



# Annual Report 2006 - 2007

Scottish Parliament Annual Report 2006 to 2007

Cover photo: Members of the Scottish Parliament in the courtyard of Queensberry House, Holyrood, Edinburgh

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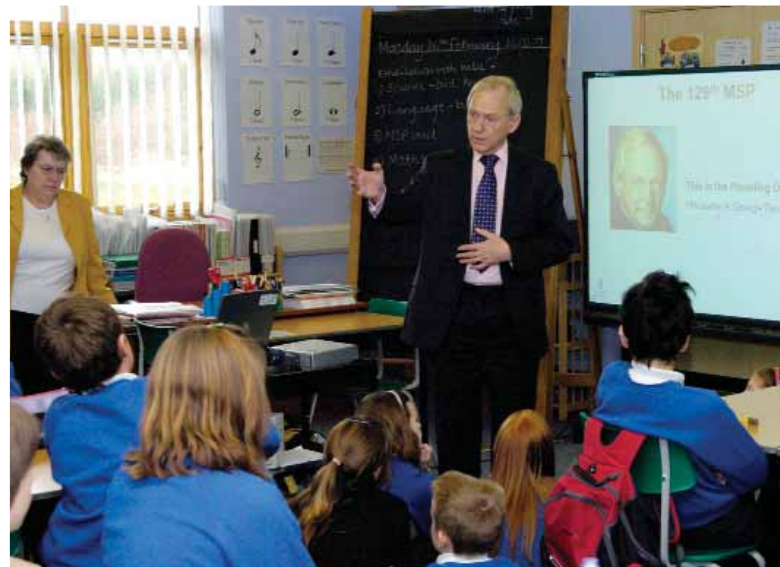
# Annual Report

1 July 2006 to 2 April 2007



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# Foreword by the Presiding Officer

The Scottish Parliamentary Corporate Body (SPCB), through this annual report, aims to provide feedback on how the Parliament has undertaken its role within the period from 1 July 2006 to 2 April 2007. It reports on the day-to-day work of the Parliament within that period and includes detailed information on the work of the parliamentary committees, Chamber debates and the passing of legislation.

As a young Parliament, only now moving into its third session, we continue to gain expertise, especially in the areas of engaging with you, our people. This was our key aim in 2005-06 and it continues to be our main focus as we work together to build a participative democracy fit for the 21st century.

Since July 2006, around 120 international delegations have been received from across the world, many coming to study our grassroots approach to politics. This included a visit by the Flemish Parliament which identified Scotland for their study visit on the relationship between parliament and society in the 21st century because of the 'exemplary role played by the Scottish Parliament in this matter'.

The ongoing success of the Festival of Politics is another example of the Scottish Parliament's belief that politics is too important to be left just to the politicians. The festival this year saw an expanded four-day programme, with a 94 per cent take-up of public tickets and a nomination for a Channel 4 Political Award in recognition of its success in introducing politics to new audiences.

We have also this year welcomed our one millionth visitor since 2004, and received our 1,000th petition, from pupils at All Saints Secondary School in Glasgow on the public health impact of cheaply available alcohol. Interest in the Parliament remains high, with 25,000 school pupils visiting during session 2 and a further 18,000 delegates who last year attended receptions, briefings and participative events. The hosting of the Microsoft Government Leaders Forum saw 400 international delegates from 40 countries come to the Parliament Chamber to debate how technological advances can be used to enhance public participation, and the way forward for employability skills in the 21st century.

I would encourage you, the Scottish people, to keep engaging with your Parliament so that we can continue to build Scotland together.



The Rt Hon George Reid MSP

## **Page 2** Clockwise from top left:

*Public entrance of the Scottish Parliament at Horse Wynd; Presiding Officer, The Rt Hon George Reid MSP closing the second session of the Parliament on 29 March 2007; The Presiding Officer talking to children at Fossoway Primary School in Drum, near Kinross; Canongate Entrance and Towers; The Presiding Officer addressing a group of delegates to the Civicus event; audience and MSPs in the Debating Chamber.*

# Parliament at Work

## The Chamber

The Chamber is at the centre of parliamentary business, hosting important and topical debates on a wide range of political issues, policy proposals and legislation.

Weekly Question Time sessions, where members of the Scottish Parliament (MSPs) hold the First Minister and other Scottish ministers to account on high-profile current issues, tend to generate particularly lively debate.

Agendas for meetings of the Parliament are proposed by the Parliamentary Bureau on a business motion which, once approved, forms a rolling programme of business for the coming fortnight. Membership of the Bureau comprises the Presiding Officer, who chairs the meetings, and one representative from each party and group represented by five or more MSPs. During the course of the year, the Scottish Socialist Party (SSP) lost its seat on the Bureau when the resignation of two of its MSPs to form a new political party, Solidarity, took it below the minimum seats required.

### Debates

Debating time in the Chamber was dominated by the Executive coalition of the Labour and Liberal Democrat parties who have held debates on a wide range of social, political and economic issues, including:

- affordable housing
- coastal and marine national parks
- supporting positive transitions from school to work
- violence against women
- the future of Scotland's organic farming
- investment in public services
- fisheries
- community safety.

Sixteen half-days are allocated to debate non-Executive business in the Chamber each parliamentary year. Once they are divided among the non-Executive parties by the Bureau, it is for those parties to propose the topics and

motions for debate. In the run-up to the elections in May 2007, non-Executive parties often proposed issues for debate which were aimed at highlighting differences in policies between the coalition parties. Debates on the following issues have taken place:

- Trident (Scottish National Party)
- council tax (Scottish Conservative and Unionist Party)
- post offices (Scottish National Party)
- road tolling (Scottish Conservative and Unionist Party)
- Scottish Water (Scottish Green Party)
- housing stock transfer (Scottish Socialist Party)
- workers' rights (Solidarity)
- Scotland International (Independents Group).





### Committee Debates

Committees often request debating time in the Chamber to bring issues raised in reports they have published to the attention of a wider audience. Twelve half-days of Chamber business are allocated for this purpose each parliamentary year. This year committee debates have covered such wide-ranging issues as:

- early years (Education Committee)
- European Structural Funds (European and External Relations Committee)
- freight transport (Local Government and Transport Committee)
- care inquiry (Health Committee)
- removing barriers and creating opportunities (Equal Opportunities Committee)
- food chain inquiry (Environment and Rural Development Committee)
- accountability and governance (Finance Committee)
- motions and decisions (Procedures Committee).

On 23 February 2007, the Equal Opportunities Committee hosted 'Equalities in Scotland: A Review of Progress' in the Chamber. The event brought together representatives from more than 80 different age, disability, gender, race, religion/belief and sexual orientation groups in an open debate – the first time such an event had taken place in the Parliament.

### Ministerial Statements

Ministerial Statements are used to inform the Parliament of urgent matters or announcements on policy, and usually consist of a 10-minute statement followed by 20 minutes for questions from members. In the last year there have been three Ministerial Statements, on:

- right to buy
- severe weather in the north of Scotland
- the local government finance settlement 2007-08.



### Members' Business

Members' Business is normally held at the end of each meeting of the Parliament, and allows individual MSPs from any party or group to highlight issues that would not necessarily be given prominence in the main proceedings. Members' Business is often used to raise a particular constituency or regional matter, or to highlight a commemorative event or raise awareness of an issue. Examples of such debates held during the past year include:

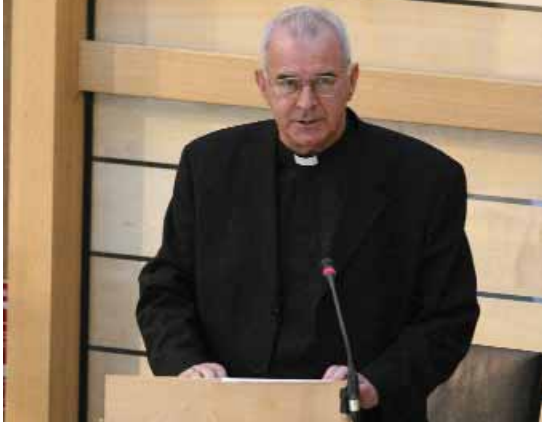
- ending child poverty
- cervical cancer and the HPV vaccine
- sectarianism
- Lesbian, Gay, Bisexual and Transgender History Month
- school bus safety
- knife crime education
- the Caithness economy post-Dounreay
- Fairtrade.

### Stages of Bills

**Stage 1** - The general principles are examined by committees and then the whole Parliament decides whether to agree to these principles.

**Stage 2** - The bill is considered in detail by a committee which can make changes to it.

**Stage 3** - The bill can be further changed by the Parliament which then debates it and decides whether it should become law.



## Time for Reflection

Business in the Chamber each week begins with Time for Reflection, giving people of different faiths and beliefs the chance to share their thoughts with the Parliament.

Representatives from a wide range of religious groups and faiths, and of no faith, have taken part in Time for Reflection this year, including:

- Right Reverend Alan McDonald, Moderator, General Assembly of the Church of Scotland
- Cardinal Keith O'Brien, Roman Catholic Archbishop of St Andrews and Edinburgh
- Imam Arif, Central Scotland Islamic Centre, Stirling
- The Most Reverend Dr Idris Jones, Primus of the Scottish Episcopal Church
- Dr Conrad Harvey, Buddhist Faith Representative, NHS Scotland Spiritual Care Committee
- Katie McAdam, Barnardo's Youthbuild Project
- Rabbi David Rosen, International Jewish Committee for Interreligious Consultations
- Pastor Patricia Sawo, East African Co-ordinator, African Network of Religious Leaders living with or personally affected by HIV/AIDS
- Connie Pearce, Stonelaw High School, Glasgow.

