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Citizen Participation and Public Petitions Committee

To consider public petitions addressed to the Parliament in accordance with these Rules (and any additional matter added under Rule 6.1.5A) and, in particular, to—

- (a) decide in a case of dispute whether a petition is admissible;
- (b) decide what action should be taken upon an admissible public petition; and
- (c) keep under review the operation of the petitions system.
- (d) consider and report on public policy or undertake post-legislative scrutiny through the use of deliberative democracy, Citizen's Assemblies or other forms of participative engagement.



petitions.committee@parliament.scot

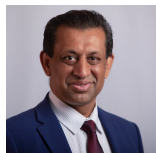
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Scottish Labour



Fergus Ewing
Scottish National Party



Maurice Golden
Scottish Conservative
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Membership Changes

During the period covered by this report (February 2022 to September 2023), the Committee membership changed as follows:

- Fergus Ewing was appointed on 31 March 2022 to replace Ruth Maguire
- Carol Mochan was appointed on 19 January 2023 to replace Paul Sweeney
- Foyso! Choudhury was appointed on 25 April 2023 to replace Carol Mochan
- Maurice Golden was appointed on 29 June 2023 to replace Alexander Stewart

Introduction & Background

1. At the start of Session 6, the name of the Public Petitions Committee was expanded to include Citizen Participation.
2. The Committee agreed, in February 2022, to reflect its new remit by undertaking an inquiry into how the Scottish Parliament should embed citizen participation (including deliberative engagement) as part of its work.
3. We gathered information in many different ways:
 - hearing from experts in deliberative democracy and Parliamentary engagement
 - hearing from a Scottish Government working group on participatory and deliberative democracy and from the Scottish Government Minister for Parliamentary Business
 - running two public surveys, followed up with 10 focus groups with people from groups who tend to be under-represented in the Parliament's work
 - establishing a panel of randomly selected citizens – the Citizens' Panel on Participation – to look at how the Parliament can ensure that diverse voices and communities from all parts of Scotland influence its work
 - a public consultation to help prioritise the Panel's recommendations, supported by outreach sessions with young people and people with learning disabilities and autism
 - consultation with MSPs and their staff, and with Parliament staff
 - visits and meetings with the Irish Parliament, Paris city council and the French-speaking Parliament of Brussels to learn about their Citizens' Assemblies



Source: Scottish Parliament Data Visualisation Team

4. To create the Citizens' Panel, invitation letters were sent to 4,800 randomly-selected households across Scotland. From the replies, we selected a sample of people from all over Scotland who were broadly similar to the Scottish population, taking account of age, gender, ethnicity, disability and education. Of the 24 people we invited, 19 were able to participate.
5. Panel members had their travel and accommodation costs covered, were paid £330 for their time and commitment, and were given IT training and support. They worked together for over 32 hours over two weekends and three remote online sessions in

October and November 2022.

6. The Panel heard from a wide range of people, including MSPs, members of the public who have experienced barriers to participation, political scientists, academics and community organisations.
7. At the end of the process, the Panel made seventeen recommendations to improve how the Parliament engages with the people of Scotland. These were published in the Committee’s [interim report](#) on 16 December 2022. The Committee heard evidence from some of the Panel members on 14 December 2022 and we were very encouraged to hear how positive they were about their experience.
8. For the purposes of this report, we have grouped the Panel’s 17 recommendations into the following seven themes:

