylvia Jackson
Mr Michael McMahon
Bristow Muldoon
Mr Gil Paterson
Mr Jamie Stone

Procedures Committee

Convener
Mr Murray Tosh

Deputy Convener
Janis Hughes

Committee Members
Donald Gorrie
Gordon Jackson
Mr Andy Kerr
Mr Gil Paterson
Michael Russell

Public Petitions Committee

Convener
Mr John McAllion

Deputy Convener
Pauline McNeill

Committee Members
Helen Eadie
Phil Gallie (17 Jun 99 - 30 Mar 00)
Christine Grahame
John Scott (30 Mar 00 -)
Mrs Margaret Smith
Ms Sandra White

Rural Affairs Committee

Conveners
Alex Johnstone

Deputy Convener
Alasdair Morgan

Committee Members
Alex Fergusson
Rhoda Grant
Richard Lochhead
Lewis Macdonald
Irene McGugan
Mr John Munro
Dr Elaine Murray
Cathy Peattie
Mr Mike Rumbles

Social Inclusion, Housing and Voluntary Sector Committee

Convener
Ms Margaret Curran

Deputy Convener
Fiona Hyslop

Committee Members
Bill Aitken
Robert Brown
Cathie Craigie
Mr John McAllion
Alex Neil
Mr Lloyd Quinan
Mr Keith Raffan
Mike Watson
Karen Whitefield

Subordinate Legislation Committee

Convener
Kenny MacAskill

Deputy Convener
Ian Jenkins

Committee Members
Fergus Ewing
Trish Godman
Bristow Muldoon
David Mundell
Ian Welsh (17 Jun 99 - 21 Dec 99)

Standards Committee

Convener
Mr Mike Rumbles

Deputy Convener
Tricia Marwick

Committee Members
Lord James Douglas-Hamilton
Ms Patricia Ferguson (17 Jun 99 - 07 Oct 99; 18 Nov 99 -)
Karen Gillon
Mr Adam Ingram
Des McNulty
Richard Simpson (07 Oct 99 - 18 Nov 99)

Transport and the Environment Committee

Convener
Mr Andy Kerr

Deputy Convener
Nora Radcliffe

Committee Members
Helen Eadie
Linda Fabiani
Robin Harper
Janis Hughes
Cathy Jamieson
Mr Kenny MacAskill
Des McNulty
Tavish Scott
Mr Murray Tosh