## Legislation

The Parliament examined 14 new bills – or draft Acts – that were introduced since 1 July 2006. Of these, six were introduced by the Executive and will become Acts of the Scottish Parliament, meaning that they will become part of the law of Scotland. All these bills underwent public consultation before they were introduced in the Parliament, and were then subject to further rigorous and detailed scrutiny in committees and in the Chamber.

In common with other years, the vast majority of bills introduced were public bills, meaning that they seek a change in the general law (private bills are discussed on pages 31-32). The Scottish Executive sought to legislate on issues as diverse as school meals, custodial sentences and weapons, and the protection of vulnerable groups. Eight of the bills introduced this year were members' bills, which allow backbench MSPs to highlight issues that they consider to be of concern to the people of Scotland.

Most bills that the Parliament passed were amended, either in the committee that had responsibility for scrutiny at the main amending stage (stage 2), or in the Chamber (stage 3). Many of these changes were made in relation to concerns that had been raised with MSPs and committees by different groups.

## Subordinate Legislation

Acts of the Scottish Parliament often do not cover all the detail of the changes in the law which they make. Instead, powers to make orders or regulations (known as subordinate legislation) are given to Scottish ministers by provisions in those Acts. In order to ensure that those powers are exercised properly and appropriately, subordinate legislation is usually laid before and scrutinised by the Parliament. That scrutiny will take place either before or after the subordinate legislation becomes law but, in both cases, the Parliament can reject it.

Subordinate legislation, usually contained in Scottish statutory instruments (SSIs), cannot be amended but the Subordinate Legislation Committee scrutinises each instrument to ensure that it is well drafted and works as the Act intended. SSIs are also considered by a subject committee within whose remit the subject matter of the instrument falls. Ministers are often called to give evidence to subject committees in relation to the policy intention. As subordinate legislation is often the way in which Acts are put into practice, this is an extremely important part of the Parliament's scrutiny function.



## Bills Introduced (14)

14 bills were introduced to the Parliament between 1 July 2006 and 2 April 2007. They are listed below in order of date of introduction. If a bill is passed it takes about one month before it receives royal assent and becomes an Act of the Scottish Parliament. There is a list of Acts on page 10.

Schools (Health Promotion and Nutrition) (Scotland) Bill [Executive]

Prostitution (Public Places) (Scotland) Bill [Executive]

Home Energy Efficiency Targets (Scotland) Bill [Member's]

Commissioner for Older People (Scotland) Bill [Member's]

Cairngorms National Park Boundary Bill [Member's]

Protection of Vulnerable Groups (Scotland) Bill [Executive]

Education (School Meals etc) (Scotland) Bill [Member's]

Rights of Relatives to Damages (Mesothelioma) (Scotland) Bill [Executive]

Scottish Register of Tartans Bill [Member's]

Civil Appeals (Scotland) Bill [Member's]

Provision of Rail Passenger Services (Scotland) Bill [Member's]

Treatment of Drug Users (Scotland) Bill [Member's]

Custodial Sentences and Weapons (Scotland) Bill [Executive]

Budget (Scotland) (No. 4) Bill [Executive]



## Parliamentary Questions

There are two types of parliamentary questions, oral and written. MSPs have the opportunity, on a weekly basis, to ask oral questions directly to the First Minister and his ministerial colleagues. Written questions may be lodged at any time, and receive a written answer.

Six topical questions, put forward by party leaders and backbench MSPs, are selected by the Presiding Officer and are asked during First Minister's Question Time on a Thursday. MSPs can also enter their names in a ballot to ask general and themed questions to the Scottish ministers. Thirty members, randomly selected in the ballot, submit their

questions in advance for publication in the *Business Bulletin*. At General and Themed Question Time the relevant minister provides an answer to the published question and related supplementary questions about which no notice is given.

Any question not reached by the end of the time allocated for asking oral questions receives a written answer, which appears in the *Official Report's* weekly written answers report. This report also contains the answers to written parliamentary questions, and can be accessed through the Parliament's website.

## Parliamentary Questions answered from 1 July 2006 to 2 April 2007

	Answered in Chamber	Received written answer
<b>First Minister's Question Time</b>	154	2
<b>General and Themed Question Time</b>	513	195

5,485 questions were also lodged for written answer in the same period, and 408 for First Minister's Question Time. First Minister's questions that are not selected by the Presiding Officer are not published and do not receive an answer.



## Acts (27)

27 bills received royal assent and became Acts of the Scottish Parliament after 1 July 2006 – an increase of 10 from the last reporting period (2 July 2005-30 June 2006). Of these Acts, 20 were Scottish Executive bills, four were private bills, two were members' bills and there was one committee bill.

All the bills are listed below, in order of the date that they received royal assent:

- Police, Public Order and Criminal Justice (Scotland) Act 2006 (Executive)
- Animal Health and Welfare (Scotland) Act 2006 (Executive)
- Interests of Members of the Scottish Parliament Act 2006 (Committee)
- Waverley Railway (Scotland) Act 2006 (Private)
- Local Electoral Administration and Registration Services (Scotland) Act 2006 (Executive)
- Tourist Boards (Scotland) Act 2006 (Executive)
- Scottish Commission for Human Rights Act 2006 (Executive)
- Planning etc (Scotland) Act 2006 (Executive)
- Adoption and Children (Scotland) Act 2007 (Executive)
- Bankruptcy and Diligence etc (Scotland) Act 2007 (Executive)
- Glasgow Airport Rail Link Act 2007 (Private)
- St Andrew's Day Bank Holiday (Scotland) Act 2007 (Member's)
- Legal Profession and Legal Aid (Scotland) Act 2007 (Executive)
- Criminal Proceedings etc (Reform) (Scotland) Act 2007 (Executive)
- Crofting Reform etc Act 2007 (Executive)
- Transport and Works (Scotland) Act 2007 (Executive)
- Budget (Scotland) Act 2007 (Executive)
- Adult Support and Protection (Scotland) Act 2007 (Executive)
- Aquaculture and Fisheries (Scotland) Act 2007 (Executive)
- Prostitution (Public Places) (Scotland) Act 2007 (Executive)
- Christmas Day and New Year's Day Trading (Scotland) Act 2007 (Member's)
- Protection of Vulnerable Groups (Scotland) Act 2007 (Executive)
- Custodial Sentences and Weapons (Scotland) Act 2007 (Executive)
- Edinburgh Airport Rail Link Act 2007 (Private)
- Schools (Health Promotion and Nutrition) (Scotland) Act 2007 (Executive)
- Rights of Relatives to Damages (Mesothelioma) (Scotland) Act 2007 (Executive)
- Airdrie-Bathgate Railway and Linked Improvements Act 2007 (Private)



## Motions

MSPs use parliamentary motions for a number of purposes: to highlight an issue or event, to generate support for a cause, or to stimulate debate on a subject. Motions lodged by MSPs appear in the following day's *Business Bulletin* along with the names of other MSPs who support their terms. Motions for debate in the Chamber are lodged on the basis of the business programme agreed by the Parliament. Amendments to these motions can also be lodged, and it is for the Presiding Officer to select which amendment will be debated. However, the vast majority of motions are not intended for debate.

1,306 motions and amendments were lodged this year on a range of topics. Those lodged but not debated dealt with a wide variety of issues, including:

- human trafficking
- action on job losses
- Stroke Awareness Week
- flooding
- sporting achievement
- Loch Lomond Food and Drink Festival.

## End of Second Session

As the second session came to a close, meetings in the Chamber took place on Wednesday mornings so that all remaining business could be debated.

A **session** is the time from the first meeting following an election to the time when Parliament is dissolved before the next election. A session is normally four years:

- **Session 1** was from 12 May 1999 to 31 March 2003
- **Session 2** was from 7 May 2003 to 2 April 2007
- **Session 3** began on 9 May 2007.





**Conveners Group**

**Convener:**  
**Trish Godman**

## Conveners Group

The Conveners Group comprises the conveners of the Parliament’s mandatory and subject committees. During the period of this report, the group met five times.

Meeting as a group allows the conveners to maintain an overview of how the committee system is operating in the Parliament. The group is therefore uniquely placed to make recommendations about the procedures and practices in the Parliament that govern or have an impact on the committee system.

The major business that occupied the group during the year was consideration of its legacy paper. The conveners considered that it was essential for them to record and pass on their views on how the committees had operated during the second session, and most importantly, to identify the challenges to be overcome in session 3.

The conveners agreed that the most significant issue facing committees in the second session had been the difficulty in achieving an appropriate balance in their workload between the scrutiny of legislation referred to them by the Parliamentary Bureau and other essential scrutiny work of the committees’ own choosing. A number of committees had found their work dominated by the scrutiny of bills. If this difficulty is not resolved for the third session, the group was concerned that it had the potential to leave large areas of Executive policy and administration unscrutinised by parliamentary committees. During the period of this report, finding the balance between legislative and other scrutiny was compounded by the large number of Executive bills introduced late in the session, and the number of members’ bills introduced at a stage when they could not complete their parliamentary stages prior to dissolution.





The group made recommendations that these issues be addressed early in the next session with a view to avoiding a similar situation arising at its end.

The group also emphasised the importance of ensuring that disruption to the normal scheduling of committee business be kept to a minimum. In particular, the group urged the Scottish Parliamentary Corporate Body (SPCB) to consider whether it could ever be appropriate to schedule a non-parliamentary event on a normal business day.

The question of whether there should be a requirement in Standing Orders on committees to produce annual reports was one that the group considered on a number of occasions during the year. The group considered that the amount of information available on a continuing basis on the committee pages of the Parliament's website, not to mention the contributions by committees to the Scottish Parliament Annual Report, renders committee annual reports unnecessary. The group recommended that the Procedures Committee again review the Standing Orders requirement that committees produce annual reports.

