PUBLIC PETITIONS COMMITTEE

AGENDA

10th Meeting, 2006 (Session 2)

Wednesday 31 May 2006

The Committee will meet at 10.00 am in CR1.

1. **Item in private.** The Committee will consider whether to take item 6 in private.

2. **New Petitions:** The Committee will consider the following new petitions—

   **PE952** To recognise and adopt the European Charter of Rights for People with Autism. Christine MacVicar will make a brief statement to the Committee in support of her petition accompanied by Tom Wightman and John McDonald, Chief Executive Officer, Scottish Society for Autism.

   **PE964** To review the operation of speed restrictions on inland water in Scotland. Kevin Lilburn will make a brief statement to the Committee in support of his petition accompanied by Lawrie Lilburn, Secretary, Riparian owners of Loch Lomond and Johnny North.

   **PE954** Implementation of the 22 recommendations of Care 21’s Report – “The future of unpaid care in Scotland”. Ruth Clark and Dave Clark of the Princess Royal Trust for Carers and Bill Middleton, will make a brief statement to the Committee in support of this petition.

   **PE966** Lack of investment in swimming pools, the Sportscotland “Ticking Time Bomb report, and increasing the proportion of physically active people in Scotland.

3. **Current Petitions:** The Committee will further consider the following current petitions—

   **PE714** The validity of Field Impairment Tests (FITs). The Committee will consider responses from the Scottish Executive and ACPOS.

   **PE858** Threat to ancient woodland. The Committee will consider a response from the petitioner.
**PE877 The provision of affordable housing.** The Committee will consider a response from the petitioner.

**PE767 The effectiveness of the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976.** The Committee will consider a response from the Scottish Executive.

**PE917 Final report of the Independent Review of NHS 24.** The Committee will consider a response from the Scottish Executive.

**PE902 The importance of information literacy as a key lifelong learning skill.** The Committee will consider responses from the EIS, HM Inspectorate of Education; Learning and Teaching Scotland; the Scottish Executive; the Scottish Qualifications Authority and Universities Scotland.

**PE903 A Scottish planning policy document on ecovillages.** The Committee will consider responses from Findhorn Eco-village; Royal Town Planning Institute; Scottish Ecological Design Association and the Scottish Executive.

**PE904 An early breast cancer screening programme in Scotland.** The Committee will consider responses from Cancer Research UK; Cross Party Group on Cancer; the Minister for Health & Community Care; the Institute for Cancer Research; National Advisory Group on Breast and Cervical Screening; National Institute for Health and Clinical Excellence; and the UK National Screening Committee.

4. **Public Petitions Committee Equalities Report.** The Committee will consider a draft report.

5. **Visit to the German Bundestag Petitions Committee:** The Committee will consider a paper by the Clerk.

6. **Witness expenses:** The Committee will consider a claim under the witness expenses scheme.

Jim Johnston
Clerk to the Committee
Tel: 0131 348 5186
James.Johnston@scottish.parliament.uk
PUBLIC PETITIONS COMMITTEE

10th Meeting, 2006 (Session 2)

Wednesday 31 May 2006


1. The Committee is invited to consider and agree to the publication of the attached draft annual equalities report.

Committee Clerk
May 2006
Introduction

1. At its meeting on 11 May 2005 the Committee agreed a draft Equalities Report for the period 7 May 2004 to 6 May 2005 and agreed thereafter to publish an Equalities Report annually based on statistics collated from equalities monitoring forms completed and returned by petitioners. The Committee also agreed to amend questions 1 and 5 of the monitoring form to allow a more accurate comparison with the census data and a copy of the revised form is attached as Annexe A.


Comments on 2004-5 Report

3. Responses were received from the CRE, EOC and DRC and these are attached as Annexe B. The responses are summarised as follows:

- The CRE expressed concern that the number of people prepared to respond to the question on ethnic background (34) was much lower than the overall number of respondents to the monitoring survey (62) and recommended that the Committee look at the reasons why the response rate to this particular question might be low. The CRE suggested that including a statement on the top of the form which reassures respondents that their response is confidential may encourage more people to respond. This point was echoed by the EOC who suggested that in order to improve the return rate petitioners should be requested to complete the monitoring form as part of the initial submission process. In addition, it was suggested that the Committee might make reference to the importance of equality monitoring in the petition documents we provide.

- The CRE believes there is a need for the Committee to do more targeted outreach work to encourage people from ethnic minority backgrounds to engage in the system. The CRE recommended that in addition to the current information and outreach work carried out by the Committee, consideration should be given to publicising its work in Scotland’s ethnic minority media.
• The CRE also suggested re-phrasing the ethnic monitoring question in order to allow direct comparison with either the simple 5-category or standard 14-category classification and to retain the Gypsy traveller question.

