



The Scottish Parliament
Pàrlamaid na h-Alba

The Presiding Officer
Rt Hon Tricia Marwick MSP

Mr Gerry Kelly MLA
Chairperson, Committee on Procedures
Room 33, Parliament Buildings
Ballymiscaw
Stormont
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Dear Mr Kelly

**REVIEW OF PUBLIC PETITIONS PROCEDURES IN THE NORTHERN IRELAND
ASSEMBLY**

Thank you for your letter of 24 October 2014.

I note that your committee intends to carry out research into best practice in other legislatures as part of its inquiry. Therefore, I have attached a short note on the nature and operation of the Scottish Parliament's Public Petitions system and, in particular, its adoption of an e-petition facility which I hope your committee will find helpful.

Yours sincerely

TRICIA MARWICK

THE SCOTTISH PARLIAMENT'S PUBLIC PETITIONS SYSTEM

Introduction

1. The Scottish Parliament was founded on four over-arching principles: power-sharing between the Parliament, the Scottish Government and the people of Scotland; accessibility openness and participation; accountability and equal opportunities. One important way by which we have embedded these principles is our public petitions system.

2. The Public Petitions Committee, one of our mandatory committees, is responsible for considering public petitions addressed to the Parliament under the Rules. We have a few admissibility criteria. A petition must be in proper form, not include offensive language and not request the Parliament to do anything that the Parliament clearly has no power to do.¹

3. If a petition is admissible, the Committee can take whatever action it considers appropriate. In general this is likely to involve hearing from the petitioner in person, writing to the Scottish Government, taking evidence from a relevant Government Minister or seeking views from other relevant bodies. Further action can include carrying out an inquiry, seeking time in the Chamber to host a plenary debate on an issue raised by a petition, referral to another Committee of the Parliament to consider as part of its remit or to another relevant body to undertake a review or being taken forward by way of a members' bill.

Development of processes and our online system

4 Since 1999, we have learned much from our experiences of petitions, what people look for from a public petitions system and the sorts of issues that people are concerned about. Our systems have evolved and the Scottish Parliament was notable in being the first legislature to have an e-petitions facility. After the success of our initial pilot, and as part of a large scale project to redevelop and redesign the Parliament's website, we launched a new online petitions system.

5. Our online system² is easy to use. Once published, it enables petitioners to link their petitions directly to social media sites for promotion. Our system creates a webpage for each petition where the links to transcripts of committee discussions and chamber debates and all submissions are published and made openly available.

6. In order to access our online system and as a first step, petitioners are invited to create an account through the system. They can then proceed to draft their petitions using our online template with prompts that explain what information should be included. Drafted up proposals are then transmitted through the system to the

¹Scottish Parliament standing orders rules 15.4 to 15.8
<http://www.scottish.parliament.uk/parliamentarybusiness/26505.aspx>

² [Petitions - Getting Involved : The Scottish Parliament](#)

clerking team who are responsible for checking, ensuring compliance with the rules and admissibility criteria, providing feedback and seeking any necessary clarification. This discussion/exchange process takes place through the system and at this point nothing is published or available to see, other than by the petitioner and the clerking team.

7. Quite a few petitions do not proceed beyond this phase. There may be a number of reasons for this. It might be that what is being sought is not within the powers of the Scottish Parliament, or that the concern or request relates to a decision or policy responsibility of another body, for example a local authority. It could also be that the issue raised is already under consideration elsewhere; perhaps as part of a Bill being scrutinised by a subject committee or by way of a consultation by the Scottish Government or other body. In these circumstances we explain what is happening elsewhere and encourage the petitioner to engage with that process in preference to continuing with the petition.

8. Our guidance sets out in more detail the sorts of issues that the Committee will and will not consider and the reasons for that approach. For example, although a petition will often be driven by experience at local level (the closure of a particular school, or a specific planning application), the Committee is not a review body and will not interfere with or seek to overturn local decisions or ones taken by another public body. That is of course something that a local member could become directly involved in but would not be a matter for the Committee. Similarly, the Committee will not become involved in personal or commercial disputes which are matters for a court or other tribunal.

9. Once proposals are ready to proceed and be made publicly available, petitioners are given the option of having their petitions hosted online by the Parliament for a period up of to six weeks or having them lodged and passed to the Committee immediately. The option to have a petition hosted online enables petitioners to gather signatures of support, generate media coverage and stimulate discussion (via the comments facility) in advance of the petition being formally lodged and considered by the Public Petitions Committee. Of course, there is no requirement under our system to collect a particular number of signatures. However the signatures and comments facility is valued by petitioners and provides a helpful snapshot for members to take account of as part of the Committee's formal consideration of the petition.

10. The concerns brought to the Parliament by way of public petitions range across all subject matters. This makes for an interesting mix of issues that come before the Committee and some lively discussions on topics from improving youth football to calls for better access to medicines and health treatment, improved rights for unmarried fathers and the removal of charitable status for private schools.

Some successes

11. The Public Petitions Committee is rightly proud of the way in which it encourages petitions and takes forward the issues brought to it. In the context of reflecting on outcomes, we know that success means different things to different people. For some, bringing an issue to their parliament, having the opportunity to address MSPs and being heard, is success in itself. For others, the process of consideration might result in a different direction being taken to that initially envisaged. The result could be a different one to that originally called for that nevertheless satisfies the petitioner. For these reasons, we intentionally do not seek to measure success in terms of whether a petition was “granted” or “refused”. This is too blunt an assessment for a process such as this.

12. On closure of every petition we seek feedback from petitioners on the process. Our feedback tells us that petitioners see our system as fair and efficient and are pleased that “ordinary members of the public” are given the opportunity to engage with and influence policy development.

13. We know that Public Petitions are having more and more impact. The national and local press and broadcast media regularly cover the work of the Committee and public petitions under consideration. And we are pleased that a good number of our petitions have resulted in tangible change. Some examples are:

- A recent petition about Polypropylene mesh medical devices. As a direct result of the petition and the Committee’s involvement, the Cabinet Secretary for Health asked all health boards in Scotland to suspend the use of the devices in order to undertake a review.
- As a direct result of a public petition calling for improved services to tackle chronic pain, the Scottish Government announced the creation of a new national chronic pain centre.
- On the provision of education and schooling for children and young people absent from school due to illness, the Scottish Government has undertaken a full review of the national guidance.
- Following a public petition calling for a national tree for Scotland, the Scots pine was formally designated.

Conclusions

14. Citizen involvement and engagement is something that the Scottish Parliament is keen to promote and continue to build on. There are many ways in which members of the public can engage with their elected members and social media is making this easier and more immediate. Our public petitions process is a direct route in to the Parliament and to a committee of elected members. We have shown that it works and we would be delighted to welcome a visit from you and your colleagues to see at close hand what we do here.