The group recommended to the Procedures Committee that it consider the introduction of an equalities review to be undertaken by committees at the end of each session.

During the year, the group also made a proposal to the Procedures Committee, based on the experience of the Communities Committee when dealing with the Planning etc (Scotland) Bill, to amend Standing Orders to allow committees to decide to use electronic voting rather than a show of hands, at stage 2 of bills. The Procedures Committee was not persuaded that a case had been made for the change. The group therefore recommended in its legacy paper that the Conveners Group in the third session review this matter in the light of further experience, with a view to making further recommendations to the Procedures Committee.

The legacy paper also made recommendations in relation to committee travel, including a suggestion that the SPCB consider paying into a carbon offset fund.

In addition the group recorded its support for the work being done by the Subordinate Legislation

Committee in its review of the procedures governing the scrutiny of Scottish statutory instruments.

The group hopes that the recommendations contained in its legacy paper will be adopted and taken forward in the third session, with a view to improving scrutiny and strengthening the role of the parliamentary committees.

**Standing Orders** are the procedural rules governing how the Scottish Parliament operates.

## Committees

For many of the committees, the work programmes during the year under review were dominated by scrutiny of both primary and secondary legislation.

During this reporting period, the committees met 324 times, with meetings lasting for a total of 628 hours. They worked on 29 inquiries and scrutinised 28 bills and 297 pieces of subordinate legislation.

Because of the heavy workloads, the committees used a range of techniques to maximise their capacity. For example, to allow it to undertake the required legislative scrutiny and also to complete its inquiry into the Scottish Criminal Record Office and the Scottish Fingerprint Service, the Justice 1

Committee regularly met twice weekly until the publication of the inquiry report on 15 February 2007. The committee also used a reporter to take forward its inquiry into the provision of family support services in Scotland.

The technique of using reporters to maximise a committee's capacity was also used in the reporting period to great effect by the European and External Relations Committee in its inquiry into the Transposition and Implementation of European Directives.

The Justice 2 Committee adopted a different approach to resolve its difficulties in finding time in its work programme to undertake an inquiry into child-sex offenders. A sub-committee was established for this sole purpose. This was the first use of a sub-committee in the Parliament.

Throughout the year the committees have continued to ensure that equalities considerations are mainstreamed into their work, in both the scrutiny of draft legislation and their inquiries.



A wide range of witnesses have given evidence to committees (1,460 in total in the year). Round-table discussions have been used successfully by a number of committees to maximise the amount of information that can be obtained in a single meeting. Video-conferencing has also been used to avoid the need for travel, and has enabled witnesses to be heard from locations such as Addis Ababa and Brussels. Information was also gathered outside formal meetings in activities ranging from fact-finding visits to hosting major stakeholder conferences.

The pages that follow contain more information about the work undertaken by each individual committee, and clearly demonstrate the key role that the committees play in holding the Executive to account and scrutinising legislation.

Further information about each committee can be found on the committee pages of the Parliament's website, where there is access to archived material, including agendas, public papers, reports and legacy papers.





## Audit Committee

**Convener:**  
**Mr Brian Monteith**

**Susan Deacon**

**Robin Harper**

**Margaret Jamieson**

**Mrs Mary Mulligan**

**Margaret Smith**

**Mr Andrew Welsh**

## Audit Committee

The Audit Committee holds to account those who are charged with spending taxpayers' money, and helps to ensure that public funds are spent wisely.

This year the committee has again focused its work on reports by the Auditor General for Scotland, and continued its commitment to examining areas of major public expenditure.

The committee published several reports during this period, namely:

- *The 2004-05 Audit of Inverness College*
- *Implementing the National Health Service (NHS) Consultant Contract in Scotland*
- A review of the cost and implementation of the teachers' agreement, *A Teaching Profession for the 21st Century*
- *Relocation of Scottish Executive Departments, Agencies and Non Departmental Public Bodies (NDPBs)*
- *Community Planning: An initial review.*

The committee undertook an inquiry into the relocation of Scottish Executive departments, agencies and NDPBs, and in particular examined the Executive's role in determining the relocation of Scottish Natural Heritage's headquarters to Inverness. Given the existence of a ministerial authority, for the first time the committee took evidence from the minister on what informed his decision to overrule the accountable officer's view that this relocation did not represent value for money. The committee found that the arguments put forward by the Minister for Environment and Rural

Development did not justify the decision to relocate the organisation to Inverness, and that this relocation did not provide value for money.

The committee has devoted considerable time to pay modernisation this year, in its inquiry into the NHS consultant contract and its inquiry into the teachers' agreement, which arose from the McCrone Committee findings. The Audit Committee was keen to ensure that pay modernisation programmes represent value for money and are used to best effect in driving improved performance.

The committee continued its scrutiny of the delivery of policy on cross-cutting areas, and this year undertook an inquiry into community planning. In the course of its inquiry, the committee undertook a fact-finding visit to East Ayrshire, and held a round-table evidence session with individuals involved in delivering community planning services. The committee found that Executive departments were failing to work together, resulting in a lack of clarity about policy priorities and creating significant bureaucracy.

Finally, the committee continued to share experiences with other Public Accounts Committees (PACs), undertaking a benchmarking exercise on the working practices of other PACs that follow the Westminster model.





## Communities Committee

Convener:  
Karen Whitefield

Scott Barrie

Cathie Craigie

Christine Grahame

Patrick Harvie

John Home Robertson

Tricia Marwick

Dave Petrie

Euan Robson  
(until 11.10.06)

Mr Jamie Stone  
(from 25.10.06)

## Communities Committee

The Communities Committee's main focus during this year has been the consideration of Scottish Executive legislation.

The committee considered amendments to the Planning etc (Scotland) Bill, which contained a wide range of measures intended to modernise the planning system. It included proposals to place the National Planning Framework on a statutory footing, bring in a new system of strategic and local development plans, and introduce a range of measures to encourage public participation in the planning process.

The committee took evidence on certain key pieces of planning policy guidance which were under review. It heard from a range of stakeholders in relation to both the Draft Planning Advice Note on *Community Engagement* and the Draft Scottish Planning Policy SPP 10 – *Planning for Waste Management*.

It also scrutinised the Schools (Health Promotion and Nutrition) (Scotland) Bill, which included provisions to help improve the health of young people in Scotland by ensuring that food and drink in Scottish schools is nutritionally balanced and that a healthy

lifestyle within schools is promoted. As part of this process, the committee undertook two fact-finding visits, to Hurlford Primary School in Kilmarnock and Drumchapel High School in Glasgow. It also held a teleconference with staff and pupils of the Janet Courtney Hall of Residence in Lerwick.

The committee also undertook evidence sessions on the Scottish Executive's Draft Budget 2007-08, the implementation of the Homelessness etc (Scotland) Act 2003, the update to the Local Housing Need and Affordability Model for Scotland, the Get Heard project, and the *UK National Report on Strategies for Social Protection and Social Inclusion*.

It considered a wide range of Scottish statutory instruments covering topics such as land registration, race relations, housing, home energy efficiency, the regulation of charities, planning and building standards.





## Education Committee

**Convener:**  
**Iain Smith**

**Ms Wendy Alexander**  
(until 23.11.06)

**Ms Rosemary Byrne**

**Lord James Douglas-Hamilton**

**Fiona Hyslop**

**Mr Adam Ingram**

**Marilyn Livingstone**  
(from 23.11.06)

**Mr Kenneth Macintosh**

**Mr Frank McAveety**

**Dr Elaine Murray**

## Education Committee

In this period the Education Committee scrutinised a major Scottish Executive bill and concluded one short inquiry.

The Protection of Vulnerable Groups (Scotland) Bill was introduced on 25 September 2006 and referred to the Education Committee on 26 September 2006. The committee's stage 1 report was published on 21 December 2006. The Parliament passed the bill on 8 March 2007.

The committee published its report on the implementation of the Teachers' Agreement on 26 March 2007. During its short inquiry, the committee took evidence from the Convention of Scottish Local Authorities (COSLA), teachers' unions and head teachers' representatives, and the Scottish Executive. The committee also took evidence from HM Inspectorate of Education and Audit Scotland, which had both recently published reports on the implementation of the agreement.

Section 2(3)(a) of the Gaelic Language (Scotland) Act 2005 requires Bòrd na Gàidhlig to consult the Parliament when preparing the national plan for Gaelic. The committee took evidence, in Gaelic, from Bòrd na Gàidhlig and published its report, in Gaelic and English, on 30 November 2006.

The committee also considered 11 items of subordinate legislation, nine of which were subject to negative procedure and two of which were subject to affirmative procedure. Five petitions were also considered by the committee.

The committee continued its commitment to consider regularly the Scottish Executive's progress in relation to school closures, school transport and the child protection reform programme. The committee also considered the Scottish Executive's progress in implementing its child protection reform programme on a six-monthly basis, and formally noted the annual reports of public bodies that fall within its remit.

During the year, the committee successfully took oral evidence in a round-table format on two occasions, enabling a range of opinions to be heard from voluntary sector and teacher organisations.

### Negative and Affirmative Procedure

Most statutory instruments are either subject to negative or affirmative procedure. If they are subject to affirmative procedure, they must be approved by the Parliament before they can come into force or remain in force. If they are subject to negative procedure, they will come into force or remain in force unless the Parliament passes a resolution against them.





## Enterprise and Culture Committee

**Convener:**  
**Alex Neil**

**Shiona Baird**

**Richard Baker**

**Susan Deacon**

**Murdo Fraser**

**Karen Gillon**

**Michael Matheson**  
(until 31.10.06)

**Mr Stewart Maxwell**  
(from 1.11.06)

**Christine May**

**Mr Jamie Stone**

## Enterprise and Culture Committee

For the Enterprise and Culture Committee, this year was particularly busy from a legislative perspective.