• The DRC questioned whether it was significant that such a high proportion (17.8%) of petitioners describe themselves as disabled. Given the disability inquiry currently being undertaken by the Equal Opportunities Committee the DRC suggested that it may be useful to consider further why the Petitions Committee appears to have been so successful in breaking down some of the barriers preventing disabled people from participating and having their views heard.

• The EOC also suggested that the Committee has some work to do in terms of gender and age, with around two thirds of all petitioners being male and of this around half are aged between 50 and 64. The EOC state that a key aim for the Committee should be to communicate with groups whose voices are frequently missing from political debate. They suggest that the Committee should consider how to communicate with groups which are frequently under-represented in political/public life such as particular women, but also young Asian men and people from rural communities by for example promoting it through BME groups and women’s networks.

• The EOC also notes the absence of any information about geographical location of petitioners or statistics in terms of age and gender or gender and race.

Summary of Responses, 2005-6

4. Between 7 May 2005 and 6 May 2006 102 petitions were lodged and 61 equalities forms returned which is a response rate of 60% compared with a response rate of 56% the previous year.

AGE

<table>
<thead>
<tr>
<th>Years</th>
<th>%</th>
<th>Years</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-15</td>
<td>0</td>
<td>16-29</td>
<td>3.27</td>
</tr>
<tr>
<td>30-44</td>
<td>21.31</td>
<td>45-59</td>
<td>34.42</td>
</tr>
<tr>
<td>60-74</td>
<td>39.34</td>
<td>75+</td>
<td>1.63</td>
</tr>
</tbody>
</table>

5. Of the 61 responses 46 petitioners indicated that they were older than 44 which is around 75% of the total. The 2001 census records that 40.5% of Scotland’s population is over 44.
6. The number of female petitioners has increased from 35.48% in 2004-5 to 39.35% in 2005-6. However, this compares to the 2001 census data which shows that 52% of Scotland’s population is female.

**SEXUAL ORIENTATION**

<table>
<thead>
<tr>
<th>Bisexual</th>
<th>1.64%</th>
<th>Heterosexual</th>
<th>90.16%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gay Man</td>
<td>0%</td>
<td>Lesbian</td>
<td>1.64%</td>
</tr>
</tbody>
</table>

7. Of the 57 petitioners who responded to this question 55 stated that they are heterosexual, 1 stated that they are bisexual and 1 stated that they are lesbian. In the previous year 56 petitioners responded with 51 stating that they were heterosexual, 2 stating that they were a gay man, 2 stating that they were bisexual and 1 that they were lesbian. There is no comparable data within the 2001 census.

**DISABILITY**

| Yes    | 24.6% | No     | 75.4% |

8. 24.6% of respondents indicated that they do have a disability compared to 17.74% in the previous year. This also compares to the 2001 census report which states that: '20 per cent of the population indicated that they had a long-term illness, health problem or disability that limited their daily activities or the work they could do.'

**LANGUAGE** – What is your first or preferred language

| English | 62.3% | Scottish | 3.3% |

9. The response rate to this question was relatively low compared with other responses.
RACE/ETHNIC GROUP

<table>
<thead>
<tr>
<th>Race/Ethnic Group</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>White/White Scottish/White British</td>
<td>93.2%</td>
</tr>
<tr>
<td>Black/Black Scottish/Black British</td>
<td>0</td>
</tr>
<tr>
<td>Asian/Asian Scottish/Asian British</td>
<td>0</td>
</tr>
<tr>
<td>Mixed</td>
<td>0</td>
</tr>
<tr>
<td>Gypsy/Romany/Traveller</td>
<td>0</td>
</tr>
<tr>
<td>Other, please specify – Caucasian</td>
<td>6.8%</td>
</tr>
</tbody>
</table>

10. All respondents answered this question compared to only around half of respondents the previous year when no specific categories were identified on the monitoring form.

11. The 2001 census report states that: ‘Some 2 per cent of the population in Scotland were from a minority (non-White) ethnic group.’

EMPLOYMENT STATUS

<table>
<thead>
<tr>
<th>Employment Status</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employed full time</td>
<td>29.52%</td>
</tr>
<tr>
<td>Employed part time</td>
<td>3.28%</td>
</tr>
<tr>
<td>Self-employed</td>
<td>18.04%</td>
</tr>
<tr>
<td>Unemployed</td>
<td>9.83%</td>
</tr>
<tr>
<td>Retired</td>
<td>32.78%</td>
</tr>
<tr>
<td>Voluntary Worker</td>
<td>6.55%</td>
</tr>
<tr>
<td>Other</td>
<td>0%</td>
</tr>
</tbody>
</table>

12. The response rates for employment status are broadly similar to 2004-5 with a slight increase in self-employed petitioners from 12.9% to 18.04% and slight decrease in retired petitioners from 35.48% to 32.78%. However, this latter figure compares with the 2001 census figure of 14% of the total population who are retired.