1. Institutionalising deliberative democracy	<ul style="list-style-type: none"> • Panel recommendation 7: Legislate for Deliberative Democracy • Panel recommendation 8: Build a strong evidence base for deliberative democracy • Panel recommendation 9: Build cross-party support for deliberative democracy
2. Growing community engagement	<ul style="list-style-type: none"> • Panel recommendation 1: Remove barriers to participation • Panel recommendation 2: Create opportunities for people to use and share their lived experience to engage on issues that they care about • Panel recommendation 5: Ensure that community engagement by MSPs doesn't exclude people that are outwith community groups
3. Raising awareness of the Scottish Parliament	<ul style="list-style-type: none"> • Panel recommendation 3: Raise awareness of Parliamentary business in plain and transparent language including visual media • Panel recommendation 15: Use media outlets, documentaries and short films to highlight Parliament successes and real-life stories of engagement • Panel recommendation 16: The Parliament should run a general information campaign explaining the role of the Scottish Parliament
4. Improving the consultation process	<ul style="list-style-type: none"> • Panel recommendation 6: Create a system such as a webpage where people can register and be notified about opportunities to engage • Panel recommendation 12: Set a 9-month deadline as a default for feedback on the outcome of any engagement
5. Bringing the Parliament to the people	<ul style="list-style-type: none"> • Panel recommendation 4: The Parliament should test approaches to using regional engagement/ information hubs and/or a travelling exhibition or mobile unit • Panel recommendation 11: Carry out a cost-benefit analysis of the Parliament itself or committees meeting outside of Holyrood and compare this to (a) more support and targeted invitations for people to come to Holyrood and (b) reinstating Parliament days.
6. Education	<ul style="list-style-type: none"> • Panel recommendation 17: The Parliament should hold an inquiry into the relationship between the aims of the current curriculum and the Parliament
7. Strengthening trust in the Parliament	<ul style="list-style-type: none"> • Panel recommendation 10. Set up a specific people’s panel to discuss the MSPs’ code of conduct • Panel recommendation 13. Give the Presiding Officer the power to compel MSPs to give an answer to all questions asked • Panel recommendation 14. Schedule specific time in the debating Chamber for individual public questions to be asked

Theme 1: Institutionalising deliberative democracy

9. We recommend that the Parliament commit itself to further embedding deliberative democracy within its scrutiny function.
10. We also recognise the significant work and commitment shown by the Scottish Government, through the citizens' panels it has already run and the work done by its working group on institutionalising participative and deliberative democracy (IPDD). We support the Government in this work, believing it can use deliberative democracy to address some of the big issues facing the whole country. Government-led initiatives are well-established in other countries, and have often delivered worthwhile results, and we would not wish to see Scotland falling behind.
11. Each of the models we studied in Ireland, Paris and Brussels impressed us in particular ways, but each also had its drawbacks and limitations. We were also struck by the extent to which each was shaped by local politics and priorities. Perhaps the single most important lesson from our visits was that there is no ideal model to copy, and that both the Scottish Government and the Parliament should take time to develop their own models that are adapted to Scotland's needs and circumstances.

Principles

12. Our view is that scrutiny and representative democracy can be supported and made better through the use of deliberative models. This can be guided by overarching principles, rather than built on fixed structures at this stage. By focusing on this approach, the Committee believes that MSPs and the public will be able to understand and trust in the Parliament's use of deliberative democracy.

13. The principles we recommend are:
 - That deliberative democracy should **complement the existing model of representative democracy** and be used to **support the scrutiny process**.
 - That the way in which deliberative methods are used, from recruitment through to reporting and feedback, should be **transparent** and **subject to a governance and accountability framework**.
 - That the deliberative methods used should be **proportionate and relevant** to the topic, and the scrutiny context.
 - That participants in deliberative democracy should be **supported, empowered and given feedback** on how their recommendations are used.

Process and timescale

14. Our aim for this report is to encourage the Parliament on a journey, over the rest of this session, towards making deliberative democracy a routine part of the way it scrutinises the Scottish Government.
15. To achieve this, we recommend adopting a framework approach, in which a system of governance and accountability is used to support the delivery of different models of deliberative activity. This avoids the need to decide on any particular model at an early stage, while providing space and a structure within which various models can be tried and then evaluated.
16. The main elements of this framework are already in place: the Parliament's Public Engagement Strategy, an agreed budget for the remainder of the session, and an established in-house resource – the Participation and Communities Team (PACT).
17. We also see an oversight role for this Committee, working with subject committees and Conveners Group. Specifically, we recommend running two further citizens' panels (or "people's panels") between now and early/mid-2025 – one on post-legislative scrutiny (looking at an Act of the Parliament a few years later to see how well it has worked) and one on a topic of general interest. We then aim to publish and have debated in Parliament by mid/late 2025 a blueprint for the Parliament's use of deliberative democracy from the beginning of Session 7 (that is, from May 2026).



Source:

Scottish Parliament Data Visualisation Team

Views on specific issues

18. We do not currently recommend establishing a standing citizens’ panel – that is, a large panel that exists for some time and considers a range of topics, some of which it might select itself. We prefer to identify topics of inquiry first and then set up one-off panels tailored to each one. With Government-initiated panels, we recommend that aspiring parties of government identify suitable topics in advance, and include them in election manifestos.
19. While a larger panel of up to 100 may be appropriate for a Government panel, we would expect the Parliament normally to use smaller panels of perhaps 20-30, and for these only to have citizen members. However, we think panels should consider routinely involving MSPs in some limited way, perhaps by inviting them to sit in on a discussion at a suitable mid-way point.