The bulk of work focused on scrutiny of the Bankruptcy and Diligence etc (Scotland) Bill, introduced by the Scottish Executive in November 2005 to reform bankruptcy law, procedures for debt enforcement by the courts and floating charges.

The committee reported on the 16-part bill at stage 1 following evidence sessions with stakeholder groups and a special round-table debate on the practical implications of proposed bankruptcy law reform. The committee then undertook detailed scrutiny of the bill over the course of eight stage 2 sessions, and the bill completed stage 3 in November 2006. Royal assent was received on 15 January 2007.

The committee has also been responsible for scrutinising the passage of three further bills: the St Andrew's Day Bank Holiday (Scotland) Bill, the Tourist Boards (Scotland) Bill and the Scottish Register of Tartans Bill. The first two of these bills completed stage 3 and have received royal assent, while the third was withdrawn by the MSP in charge of the bill prior to the end of stage 1.

In November 2006, the committee, along with the Scottish Executive, organised the Business in the Parliament Conference, attended by over 260 of Scotland's leading business figures, ministers and parliamentarians. This year's Conference opened with Sarah Smith and Sir Tom Farmer in conversation.

Despite the legislative workload, the committee managed to complete a number of inquiries. The main focus this year was on the management of budgets at Scottish Enterprise and the proposed restructuring of the enterprise agencies.

As the session came to an end, the committee focused on producing a legacy paper for its successor. To help develop this, four round-tables were held on topical subjects within the committee's remit: the Scottish Executive's employability framework and strategy to reduce the proportion of young people not in education, employment or training; issues associated with the ageing population; issues facing the creative industries; and sports policy. Witnesses as varied as Lord Sutherland of Houndwood, Stuart Cosgrove, Gavin Hastings and Dougie Donnelly all gave up their time to offer their thoughts on these subjects to the committee.





## Environment and Rural Development Committee

**Convener:**  
**Maureen Macmillan**  
(member from 4.6.03 and  
convener from 17.1.07)

**Sarah Boyack**  
(member and convener  
until 15.01.07)

**Mr Ted Brocklebank**

**Rob Gibson**

**Richard Lochhead**

**Mr Alasdair Morrison**

**Peter Peacock**  
(from 17.01.07)

**Nora Radcliffe**

**Eleanor Scott**

**Elaine Smith**

## Environment and Rural Development Committee

In July 2006 the Committee published its stage 1 report on the Crofting Reform etc Bill. Following recommendations made in the report, the bill was substantially amended at stage 2 and the Executive established a committee of inquiry to further consider crofting regulation.

The committee concluded its examination of the Environmental Levy on Plastic Bags (Scotland) Bill, which sought to introduce a levy on plastic bags provided to customers, and allocate the proceeds for use by local authorities for environmental projects.

The committee also scrutinised the Aquaculture and Fisheries (Scotland) Bill (which makes provision for the management of fish and shellfish farms, and for controlling disease and protecting biodiversity in salmon and freshwater fisheries) and the Cairngorms National Park Boundary Bill (a member's bill that provides for an extension to the Park boundary to include parts of highland and eastern Perthshire and for consequential changes to the Park Authority).

Following its inquiry into the food supply chain, members of the committee were invited to give evidence to the Competition Commission as part of its inquiry into the grocery retail market. The committee also considered how the

parliamentary scrutiny of sustainable development could be enhanced.

In March, the committee published its report on an inquiry into the management of the marine environment. Its work on marine issues also included considering petitions on proposals for a marine protected area in Lamlash Bay, proposed ship-to-ship transfers of oil in the Firth of Forth, and the establishment of a coastal and marine national park.

The committee reported to the Finance Committee in November 2006 on the Executive's draft budget for 2007-08, having focused particularly on the budget of the Scottish Environment Protection Agency.

The committee continued with an agreed system of scrutiny of relevant European Union (EU) developments. It also scrutinised a high volume of subordinate legislation.





## Equal Opportunities Committee

**Convener:**  
**Cathy Peattie**

**Frances Curran**  
(until 7.9.06)

**Marlyn Glen**

**Carolyn Leckie**  
(from 7.9.06)

**Marilyn Livingstone**

**Mr Jamie McGrigor**

**Nora Radcliffe**  
(until 15.11.06)

**Elaine Smith**

**Margaret Smith**  
(from 15.11.06)

**John Swinburne**

**Ms Sandra White**

## Equal Opportunities Committee

This year has seen the Equal Opportunities Committee finalise its extensive disability inquiry as well as hosting a major equalities participation event in the Chamber of the Scottish Parliament.

Following a period of consultation with disabled people on the draft recommendations, the committee published its disability inquiry report, *Removing Barriers and Creating Opportunities*, in November 2006. The report makes 156 recommendations for change in relation to the barriers faced by disabled people accessing work, further and higher education, and leisure. The report asks the Scottish Executive, employers, colleges, local authorities, retailers and sports organisations, and others, to make changes in order to improve services to disabled people.

The committee completed a taking-stock exercise on age, and received responses outlining where people felt they faced discrimination. The committee agreed to use the responses to inform any future work on age.

72 equalities organisations in Scotland. Two debates were held. The first considered the progress made in the equalities arena since devolution, and the second identified the key priorities for the next Equal Opportunities Committee to take forward in the third session of the Parliament.

2007 has been designated the European Year of Equal Opportunities for All. In January 2007 the convener of the committee attended the launch in Berlin, and participated in focus groups and panel discussions on the four key themes of the Year: rights, representation, recognition and respect.

Other committee activity included an evidence session on the impact of pornography and a meeting with members of the Welsh Assembly Equality of Opportunity Committee.

In February 2007, the committee hosted a participation event in the Chamber of the Scottish Parliament. 'Equalities in Scotland: A Review of Progress' was attended by representatives from





## European and External Relations Committee

The committee has undertaken five inquiries over the year, as well as continuing its routine scrutiny of EU legislation and documents.

### European and External Relations Committee

**Convener:**  
Linda Fabiani

Dennis Canavan

Bruce Crawford

Phil Gallie

Mr Charlie Gordon

John Home Robertson

Gordon Jackson

Irene Oldfather

Mr Jim Wallace

In September, the committee agreed to a short inquiry to inform its response to the European Commission's green paper, *A European Strategy for Sustainable, Competitive and Secure Energy*. In December 2006, the committee, in conjunction with Scotland Europa, held a high-profile conference in the Scottish Parliament to consider the European Commission's green paper, *Towards a Future Maritime Policy for the Union*. The purpose of the event was to raise the profile of the consultation and discuss – from a Scottish perspective – what the policy should contain. The event was followed up by a seminar in Brussels, organised by Scotland Europa, to disseminate the views of the December conference to representatives from other EU maritime regions. On the basis of the two events, the committee also responded to the consultation.

Over the second half of 2006, the committee carried out an inquiry into the Scottish Executive's performance against a number of targets set out in the European Commission's strategy for growth and jobs. The committee took

evidence from a wide range of organisations, and published its report in February 2007.

Following the publication of the European Commission's legislative and work programme, the committee consulted with stakeholders on its impact within devolved competencies, and on the basis of the responses received, the committee agreed its priorities from the legislative and work programme. The committee also concluded its inquiry into the scrutiny of European legislation. The inquiry began as a reporter-led inquiry into the transposition and implementation of EU Directives, but widened its remit to include consideration of the broader EU legislative process. The report made a number of recommendations regarding the committee's future scrutiny of EU legislation.

The committee continued to host public addresses by the UK Ambassador of Member States at the outset of each EU Presidency, and welcomed the Ambassadors to the UK from Finland and Germany over the past year.





## Finance Committee

**Convener:**  
**Ms Wendy Alexander**  
(member from 4.6.03  
and convener from  
21.11.06)

**Mr Andrew Arbuckle**

**Mark Ballard**

**Derek Brownlee**

**Malcolm Chisholm**  
(from 7.2.07)

**Gordon Jackson**  
(from 23.11.06)

**Jim Mather**

**Mr Frank McAveety**

**Des McNulty**  
(member and convener  
until 17.11.06)

**Dr Elaine Murray**  
(until 6.2.07)

**Mr John Swinney**

## Finance Committee

The committee had a busy year scrutinising proposed public spending. As well as considering the 2007-08 budget and the financial implications of 17 bills, the committee completed a major inquiry and continues to monitor a number of Executive initiatives.

The committee's main role is to lead the Parliament's response to the Executive's spending proposals through the annual budget process. This year, the committee went to Dumfries to gauge local views on the budget, and published its report in December 2006. The report highlighted a range of issues including the need to link priorities and the money allocated to them.

The committee also reflected on the changes that have been made to the budget process since its inception, and in its legacy paper made suggestions on how to build on this work and make further improvements to budget scrutiny.

The committee scrutinised the financial implications of 17 bills, and brought a number of issues to the attention of the lead committees, including assumptions not being robust, lack of sufficient detail and lack of consultation over the financial implications. The committee's legacy paper also made suggestions on how the quality of such financial information could be improved.

Following concerns raised in its 2006-07 budget report, the committee held an inquiry which looked at the statutory independence of parliamentary commissioners and ombudsmen versus their accountability for expenditure. Apart from gathering written and oral evidence, the committee held an informal seminar, and its report was published in September 2006. The report made recommendations for a stronger governance framework, and set out criteria that would need to be met before new bodies were created.

In addition, the committee continued to scrutinise the Executive's Efficient Government initiative through formal evidence sessions when required, and continued its follow-up work on the relocation of public sector jobs by taking evidence on six-monthly progress reports.