GEOGRAPHICAL LOCATION

<table>
<thead>
<tr>
<th>Geographical Location</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highlands and Islands</td>
<td>12.5%</td>
</tr>
<tr>
<td>North East Scotland</td>
<td>5%</td>
</tr>
<tr>
<td>Mid Scotland and Fife</td>
<td>10%</td>
</tr>
<tr>
<td>West of Scotland</td>
<td>7.5%</td>
</tr>
<tr>
<td>Central Scotland</td>
<td>22.5%</td>
</tr>
<tr>
<td>Lothians</td>
<td>30%</td>
</tr>
<tr>
<td>South of Scotland</td>
<td>2.5%</td>
</tr>
<tr>
<td>Glasgow</td>
<td>7.5%</td>
</tr>
<tr>
<td>Other: England</td>
<td>2.5%</td>
</tr>
</tbody>
</table>

13. The geographical location of petitioners was not asked for in the monitoring form for 2004-2005 and there is no comparable data within the 2001 census.
General Comments

14. The monitoring form also includes an opportunity to provide general comments about the use of the public petitions system and suggestions for improving the accessibility of the system. Some of those comments are provided here:

“I had no knowledge of the public petitions system prior to the case pending, but as a person who attends meetings with many registered groups throughout the Highlands I was impressed by the speed of action taken after the initial stages with Councillors and MSPs.”

“The Public Petitions Committee should come north some of the time for important issues e.g. fishing in the north-east.”

“I have been disappointed on an earlier occasion on the way in which a petition on M.E. services was handled. I have, however, read the Participants Handbook on-line and am satisfied by the efforts to get out to the wider community.”

“I was well informed and advised of required procedure by the Clerk and staff on duty on day of Petitions Committee hearing. Excellent arrangements made for wheelchair attendants.”

“It is an excellent system and should be used in a positive way by MSPs who should ensure they always respect public opinion. This was not the case with the smoking ban about to come into force. The general public do not want this but the MSPs decided differently. The petition and lobby failed. Why?”

“So far it seems to be working very well.”

“The system of petitions to Parliament is an excellent method for members of the public to exercise the right to have their say on important issues.”

“The system would be more accessible if everyone presenting a petition was allowed to speak, even if the issue had been presented before the evidence could well be very different.”

“I have found that the petitions system is viewed with some envy by English colleagues.”

“I can only have praise for the Public Petitions System – even when discussing the original enquiry. The Clerk of the Committee was so friendly.”

“Staff were very helpful. It is an essential tool when there is a perception that social democracy is not otherwise functioning.”

“I was only aware that I could raise a petition after visiting the website. Perhaps more public awareness through press, leaflets etc.”

“Being refused permission to make an oral presentation before the Committee in support of a petition, has no place in the democratic process.”

“I feel that everyone should be able to present their petition in person.”
“I find the present system very efficient and easy to use.”

“I found guidance from the Clerk on how to frame my petition most helpful.”

“I cannot fault the system so far. My concern is whether any meaningful results occur as a consequence of consideration of PE936”.

“The public petitions system is user friendly. The staff at the petitions committee are very helpful.”

“Information is very forthcoming and prompt replies. Well explained.”

“We were pleased with the speed with which you dealt with our submission.”

“Very impressed with the system. Attending the Committee was made easy for us and interest of Committee members was evident. No suggestions for improvement.”

**Conclusions and Recommendations**

15. The Committee continues to be aware of the need to promote the public petitions system especially among groups which the above data indicates are less likely to petition the Parliament. In the period covered by this report it has held a further two committee events including a formal meeting of the committee outside Edinburgh and again there has been a focus on inviting local equality groups and organisations to attend.

16. The Committee has now held four such events in Dundee, Inverness, Ayr and Dunfermline with over 200 local groups and organisations in attendance and is due to hold a further meeting outside Edinburgh in Jedburgh in June 2006.

17. The Committee launched an educational DVD, *Petitioning the Scottish Parliament*, in December 2005 and copies have been distributed to a number of equalities organisations.

18. In order to improve the response rate and following the comments of the CRE and EOC it is recommended that a statement is included in the introduction to the form which emphasises the confidential nature of responses. It is also recommended that the usefulness of equality monitoring is emphasised in correspondence sent to petitioners.

