

INQUIRY INTO E-PETITIONS

Organisation: The Scottish Parliament
Name: Rt Hon Ken Macintosh MSP
Date received: 17 May 2017

Introduction

The Scottish Parliament has had a public petitions process since it was established in 1999. In advance of the re-establishment of the Parliament, consideration was given by a Consultative Steering Group (CSG) as to the procedures and processes that should be a feature of the Parliament. In relation to a petitions process, the [report of the CSG](#) considered it “important to enable groups and individuals to influence the Parliament’s agenda. We looked at a number of models in other Parliaments for handling petitions and concluded that the best of these encouraged petitions; had clear and simple rules as to form and content; and specified clear expectations of how petitions would be handled.”

The CSG went on to recommend that—

“Against the background of our key principles of openness and accessibility, equal opportunities, accountability and sharing the power, we believe that any system adopted for public petitions should satisfy the following criteria:

- public petitions should be encouraged by the Parliament;
- any member of the public should be able to petition the Parliament;
- there should be clear and simple rules as to form and content;
- it should be clear to petitioners how and to whom petitions should be submitted;
- there should be clear expectations of how petitions will be handled, the form of response which can be expected and the time in which such a response can be expected; and
- all petitions and responses should be in the public domain.”

The Public Petitions system

As a new institution, the Parliament was keen to be innovative in its engagement with the public and the first e-petition was accepted in December 1999 via the e-petitioner system developed by International Tele-democracy Centre at Napier University (the ITC is now part of the Centre for Social Informatics). The e-petitioner system enabled the collection of signatures and addresses of people wishing to support a petition. The Parliament operated an e-petitions system in conjunction with the ITC from 2002-2008, during which time e-petitions moved from a pilot project to a business as usual offering. Key points in the development of e-petitions came in 2003 when the e-petitioner site was re-branded and integrated into the Public Petitions Committee website and in 2008 when the system was entirely handed over to the Scottish Parliament. The current e-petitions system is part of the Scottish Parliament’s website rather than a standalone but, from the perspective of the user, integrated system.

The current e-petitions system enables the collection of signatures and comments on petitions, should the petitioner wish to do so (and the majority of petitioners do). The collection of signatures and comments is not mandatory because the Parliament does not have a threshold for the number of signatures that must be reached before a petition is considered by the Public Petitions Committee. The petitions system is

not an option of first resort and the need to collect only one signature is balanced by the requirement for petitioners to demonstrate they have taken previous action to raise the issue with, for example, one of their MSPs or the Scottish Government directly. However, all admissible petitions are considered by the Public Petitions Committee which will decide what action it wishes to take on a petition. Almost invariably, this includes seeking a response to a petition from the Scottish Government.

Another feature of the petitions system that you may wish to note is that it is, specifically, a *public* petitions system and petitions cannot be lodged by members of the Scottish Parliament.

The Public Petitions Committee

The Scottish Parliament's petitions process is based on having a dedicated Public Petitions Committee which is one of the mandatory committees required under Standing Orders. The role of the Public Petitions Committee has evolved since 1999, particularly in relation to the mechanism for reviewing the admissibility of petitions (which is now delegated to clerks in the first instance) and the amount of inquiry that the Committee carries out into individual petitions. A dedicated Petitions Committee was another recommendation made by the CSG on the basis that it was "important to establish a strong system for handling petitions from the outset."

Some evaluations of petitions systems, both here and in other legislatures, point towards the role that the process for consideration of a petition once lodged can have in the overall perceptions of the value of the process to the public. For example, in 'The Process is the Reality: Perceptions of Procedural Fairness and Participatory Democracy' (Political Studies, Volume 58, pp. 731-751) Professor Christopher Carman of the University of Strathclyde noted "process evaluations far exceed outcome evaluations in influencing petitioner trust in political institutions." In a similar vein, Dr Catherine Bochel, a reader in policy studies at the University of Lincoln, has [published an article](#) considering the concept of procedural justice in an analysis of UK legislative petitions systems.

The Scottish Parliament and public engagement

The Parliament's [Public Engagement Strategy](#) sets out its objectives for the current Session in relation to promoting engagement and participation supporting and strengthening the work of the Parliament. Having an e-petitions system is an important part of being able to achieve the Parliament's aims of communicating in ways that make it as easy as possible to interact with the Parliament and supporting and encouraging participation in the work of the Parliament.

On the question of meaningful engagement, regular reviews have enabled the Parliament to understand how the system is viewed by the people who use it. The [most recent review](#) asked whether people felt more engaged with the Parliament as a result of their experience with the petitions process. The responses to this question (p53 of the review) included the following comments—

- “Certainly! Yes, that’s one of the best things about the Scottish Parliament – its openness. It’s closer to the community. The petitions process is an example of [MSPs] willingness to engage with the public.”
- “Without a doubt it has changed my experience. I feel far less intimidated by Parliament now. This is a building that I feel I can comfortably walk into and I would have no hesitation bringing another petition to the attention of the Petitions Committee...”
- “I have always been very engaged with Parliament, but I definitely felt more enthused by Parliament ... I haven’t written to my MSPs on any issues for a while, but I definitely feel more confident about writing to parliamentarians.”

There are also some indicators as to the scale of engagement with the petitions process. In the first year of the current session of the Parliament, around 26,000 signatures have been received on petitions, the majority of them received through the petitions system on the Parliament website.