## Health Committee

**Convener:**  
Roseanna Cunningham

Helen Eadie

Janis Hughes

Kate Maclean

Mr Duncan McNeil

Mrs Nanette Milne

Shona Robison

Euan Robson

Dr Jean Turner

## Health Committee

The Health Committee's focus this year was on scrutinising bills from both the Executive and individual MSPs. It also sought to follow up on work it undertook earlier in the session on the smoking ban and free personal care for the elderly.

The main focus of attention in the autumn was the Executive's Adult Support and Protection (Scotland) Bill. In its report the committee was critical of the bill, recommending six fundamental changes. These included reducing the scope of those covered by the bill and removing any discrimination against those with disabilities. The deputy Health Minister accepted five of the six recommendations, and introduced amendments to deal with these issues.

This bill was followed by a member's bill on Health Board Elections, introduced by Bill Butler MSP, which sought to introduce direct elections for a majority of members of area health boards. After having heard the evidence, the committee supported the bill, but with some significant reservations about the method of election. The bill ultimately fell following the stage 1 debate in the Chamber. Nevertheless, most of the political parties now have proposals to reshape health boards, and this issue may return in the next Parliament.

As well as scrutinising these bills, the committee also sought to follow up on issues that had engaged it earlier in the four-year session. Having considered the Smoking, Health and Social Care (Scotland) Bill which introduced the smoking ban in 2006, the committee opted to hear evidence on its introduction and health impact, which revealed the first signs of some positive benefits.

The committee also took evidence on the Executive's review of free personal care, having published its report on the care legislation in June 2006. The review confirmed many of the committee's findings on the success of the policy overall, but recognised the existence of some significant 'teething problems'.





## Justice 1 Committee

Convener:  
Pauline McNeill

Marlyn Glen

Mr Bruce McFee

Margaret Mitchell

Mrs Mary Mulligan

Mike Pringle

Stewart Stevenson

## Justice 1 Committee

The Justice 1 Committee, together with the Justice 2 Committee, plays a key role in scrutinising Scotland's justice system.

This year the committee carried out a thorough scrutiny of the Scottish Commissioner for Human Rights Bill, the Criminal Proceedings etc (Reform) (Scotland) Bill and the Rights of Relatives to Damages (Mesothelioma) (Scotland) Bill.

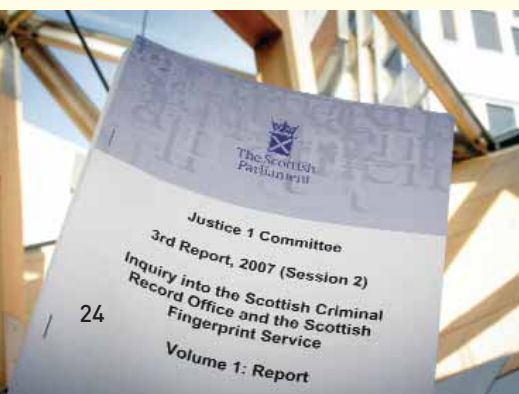
Alongside this full programme of legislative scrutiny, the committee also completed its wide-ranging inquiry into the efficient running of the Scottish Criminal Record Office (SCRO) and Scottish Fingerprint Service (SFS).

In order to understand the steps that the SFS needs to take to restore public confidence in how it operates, it was necessary to go back to the chain of events in relation to mark Y7 – the fingerprint at the heart of the Shirley McKie controversy, which involved a disputed fingerprint found at a crime scene – to explain why it has proved to be so controversial and to examine what implications this case has had for the standing of fingerprint evidence.

The inquiry covered sensitive, very technical and deeply contentious matters. It also raised a large number of procedural and legal issues. Taken together, this made the inquiry the most complex undertaken by any committee in the history of the Parliament.

The committee published its report in February 2007. In addition to injecting transparency and clarity into very contentious and complex subject matter, the report went on to analyse the key weaknesses that still exist in the operation of the SFS, and put forward specific proposals for how the service organisation can be improved.

Mary Mulligan MSP completed her reporter-led inquiry into the provision of family support services in Scotland. Her series of wide-ranging recommendations for the improvement of service provision were endorsed by the committee. In response, the Executive announced a planned increase in the Executive's core funding of family support services from 2007-10.





## Justice 2 Committee

**Convener:**  
**Mr David Davidson**

**Jackie Baillie**

**Bill Butler**

**Colin Fox**

**Maureen Macmillan**

**Michael Matheson**  
(from 1.11.06)

**Mr Stewart Maxwell**  
(until 31.10.06)

**Jeremy Purvis**

## Justice 2 Sub-committee

(until 15.12.06)

**Convener:**  
**Jackie Baillie**  
(from 5.9.06)

**Alex Fergusson**

**John Home Robertson**

**Mr Kenny MacAskill**

**Jeremy Purvis**

# Justice 2 Committee

The majority of the Justice 2 Committee's time this year was spent scrutinising legislation.

The committee also asked the Parliament to establish a sub-committee to look at issues raised by a petition regarding child-sex offenders.

The committee considered the Legal Profession and Legal Aid (Scotland) Bill, which attracted a lot of interest from both the legal profession and the public. The committee considered over 450 amendments to the bill.

The committee looked at the Christmas Day and New Year's Day Trading (Scotland) Bill, which sought to prevent large shops from trading on these days. By a majority, the committee agreed to recommend to the Parliament that the general principles of the bill be agreed.

The committee also examined the Custodial Sentences and Weapons (Scotland) Bill, which aimed to end the automatic and unconditional early release of offenders. It also contained provisions about non-domestic knives and swords.

The Civil Appeals (Scotland) Bill was also considered. By a majority, the committee agreed to recommend to the Parliament that the general principles of this bill not be agreed. This was because the bill appeared

to be clearly outwith the legislative competence of the Parliament, and it was unlikely to be possible to amend it at stages 2 and 3 to bring it within legislative competence.

Additionally, the committee considered legislative consent memorandums on two UK bills, the Tribunals, Courts and Enforcement Bill and the Serious Crime Bill.

The committee looked at several petitions, including one regarding child-sex offenders. Given the committee's existing workload it asked the Parliament to establish a sub-committee to examine the issues raised. This was the first time that a parliamentary sub-committee had been established. The committee adopted the sub-committee's report, asked the Executive to formally respond to it, and took evidence from the Minister for Justice on it.

**A legislative consent memorandum** is a document describing a Westminster Bill that contains provisions relating to devolved matters.





## Local Government and Transport Committee

Convener:  
Bristow Muldoon

Fergus Ewing

Dr Sylvia Jackson

Paul Martin

David McLetchie

Michael McMahon

Mike Rumbles

Tommy Sheridan

Ms Maureen Watt

### Common Good Fund

Common good assets are made up of land, buildings and property that belonged to the old Scottish burghs and have passed to successor local authorities [by statute]. They are held for the benefit of the community and are accounted for separately from other local authority assets.

## Local Government and Transport Committee

The committee completed a major inquiry into freight transport as well as scrutinising three bills, including the reform of Scotland's prostitution laws.

The committee's report on freight transport was published in June 2006. The report contained wide-ranging recommendations for changes to freight transport policy in Scotland, and in October 2006 a debate was held in the Chamber.

The committee took extensive evidence on the Prostitution (Public Places) (Scotland) Bill, which aimed to protect communities from antisocial activity associated with prostitution. The committee raised significant doubts over whether the bill as drafted would address problems such as kerb-crawling, and called for substantial changes to be made. As a result, the bill was substantially amended during line-by-line scrutiny to reflect the committee's concerns.

The committee carried out detailed scrutiny of two other bills. The Local Electoral Administration and Registration Services (Scotland) Bill made changes to the administration of local government elections and the registration of births, marriages and deaths.

The Transport and Works (Scotland)

Bill set up a new procedure for approving transport projects such as railways and tramways.

The committee held evidence sessions on five petitions, including petitions on councils' employment of home safety officers and on councils' performance in maintaining and repairing roads, pavements and footpaths.

The committee also took evidence on three petitions relating to local authorities' common good funds, including a videoconference with an expert on common good who lives in Addis Ababa, Ethiopia. Following this work, the committee made recommendations to the Scottish Executive on the management of common good funds.

Other business included scrutiny of the Scottish Executive budget, and evidence-gathering sessions with key figures in local government, including Sir Peter Burt, Chair of the Local Government Finance Review Committee.





## Procedures Committee

**Convener:**  
**Donald Gorrie**

**Richard Baker**

**Chris Ballance**

**Cathie Craigie**  
(until 24.10.06)

**Karen Gillon**

**Alex Johnstone**

**Kate Maclean**  
(from 26.10.06)

**Mr Bruce McFee**

## Procedures Committee

The Procedures Committee reviews parliamentary procedure and, where appropriate, proposes changes to the Standing Orders.

During 2006-07, the committee's main inquiry was a review of parliamentary time, which considered how effectively the time available for Chamber and committee business is used, options for different sitting patterns, and how time is allocated for different types of business. Recommendations included earlier deadlines for lodging motions for major debates and for lodging stage 3 amendments to bills, additional briefing for members following stage 2 of a bill, and a new interpellations procedure – a hybrid between oral questions and debates on a motion. These recommendations have not been implemented, however, as the report was not allocated time for debate.

In a separate report, the committee recommended that the member in charge of a member's bill should not be able to participate as a member of a committee considering the bill at stage 1 or stage 2, but that a committee substitute (or a specially appointed 'bill substitute') could participate instead. Other

changes to the committee substitution rules were also made as a result of this report.

On the committee's recommendation the following standing orders were changed:

- in relation to how motions and amendments are dealt with and how decisions are taken
- to give the Subordinate Legislation Committee additional flexibility to report on statutory instruments
- to enable the Parliament to make determinations or resolutions under the Interests of Members of the Scottish Parliament Act 2006
- to improve the procedures for handling consolidation bills
- to facilitate the advertising, broadcasting and recording of meetings of the Scottish Commission for Public Audit.