20. One of the potential benefits of deliberative democracy is that it brings into the heart of the process those who live outside “the Holyrood bubble”. So any credible model for deliberative democracy has to start with a robust process for selecting participants who (taken together) look like wider Scottish society. We believe that a representative panel of any size should have:
- a near-equal mixture of men and women
 - a range of ages (with 16 as the minimum age)
 - a mixture according to income, employment status (including non-working and retired people) and/or level of education a reasonable geographical spread, covering the main regions of Scotland in rough proportion to their population, but also including a mixture of those living in cities or towns and those in smaller communities or rural areas.
21. Other things – such as race/ethnicity, health and disability, whether people are married/single and caring responsibilities – might be added depending on the topic. We accept the case for sometimes deliberately over-representing smaller minority groups.
22. The Parliament should, as well as paying participants’ travel and accommodation costs, offer them a reasonable payment for their participation, in recognition of the time and commitment involved.
23. Working methods for panels are likely to involve initial scene-setting sessions; a mixture of in-person and online sessions; a mixture of whole-panel (plenary) and smaller break-out groups; presentations by experts; facilitated discussions on possible conclusions; support staff on-hand throughout to take notes and to assist with drafting.

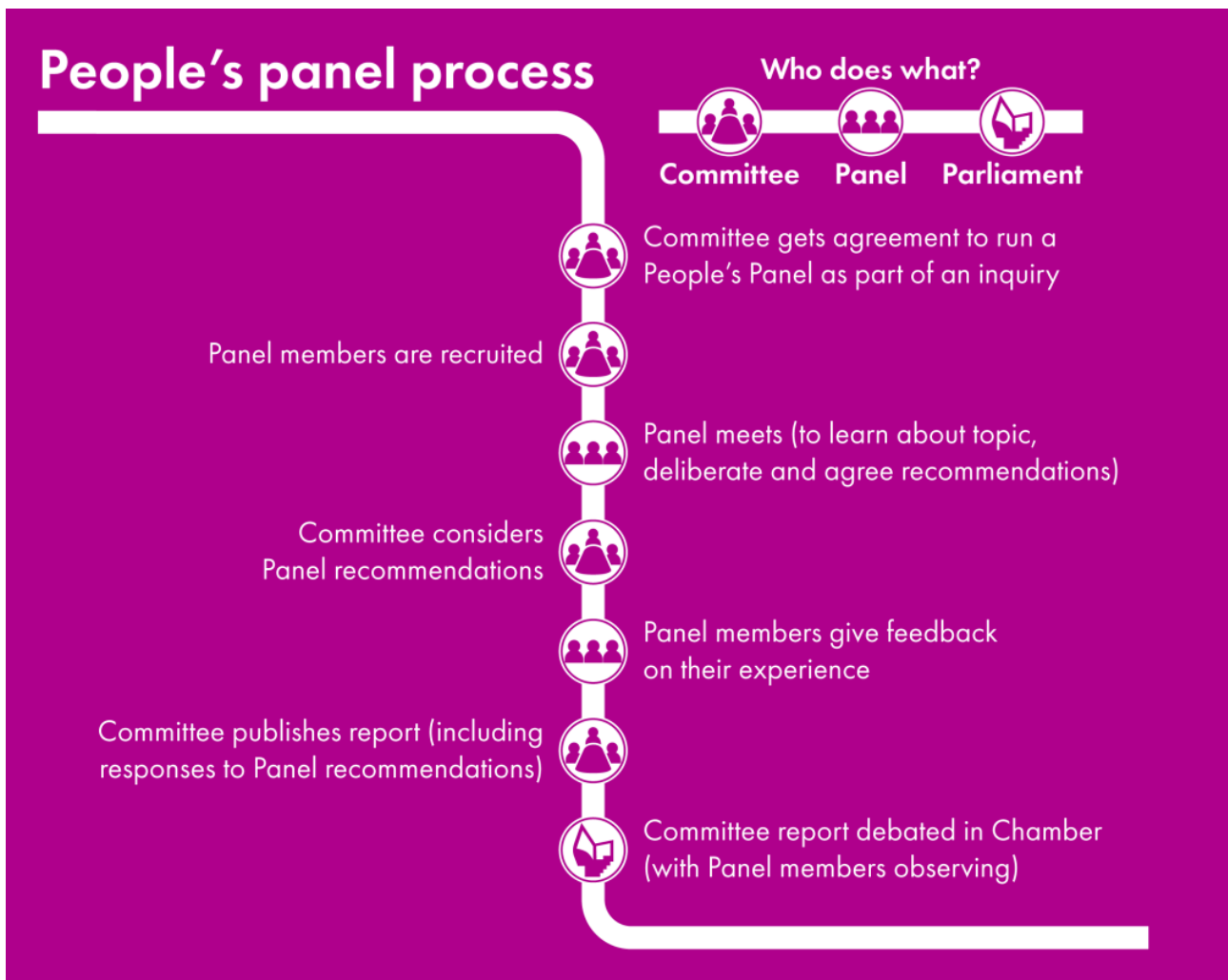


Source: Scottish Parliament. Citizens’ Panel members in discussion with Maggie Chapman MSP

24. The Parliament should give a considered response, normally within 9 months, to all of a panel’s recommendations. This is both a courtesy to the participants and a way

to build confidence in the use of panels more generally. It is also good practice to invite panel members to give feedback on their experience of taking part. Any piece of scrutiny work important enough to merit input from a people’s panel should be debated in the Parliamentary Chamber, and panel members should routinely be invited to attend (and have any travel and accommodation costs met).

- 25. While we support much of the Panel’s Recommendation 7, we don’t, at this stage, support the call to put a framework for deliberative democracy into legislation. Legislating is complex and resource-intensive, we are not convinced that it is necessary and it could be inflexible.
- 26. We agree with Recommendations 8 and 9. We are committed to a gradual approach that is based on evidence of what works best, and that measures the impact of each panel. We also recognise the importance of building support across political parties for deliberative democracy.



Source: Scottish Parliament Data Visualisation Team

Theme 2: Growing community engagement