19. The Committee may wish to consider that the above results demonstrate that there are a number of social groups that would appear to be under-represented in terms of usage of the petitions system, for example, young people and ethnic minorities. The Committee is therefore invited to continue its dialogue with equality groups and to invite the written views of the CRE, DRC, EOC and the Equality Network on the issues raised by this report and to pass a copy of the report to the Equal Opportunities Committee.
20. Given the apparent low number of petitions from the Glasgow and West of Scotland regions the Committee is also invited to agree to hold the next in its series of events, after Jedburgh, in Glasgow in November 2006 and that there should be a specific focus on the ethnic minority communities living there.

Clerk to the Public Petitions Committee
May 2006
Public Petitions Committee
Equal Opportunities Monitoring Form

The Scottish Parliament is committed to mainstreaming equal opportunities in all of its work. Within the framework of the mainstreaming process, the Public Petitions Committee is keen to assess the accessibility of the Scottish Parliament’s public petitions system. It would, therefore, be very helpful to the Committee if you could complete this equal opportunities monitoring form and return it in the pre-paid envelope provided.

This document is available in languages other than English or in alternative formats (for example, in Braille, large print, audio tape or various computer formats)

1. **Age** – Please tick as appropriate √
   - 5-15 [ ]
   - 16-29 [ ]
   - 30-44 [ ]
   - 45-59 [ ]
   - 60-74 [ ]
   - 75+ [ ]

2. **Gender Identity** – Please tick as appropriate √
   - Female [ ]
   - Male [ ]
   - Other (please specify) ....................... 

3. **Sexual Orientation** – Please tick as appropriate √
   - Bisexual [ ]
   - Heterosexual [ ]
   - Gay Man [ ]
   - Lesbian [ ]
   - Other (please specify) ....................... 

4. **Disability** – The Disability Discrimination Act 1995 defines disability as a physical or mental impairment which has a substantial and long-term adverse effect on a person’s ability to carry out normal day to day activities.

   **Do you consider that you have a disability** –
   Please tick as appropriate √
   - Yes [ ]
   - No [ ]

5. **Language** – What is your first or preferred language:
   .............................................
6. **Racial/Ethnic Group** - Please tick as appropriate √
   - White/White Scottish/White British
   - Black/Black Scottish/Black British
   - Asian/Asian Scottish/Asian British
   - Mixed
   - Gypsy/Romany/Traveller
   - Other, please specify.................................

7. **Employment Status** – Please tick as appropriate √
   - Employed full-time
   - Employed part-time
   - Self-employed
   - Unemployed
   - Retired
   - Voluntary Worker
   - Other, please specify.................................

8. **Geographical location** – Please tick as appropriate √
   - Highlands and Islands
   - North East Scotland
   - Mid Scotland and Fife
   - West of Scotland
   - Central Scotland
   - Lothians
   - South of Scotland
   - Glasgow
   - Outside Scotland, please specify..............

9. **General comment** – Please let us know if you have any general comments about the use of the public petitions system. We welcome suggestions for ways to improve the accessibility of the system.
   
   ........................................................................................................................................
   ........................................................................................................................................
   ........................................................................................................................................

Thank you for completing this form. Please send your completed form to:

The Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP

Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk
PUBLIC PETITIONS COMMITTEE

10th Meeting, 2006 (Session 2)

Wednesday 31 May 2006

Visit to the German Bundestag Petitions Committee

Introduction

1. The Committee is invited to consider that 3 Members visit Berlin accompanied by one clerk to meet with colleagues from the German Bundestag Petitions Committee on Wednesday 27 September including attending a formal committee meeting.

Background

2. The PPC has enjoyed a close relationship with the German Bundestag Petitions Committee and visited Berlin during the first session of the Parliament in September 2001. The Committee published a report on that visit and concluded that: ‘the visit by the delegation from the Committee was extremely worthwhile and provided a valuable insight into the work of a long established petitions system. The visit also highlighted the benefits of meeting with counterparts from different countries to exchange ideas and information and best practice.’ The Bundestag Petitions Committee subsequently reciprocated this visit and expressed particular interest in the Parliament’s e-petitions system. This led to close co-operation and further discussions between officials from both committees and the International Teledemocracy Centre (ITC) at Napier University. The Bundestag agreed to launch a pilot of e-petitioner in September 2005 and has recently agreed to extend the length of that pilot.

3. The primary aim of the visit is therefore for the PPC to consider the workings of the first year of the Bundestag’s e-petitioner system and to exchange ideas and best practice with a view to improving the effectiveness of both e-petitioner and the petitions system generally.

4. The visit will also provide an opportunity for Members to gain experience of another petitions system and continue the close working and mutually beneficial relationship between the two committees.
5. Those Members attending will be expected to report back to the Committee with their findings from the visit.

Options for Action

6. The Committee is invited to put a bid to the Conveners Group (CG) and seek the approval of both the CG and the Parliamentary Bureau for this overseas visit in accordance with Rule 12.10 of the Standing Orders.

Committee Clerk
May 2006