The committee also considered committee annual reports and electronic voting in committees, and contributed to consideration of the Transport and Works (Scotland) Bill.





## Public Petitions Committee

Convener:  
Michael McMahon

Jackie Baillie

Helen Eadie

Mr Charlie Gordon

Rosie Kane

Campbell Martin

John Farquhar Munro

John Scott

Ms Sandra White

## Public Petitions Committee

The petitions system continues to provide a platform for members of the public to set the political agenda in Scotland. In the course of this year, the committee considered its 1,000th public petition. This landmark petition, on the public health implications of cheaply available alcohol, was considered by the committee when it met in All Saints Secondary School in Glasgow on 30 October 2006.

During the period of this report, the committee considered 56 new petitions, with 24 petitioners being asked to present their case in front of the committee. As in previous years, the committee is pleased to note the positive impact many of these petitions have had, and welcomes the degree of scrutiny afforded to those petitions that are referred to other parliamentary committees. A number of issues, such as the ship-to-ship transfer of oil in the Firth of Forth, the protection of common good assets and the system for dealing with and monitoring convicted child-sex offenders, have all received extensive and sustained parliamentary scrutiny in the past year as a result of petitions being lodged on these subjects.

The committee welcomes continued interest in the public petitions system from other assemblies and legislatures. A delegation of committee

members visited the German Bundestag in September 2006, and the committee hosted a number of incoming visits from overseas delegations seeking to learn from the Scottish system.

An independent assessment of the Scottish Parliament's public petitions system was published on 30 October 2006, and the committee was pleased to note the report's findings that the public petitions system in the Scottish Parliament is becoming an integral component of the Scottish political system, and that petitioners are generally impressed with the petitions system and find it to be a valuable point of access to the Parliament. The report also identified a number of recommendations, and it is hoped, with these in mind, that the committee will continue to develop in the next parliamentary session.





## Standards and Public Appointments Committee

Over the past year, the Standards and Public Appointments Committee focused on the completion of the committee's bill to replace the members' interests order.

### Standards and Public Appointments Committee

**Convener:**  
Brian Adam

Bill Butler

Linda Fabiani

Alex Fergusson

Donald Gorrie

Christine May

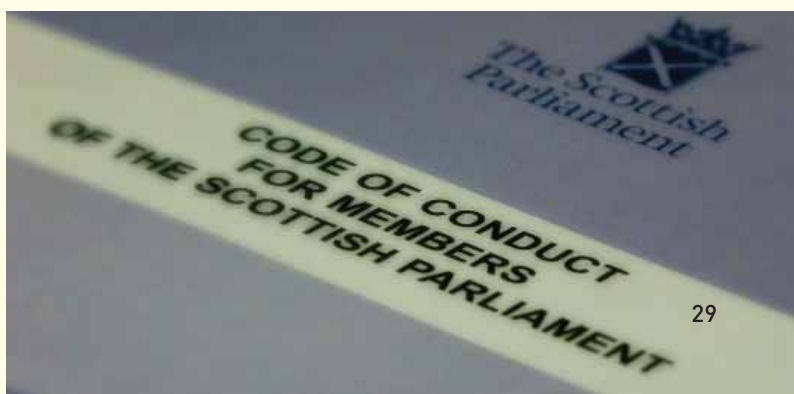
Karen Whitefield

This was a substantial piece of work for the committee, with policy then being further scrutinised by the Interests of Members of the Scottish Parliament Bill Committee. The Interests of Members of the Scottish Parliament Act 2006 gained royal assent on 13 July 2006. A number of provisions came into force on the day after royal assent. These allowed the Scottish Parliament to determine the administrative arrangements for the Register of Interests, including the publication of the Register and the manner in which interests are to be declared.

The committee recognised that when the new Act came into force, some sections of the Code of Conduct for MSPs would need to be redrafted to reflect the requirements of the new Act. It seemed sensible to have a revised Code of Conduct ready for MSPs at the start of session 3. The committee felt that it was not necessary for the Code to be substantially rewritten at this time.

The work of the Standards and Public Appointments Committee continues to attract interest from legislatures around the world. In 2006, the convener attended a seminar held in Belgrade, Serbia on committees and committee inquiries, and gave a presentation on the work of the Scottish Parliament's committees. The aim of the seminars was to stimulate discussion in the Serbian Parliament about establishing its own inquiry procedures to develop greater involvement by the public and communities, as well as serving to establish a commitment to serve the public interest with integrity.

In February 2007, members met with elected representatives from Malawi to discuss standards issues in their democracy.





## Subordinate Legislation Committee

**Convener:**  
**Dr Sylvia Jackson**

**Janis Hughes**  
(from 23.11.06)

**Mr Adam Ingram**

**Gordon Jackson**  
(until 23.11.06)

**Mr Kenneth Macintosh**

**Mr Stewart Maxwell**

**Euan Robson**  
(from 25.10.06)

**Mr Jamie Stone**  
(until 6.10.06)

**Murray Tosh**

## Subordinate Legislation Committee

The committee has continued its role of examining all subordinate legislation that has a wide impact across Scotland. This includes the consideration of new regulations and orders that bring into force the detail of Acts passed by the Scottish Parliament. The committee also continued to examine subordinate legislation made to bring EU law into force in Scotland.

The committee scrutinised every bill in which there were powers to make secondary legislation. It examined the balance struck between what was set out in the bill itself and what would be made later in the form of subordinate legislation. It also considered what kind of parliamentary scrutiny each piece of subordinate legislation made under a bill should be subject to. The committee successfully pressed for technical changes to bills, which it considers have safeguarded parliamentary scrutiny in a number of important areas. The committee also examined UK bills that gave Scottish ministers powers to make subordinate legislation.

The committee completed its inquiry into the regulatory framework in Scotland, and published its report in February 2007. The report makes a number of recommendations to the Parliament. Its key recommendation is the replacement of the current transitional system of scrutinising secondary legislation by a new system called the Scottish Statutory Instruments Procedure (SSIP). The committee considers that this proposed system will meet the needs of a modern parliament and lead to better, more targeted scrutiny. The report followed three years of consultation, evidence-taking and the examination of current procedures in the Scottish Parliament and other legislatures.





### **Airdrie-Bathgate Railway and Linked Improvements Bill Committee**

**Convener:**  
**Phil Gallie**

**Janis Hughes**  
**Alasdair Morgan**  
**Cathy Peattie**  
**Jeremy Purvis**

### **Edinburgh Airport Rail Link Bill Committee**

**Convener:**  
**Scott Barrie**

**Mr Charlie Gordon**  
**Christine Grahame**  
**Mr Jamie McGrigor**  
**Iain Smith**

## **Private Bill Committees**

A private bill seeks to obtain for an individual or business (the promoter) power to undertake action currently not permitted under the general law of the country. Private bills this year concerned the construction of the Glasgow Airport Rail Link (GARL) and the Edinburgh Airport Rail Link (EARL), and the Airdrie-Bathgate Railway Bill.

During session 2, the Parliament considered and passed nine private bills. As a result of the committees' and Parliament's scrutiny, most of these bills included significantly enhanced protection for those who might be adversely affected when they were passed.

The earlier bills underwent scrutiny over a substantial period of time, which proved inconvenient and lengthy for everyone involved, as well as placing a considerable burden on MSPs sitting on committees. In 2006 the Parliament's procedures were amended to give private bill committees the option of appointing an independent assessor to hear evidence directly from objectors on their behalf.

Over the past year, all the private bill committees used an assessor to hear evidence. The assessor was able to concentrate solely on taking evidence on consecutive days, which greatly reduced both the overall length of time required to take evidence and the inconvenience to objectors and witnesses. The earlier private tram bills took over two years to pass through Parliament, but the latest three private bills were all passed in under a year.

Parliament passed the GARL Bill on 29 November 2006, the EARL Bill on 14 March 2007 and the Airdrie-Bathgate Bill on 28 March 2007. Although the scrutiny process was shorter, the Parliament was able to increase incrementally the amount and depth of scrutiny given to private bills, with successive bills building on the protection added to earlier ones.

### Glasgow Airport Rail Link Bill Committee

**Convener:**  
**Margaret Jamieson**

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**Mr Andrew Arbuckle**  
**Marlyn Glen**  
**Michael Matheson**  
**Mr Brian Monteith**

### Waverley Railway (Scotland) Bill Committee

(until 14.7.06)

**Convener:**  
**Tricia Marwick**

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**Mr Ted Brocklebank**  
**Gordon Jackson**  
**Christine May**  
**Margaret Smith**

Private bill committees focused on encouraging objectors to reach agreement with promoters on their outstanding issues of concern, to enable their objection to be withdrawn. Committees then amended each bill to ensure that agreements became binding. Other committee amendments addressed wide-ranging issues such as:

- enforcement of the Code of Construction Practice and Noise and Vibration Policy (and any enhanced future revisions), including restrictions on permitted construction hours
- special protection to conserve natural habitats of flora and fauna, as well as protected species such as great crested newts, badgers, bats and otters, arising from close scrutiny of the environmental impacts of the bill.

Some specific improvements and protections added by committees include:

- increasing the number of football pitches at St James Park in Paisley, with new changing facilities provided, as well as allowing Renfrewshire Council access to the viaduct for maintenance purposes
- ensuring the noise from train klaxons is monitored and residents are made aware of the complaints procedure, whereby all complaints are dealt with promptly by the promoter
- improving the standards of communication and engagement by promoters with local residents, particularly during the construction phases, for instance

by the creation of two-way communication to discuss work timetables in advance, and by requiring a complaints procedure to be continuously available 24 hours each day.