27. The traditional model of Parliamentary scrutiny prioritises the views of people who already have an understanding of what the Parliament is doing and who have the skills and the resources to engage effectively. Many ordinary people are, in practice, sidelined or ignored, either because they are unaware of the opportunity to engage or because their circumstances make engaging too difficult.
28. We endorse the work that has already been done and is under way to address this – including through the Parliament’s Public Engagement Strategy, and the way in which pro-active engagement work has become a routine element in committee inquiries. But the Parliament needs to do more, not just to facilitate engagement by those already motivated to share their views or experience, but to reach out to the many others who don’t currently see any reason to engage or who assume they wouldn’t be listened to.
29. The Committee would particularly welcome progress on:
 - the participation, diversity and inclusion strategy being developed by the Conveners Group (a group made up of committee conveners)
 - a working group on the use of different languages and formats to increase accessibility
 - the Parliament’s policy on payment for participation, supported by a review of how committees tell witnesses about the payments available
 - how the Parliament monitors witness diversity, including the balance between lived experience and expert witnesses
 - developing report-writing approaches that make better use of evidence gathered outwith formal committee meetings
 - a review of digital exclusion
 - greater use of “lived experience panels”, including consideration of safeguarding and using trauma-informed approaches
 - considering whether cross-party groups have appropriate access to Parliamentary resources, and how their work might be better linked to the scrutiny work of committees.
30. The Committee is generally supportive of the Panel’s recommendations grouped under this theme.

Theme 3: Raising awareness of the Scottish Parliament

31. The Committee welcomes the work that is being done by Parliament staff to develop the information that the Parliament provides, and to make it relevant and accessible to a wide range of users.
32. We recommend discussion with other organisations (such as the Electoral Commission, local government and community partners) about coordinated approaches to communicating who does what (including the different roles of MSPs, MPs and councillors, and the difference between the Parliament and the Scottish Government).
33. Committees could do more to communicate the outcomes of their scrutiny work, including by making reports more accessible and impactful. We would like to see up-to-date and accessible information about participation opportunities provided more widely, including in the Parliament building and in constituency offices.
34. The Committee broadly agrees with the Panel's recommendations under this theme. We are content to leave it to the Parliament's Public Information service to take account of recommendation 16 when next reviewing the leaflets that it produces.