Officials from the private bills unit held numerous meetings with objectors to explain the role of objectors in the parliamentary process and how to engage effectively with the Parliament. In addition, former private bill objectors attended a round-table discussion to provide feedback, which led to further improvement to the guidance and advice available to objectors. Such feedback resulted in, for example, more appropriately timed communications and explicit encouragement for objectors to engage directly with officials and promoters. Another suggestion led to the rewriting of the guidance leaflet for objectors.

The Transport and Works (Scotland) Act which Parliament passed on 8 February 2007 will in future result in all major rail, tram and waterway developments no longer requiring authorisation through the private bills procedure. The Act provides the powers for such projects to be considered in future by ministers, with the Parliament giving final approval to these works. This will leave the Parliament's private bills procedure to deal with measures which are likely to be smaller in size and of a more local impact.



# Influence at Home and Abroad

The Parliament continued its work engaging with audiences beyond Scotland, learning from best practice elsewhere, developing relationships and influencing other legislatures and organisations to enhance Scotland's position abroad.

The Scottish Parliament recognises the importance of the economic and social links between Scotland and the Baltic states that have continued to develop following the accession to the European Union of new member states in 2004. In 2006 these links were greatly enhanced by visits by the heads of several Eastern European countries. Arnold Rüütel, President of the Republic of Estonia, Valdas Adamkus, President of the Republic of Lithuania and Lech Kaczyński, President of the Republic of Poland all paid official visits, strengthening economic and political ties.

Internationally, the Parliament continued to build on its strong relationship with Malawi, following the successful hosting

of the high-level conference 'Malawi after Gleneagles: A Commission for Africa Case-Study' in November 2005. In July 2006, Dr Sylvia Jackson MSP, a member of the Commonwealth Parliamentary Association (CPA) Scotland Branch Committee undertook a detailed scoping exercise in Malawi with the aim of identifying potential projects where the Scottish Parliament, with CPA funding, could assist the National Assembly of Malawi in developing corporate and governance structures to enable more effective parliamentary scrutiny. As a result, in February 2007, five Malawian MPs, all members of the National Assembly of Malawi's Parliamentary Services Commission, along with the Clerk/Chief Executive of the Assembly, made a week-long



***Above:** Dr Sylvia Jackson MSP with the Hon Louis J. Chimango, Speaker of the National Assembly of Malawi and the Clerk of Parliament, Ms Matilda Katapola.*

***Below left:** HE Arnold Rüütel, President of the Republic of Estonia with the Presiding Officer; right: HE Valdas Adamkus, President of the Republic of Lithuania, with Deputy Presiding Officer, Murray Tosh MSP.*





**Page 34** Clockwise from top left:

*The Presiding Officer and cross-party delegation of MSPs with HE Mary McAleese, President of Ireland; The Presiding Officer with An Taoiseach Bertie Ahern TD; members of the Parliamentary Commission of the National Assembly of Malawi visit the Parliament; meeting with Lech Kaczyński, President of the Republic of Poland; young Scottish athletes visit the Parliament to celebrate Commonwealth Day 2007; The Presiding Officer addressing St Andrew's Day reception in Canada; visit by Members of the House of Assembly of Oyo State, Nigeria.*

*Below left: Dennis Canavan MSP addressing a meeting on the visit to Ireland in October 2006. Below right: The Presiding Officer with Mrs Eileen Bell MLA, Speaker of the Northern Ireland Transitional Assembly.*

study visit to the Scottish Parliament. While in Scotland the delegation studied the Parliament's corporate management, methods of democratic scrutiny and public accountability, and examined how the Parliament interacts with local government in Scotland.

Strengthening Scottish engagement in British-Irish relations also featured highly in the Parliament's external relations policy. In October 2006 the Presiding Officer led a cross-party delegation of MSPs to Ireland at the invitation of the Ceann Comhairle (Speaker) of the Irish Parliament. The visit of the delegation coincided with the signing of the St Andrews Agreement. While in Ireland the delegation met with the Irish President, Mary McAleese, and Taoiseach Bertie Ahern, as well as other Irish parliamentarians and academics. The delegation visited Donegal and the Inishowen peninsula to examine areas of Irish-Scottish economic co-operation, especially in the light of the possible restoration of devolution in Northern Ireland. MSPs also attended key plenary sessions of the British-Irish Interparliamentary Body in Belfast (October 2006) and Dublin (March 2007).

The Scottish Parliament continues to be committed to public engagement, learning from other parliamentary institutions across the world and sharing best practice. As a result the Parliament has hosted a range of exploratory visits and a major political event to share knowledge on engagement issues.

In September 2006, the Parliament welcomed the members of the Shadow Commission of the National Assembly of Wales. They came to meet senior staff and learn from the Scottish experience in advance of upcoming changes to the legislative powers of the National Assembly of Wales.

In October 2006, the Speaker of the Transitional Northern Ireland Assembly, Eileen Bell MLA, visited the Scottish Parliament to renew links between the two legislatures. This was followed by a return visit to the Scottish Parliament by the Speaker and the members of the Northern Ireland Assembly Commission in January 2007. The commission, which included representatives from all of the main Northern Ireland parties, looked at the Scottish Parliament's corporate structure and its public engagement approach.



In March 2007, the Speaker of the Flemish Parliament, Marleen Vanderpoorten, accompanied by a cross-party delegation, focussed on public engagement and in particular the Festival of Politics, which they are keen to develop within their own parliament.

At the end of January 2007, the Parliament, in partnership with the Scottish Executive and Microsoft, hosted a two-day 2007 Microsoft Government Leaders Forum – Europe (Microsoft GLF). This was the first time that this prestigious event was held in the UK and in a parliament setting. It brought together over 350 delegates including prime ministers, commissioners, ministers and senior policy advisors from 40 countries across Europe to consider how best to develop engagement between citizens and governments to achieve European sustainability in the 21st century.

The Microsoft GLF was officially opened by HRH The Duke of York, and included keynote speeches from the Presiding Officer and First Minister, as well as Wim Kok, former Prime Minister of the Netherlands, EU Commissioner Danuta Hübner and HE Ólafur Ragnar Grímsson, President of Iceland. Delegates debated a number of issues over the two days in plenaries and workshops, including employability, citizenship and the emerging democracies.

The Microsoft GLF ended with keynote addresses by, and a question and answer session with, Bill Gates, Chairman of Microsoft, and the Rt Hon Gordon Brown MP, Chancellor of the Exchequer, chaired by the Presiding Officer. As part of the two-day event, a group of young people from across Scotland and Europe were invited to participate fully, and were able to question delegates including Bill Gates and Gordon Brown on their views on how best to engage young citizens.

The Microsoft GLF was judged to have been a huge success by those who participated. Jean-Philippe Courtois, President of Microsoft International, commented that 'the great passion of the Scottish Parliament enabled the leaders from across 40 countries to come together in this amazing place which is the Scottish Parliament'. Following the success of the young people's involvement, it is expected that future Government Leaders Forums will include participation from youth representatives.

During 2006, Scotland's Futures Forum successfully brought together MSPs with policy makers, businesses and the wider community to think about Scotland's futures away from electoral cycles and party politics. In doing so, the Forum attracted over 1,000 members to contribute to its work.

In January 2007, the Futures Forum produced its first major piece of work, *Growing Older and Wiser Together*, a year-long futures study looking at the ageing society of the future. This report has already had a number of its findings taken on board by the Scottish Executive.

In 2006, drama, scenarios, lectures, conversation cafes and many other techniques were used to generate discussion and ideas on Scotland's future. In particular, many young people and community based groups have actively engaged in the Forum, enjoying this new kind of engagement.

The Futures Forum's international lecture series saw packed audiences in the Garden Lobby listening to speakers such as Senator George Mitchell, Geoff Mulgan and Professor Bjørn Lomborg address topics as diverse as conflict resolution, social innovation and the environment.

**Page 37** *Clockwise from top left:*

*The Presiding Officer with Rt Hon Gordon Brown MP, Chancellor of the Exchequer, Mr Bill Gates, Chairman of the Microsoft Corporation and Rt Hon Jack McConnell MSP, First Minister at the Microsoft GLF; Callum Birks, a youth delegate from Edinburgh at the Microsoft GLF; plenary session of Microsoft GLF; Bjørn Lomborg's presentation at the Futures Forum; Danuta Hübner, Commissioner for Regional Policy, European Commission at Microsoft GLF; former US Senator George Mitchell addresses the Futures Forum.*



# Engaging with the Public

The one millionth visitor to Holyrood was 11-year-old Eilidh Willis, who arrived with her primary school to hand in a petition on 15 March 2007. To mark the occasion, the Presiding Officer presented her with an engraved silver salver.

Eilidh had come to Edinburgh from Lismore Primary School in Argyll, with her teachers and the ten other children that make up the island school. They later met with George Lyon MSP and presented him with their petition about health care provision on the island.

Over the past year, the Parliament has improved the range of ways in which people can visit and learn more about its role. New ticketing procedures for those wishing to see parliamentary business in the Chamber and committee rooms were introduced, and waiting times for access to the Chamber were reduced, including for the popular First Minister's Question Time slot.

The public guided tours have been redesigned to offer more information to visitors on how the Parliament works and to outline the issues that the Parliament is scrutinising or legislating on. New tours designed specifically for schools and colleges have also proved a popular addition to the existing education programmes.

A new monthly video highlights package, which can be viewed in the Main Hall and on the internet at [www.holyrood.tv](http://www.holyrood.tv) was introduced to give a snapshot of what is happening in the Parliament, covering both business and events.

From July 2006 to March 2007, more than 60,000 calls were made to the Parliament's

telephone enquiry line and more than 8,500 detailed enquiries were received by email, telephone and letter. This continues to be a quick and efficient service to the public with the average call being answered in less than three seconds.

A new leaflet on the work carried out in the Debating Chamber was launched in September 2006 and a short leaflet on the work of the Scottish Parliament during its second session was produced. *Working for You 2003-2007* provides a concise introduction to what the Parliament has done in the four years since the election in 2003, and gives some examples of how people in



Scotland have been able to get involved in its work. As with all public information publications, this is available free of charge and can be provided in Braille, audio and large-print versions.

In addition to the regularly updated news and information on the Parliament's website, the public information team also continues to distribute a weekly electronic bulletin providing information on forthcoming parliamentary business. This service grew in popularity over the year and now has over 1,100 subscribers. Details of how to subscribe are available from the public information service.

The Parliament's range of education services has also developed and diversified and these continue to be hugely popular with primary and secondary schools. During the reporting period more than 4,500 pupils took part in the educational programme which included meeting their MSPs and watching business in the Chamber. There were also a number of specialised seminars and events for young people, including two Advanced Higher Modern Studies seminars and

one for journalism students. Teachers have also been enthusiastic about finding out more about how the Parliament works, and 240 teachers and student teachers from all over Scotland attended one-day seminars at Holyrood. New resources were produced and are now available on request: two posters for secondary schools (*How a Bill becomes Law* and *The Work of MSPs*), and a colourful quiz for young people visiting the Parliament which encourages them to find out more from the Main Hall exhibition.

From September 2006 to March 2007, the outreach education service visited 269 classes, including some further education colleges, reaching 6,500 students across Scotland. This was a 150 per cent increase in the main programme, MSPs in Schools. Sixty-eight MSPs took part in the programme, with many attending multiple sessions across the year. In schools, MSPs listened to and discussed pupils' ideas about issues from animal welfare and healthy living to renewable energy and road safety. They were presented with dramas and mock debates, and challenged by quizzes and questions.

The education service also built on existing working relationships with several organisations in order to enhance its programmes – the Scottish Poetry Library, the Electoral Commission, the Scottish Youth Parliament, the Citizenship Foundation, Historic Scotland and several Scottish universities. As a result young people have participated in poetry workshops, videoconferencing and events that use the Parliament for inspiration. The largest event was a 'Young Women in Politics Seminar' on 2 March 2007, which attracted more than 100 young people from across Scotland. This event, which supported the successful Women's Suffrage exhibition in the Main Hall, explored issues such as the role of women in campaigning, party politics, representation and government, and included a variety of workshops and discussions dealing with local, national and international themes.





The library of educational and promotional films has been extended, with a range of programmes: *Policy Matters*, *The European Youth Forum*, *Festival of Politics Highlights* and *The Microsoft Government Leaders Conference Highlights*. The website [www.holyrood.tv](http://www.holyrood.tv) continues to attract viewers, both at home and abroad, and the home page has been redesigned. A new events page has also been added to allow viewers easy access to the film archive section.

A wide range of individuals, groups and sectors engage with members through the extensive range of evening and daytime events hosted in the Parliament. Over 50,000 members of the public participated in over 250 events, ranging from small informal briefings for MSPs and Garden Lobby receptions to full-day conferences in the Parliament's Debating Chamber. The subjects covered at these events ranged from citizenship, fishing, housing, maritime policy, urban regeneration, education and farming through to briefings and discussions on the future of Europe, employability and e-democracy.

The Parliament has also expanded the range of public exhibitions linked to its role and work, with the aim of engaging new audiences. The prestigious World Press Photo Exhibition in August 2006 attracted nearly 30,000 visitors. Featuring winning photographs from the world's premier competition for photojournalists, this exhibition powerfully documented people, places and situations from across the globe.

From December 2006, *If I Can't Vote, I Don't Count* provided a moving narrative concerning the Scottish struggle for votes for women in the 20th century. The exhibition complemented the installation of a major new artwork for the Parliament, *Travelling the Distance* by Shauna McMullan, which was commissioned by the Scottish Executive and developed in partnership with the Parliament. It commemorates the role of women in Scottish political and cultural life. A hundred women from across Scotland participated with the artist in the making of this unique piece of public art. Themed merchandise, including facsimiles of political posters and campaign badges, proved particularly popular in the Parliament shop.

During July 2006, the Parliament hosted an exhibition of photography by the world-renowned Lithuanian photographer Antanas Sutkus to coincide with the visit to Scotland by Valdas Adamkus, President of the Republic of Lithuania. This was the first solo exhibition of Sutkus's work in Scotland, and featured works from the photographer's People of Lithuania project. Then from mid-March 2007, the Parliament, in partnership with the Quebec Government Office in London and the McCord Museum in Montreal, developed and hosted an exhibition entitled *Scots in Quebec* in the Main Hall, highlighting the contribution of Scots to the development of Canada and in particular Quebec.





**Page 42:** Festival of Politics events clockwise from top left:

*Audience in the Garden Lobby; The Standard Life Conversation: George Alagiah talks to Deputy Presiding Officer, Trish Godman MSP; Tam Dalyell; Sangeet Mala; Rt Hon Sir Menzies Campbell MP in conversation with Douglas Fraser, Scottish Political Editor of The Herald; Lung Ha's Theatre Company; Oliver and Hugh Miles.*

*Below top: Dr Tommie Stewart in her performance 'Remembering Slavery'; Armando Iannucci talks to Peter MacMahon, Scottish Government Editor of The Scotsman.*



Towards the end of the summer recess, the Parliament hosted the 2006 Festival of Politics. Following the success of the 2005 inaugural festival, this was an expanded festival, running from 23 to 26 August, with 45 events which explored political issues in a relaxed yet stimulating way. People were once again welcomed into the Parliament to engage in drama, song, music, workshops and debates.

The expansion of the 2006 Festival of Politics meant that a very wide range of subjects and issues were explored, all with an underlying political theme. Oliver Miles, former British Ambassador to Libya, and his son Hugh Miles, an award-winning journalist and authority on Arabic broadcaster al-Jazeera, provided an insight into the politics of the Middle East. Lung Ha's Theatre Company performed a piece of *Legislative Theatre* which explored the politics of disability. Sangeet Mala – Scotland's first Asian language musical group – used music, dance and poetry to highlight the issue of climate change.

The festival featured a host of famous faces. BBC journalist George Alagiah gave his personal perspective on the importance of multiculturalism to society. Renowned Hollywood actress Tommie Stewart performed her powerful play *Remembering Slavery*. Acclaimed writer Armando Iannucci gave his spin on politics, politicians and the place of satire in democracy. UK Liberal Democrat leader

Rt Hon Sir Menzies Campbell MP reflected on his life in politics and his vision for the future direction of British politics. And veteran Labour politician Tam Dalyell recalled the still topical West Lothian Question.

Public and media reaction to the festival was again overwhelmingly positive. Some 95 per cent of available tickets for festival events were taken up, and 99 per cent of respondents to the feedback questionnaire rated the events they participated in as very good or good. Over 170 articles or features on the festival appeared in the media, and the Parliament was extremely honoured to be nominated for the Hansard Society Award for Political Innovation at the 2007 Channel 4 Political Awards. The festival received a Scottish Executive Excellence Award 2007 in the category of *Putting the People of Scotland First*.

The success of the festival can only be achieved through the involvement of a wide range of individuals and organisations. The 2006 festival was produced in co-operation with some 28 organisations, and particular thanks must go to the festival partners – Standard Life, BAA Scotland and ScottishPower – for their support in producing a second highly successful Festival of Politics event.

Visiting the Parliament, watching debates and attending exhibitions and events is not possible for all citizens of Scotland, so in addition to the outreach education programme detailed above, the Parliament's teams make contact with community groups across the country.

Community outreach ran 116 information sessions and community outreach events. MSPs attended the outreach events, offering the public the opportunity to engage directly with their elected members. The sessions involved a wide range of community groups, such as community councils, senior citizens forums, youth organisations, local business forums, heritage and environmental groups, and ethnic minority groups. The team expanded its work this year, which included working with the Council for Ethnic Minority Voluntary Organisations, delivering parliamentary awareness sessions in Glasgow, Edinburgh and Dundee.

In October 2006, the community outreach team hosted the launch of the Ethnic Minorities Civic Congress at Holyrood. The team continues to work with the Scottish Disability Equality Forum to engage directly with local access panels and disability rights forums across Scotland. Joint training sessions with the Scottish Council for Voluntary Organisations also continue to prove popular with workers in this sector.

This year the Gaelic service was involved in the production of Gaelic versions of a range of educational and public information materials to enable the Gaelic community to learn about and engage with the Scottish Parliament. This included a range of leaflets on matters such as public petitions, the work of committees, the Chamber and the Official Report.

The Gaelic section of the Scottish Parliament website is comprehensive, and mirrors the English language site as far as possible, containing several

hundred pages altogether.

The Gaelic pages were updated regularly with parliamentary news for both the general public and the Gaelic media, and were expanded to include new content such as attractive publications and exhibitions pages. Both the Parliament's Gaelic web pages and the Gaelic information service continue to be well used, with the web content regularly receiving over 50,000 hits per month.

The Parliament encourages correspondence and engagement in Gaelic and the Gaelic service continues to support this and to offer advice to MSPs and colleagues on the use of Gaelic in parliamentary business, and to supply various interviews and articles to the Gaelic media.

In October 2006, Bòrd na Gàidhlig, the national Gaelic development agency, announced that the SPCB is one of the first six public bodies required to develop a formal Gaelic language plan, under the Gaelic Language (Scotland) Act 2005. This news was welcomed by the Presiding Officer, and the Parliament is now working on its Gaelic language plan ahead of its submission to Bòrd na Gàidhlig for its consideration. Through its plan, the Scottish Parliament intends to ensure that it continues to engage with Gaelic speakers and learners through a range of services.







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*The Rt Hon George Reid MSP  
Presiding Officer, 2003 to 2007*

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