Theme 4: Improving the consultation process

35. We like the idea (suggested in the Panel's recommendation 6) of allowing people to register their interest in engagement opportunities, so that they are automatically alerted, rather than having to check the website regularly themselves.
36. In response to recommendation 12, we recognise the importance of providing meaningful feedback to those who take part in any type of engagement exercise – not just citizens' panels. The principle should be that, if a committee invites people to make a contribution to an inquiry, it should explain how that was used in arriving at the committee's conclusions. But we don't think it would be realistic to expect a committee to provide tailored feedback to every submission made in response to a general call for views.

Theme 5: Bringing the Parliament to the people

37. We support in principle the idea of taking information about the Parliament out into local communities. The Panel has suggested, in Recommendation 4, a number of possible ways this could be done, and we agree that these and other options should be looked at, taking account of their cost and likely impact.
38. Similarly, with Recommendation 11, we recognise the importance of MSPs sometimes conducting business outside Holyrood. We think that committees should routinely consider holding external meetings whenever they are planning major inquiries on topics that have a rural or regional focus; but we are much more doubtful about the idea of holding whole meetings of the Parliament outside Edinburgh.
39. We are not convinced there is a strong case for reinstating Parliament Days, but we would like to see flexible and cost-effective ways found of taking Parliamentary activity out into communities. We also see a case for providing more support for people to come to Holyrood for engagement purposes.

Theme 6: Education

40. We share the Panel's vision that all children and young people should, by the time they are able to vote, have learned how to engage with the Parliament, and with the Scottish Government, and gained an understanding of how the two institutions work. In that connection, we suggest a review of citizenship education within the current school curriculum.
41. As a first step, we think the Parliament could commission research on different approaches to citizenship education and how effective they are at increasing political participation, drawing on experience from other countries. It would then be for the Education, Children and Young People Committee to decide whether to use that research as the basis for an inquiry.

Theme 7: Strengthening trust in the Parliament

42. We are not convinced that the Code of Conduct for MSPs is a suitable topic for consideration by a people's panel (as suggested in Panel Recommendation 10), but we do recognise the potential value of involving the public in considering the more general issue of MSPs' conduct and behaviour, as a way of rebuilding trust. It would be for the Standards, Procedures and Public Appointments Committee to consider whether to explore this further.
43. We acknowledge the sense of frustration behind Panel Recommendation 13, based on experience of Ministers sometimes failing or refusing to give straight answers to questions. We recognise various objections, including the risk of politicising the Presiding Officer's role and blurring important lines of accountability. But we also recognise that there are issues of respect and courtesy at stake and that current practice can contribute to public cynicism about politics and undermine the Parliament's reputation. We encourage the Standards, Procedures and Public Appointments Committee to consider ways in which the Presiding Officer might be given the power to decide that a question has not been adequately answered, without creating unreasonable expectations as to how often or in what circumstances that power should be used.
44. We cannot support Panel Recommendation 14 for a question time which is part of formal Parliamentary business, as we think it raises too many difficulties both of practice and principle. However, we would be willing to see the idea further explored, if there is cross-party support for doing so. We also think there are less formal ways to take this forward.

Follow-up work

45. In this report, we have outlined work that the Parliament is doing to develop and improve how it engages with the public. We intend to monitor this work and report on it again before the end of the session.

Key terms

Key Terms	
Citizens' Assemblies or Citizens' Panels	Larger or smaller groups of people, selected to be broadly representative of the wider population, who are invited to consider a topic together and come up with recommendations
Deliberative democracy	Methods (including Citizens' Assemblies and Panels) that allow participants to contribute to policy-making by discussing a topic in a structured, open and informed way that encourages consensus
Public (or citizen) participation	Any way in which members of the public can play an active part in the Parliament's work.
Participative democracy	The idea that participation by the public should be a routine part of how a Parliament considers issues and reaches decisions (as an alternative to a purely representative democracy)
Post-legislative scrutiny	Scrutiny of a piece of legislation (e.g. an Act of the Scottish Parliament) after it has been in effect for a time, to consider how well it is working
Representative democracy	The traditional model in which elected members (such as MSPs) deliberate and make decisions as representatives of the public, with little or no direct involvement by the public themselves (other than at elections).

