



OFFICIAL REPORT
AITHISG OIFIGEIL

Constitution, Europe, External Affairs and Culture Committee

Wednesday 23 June 2021

Session 6



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CONSTITUTION, EUROPE, EXTERNAL AFFAIRS AND CULTURE COMMITTEE
1st Meeting 2021, Session 6

CONVENER

*Clare Adamson (Motherwell and Wishaw) (SNP)

DEPUTY CONVENER

*Donald Cameron (Highlands and Islands) (Con)

COMMITTEE MEMBERS

*Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP)

*Sarah Boyack (Lothian) (Lab)

*Patrick Harvie (Glasgow) (Green)

*Jenni Minto (Argyll and Bute) (SNP)

*Sue Webber (Lothian) (Con)

*attended

CLERK TO THE COMMITTEE

James Johnston

LOCATION

Virtual Meeting

Scottish Parliament

Constitution, Europe, External Affairs and Culture Committee

Wednesday 23 June 2021

[Sarah Boyack opened the meeting at 09:15]

Interests

Sarah Boyack (Lothian) (Lab): Good morning. Welcome to the first meeting in session 6 of the Constitution, Europe, External Affairs and Culture Committee. I am a member of the Scottish Parliament for Lothian and, as the oldest member of the committee, I have the pleasure of convening the first two items of business this morning. I welcome all the members of the committee. I very much look forward to working with everyone.

Before we move to the first item on the agenda, I remind everyone to turn their mobile phones to silent.

Agenda item 1 is declarations of interests. This is a chance for everyone on the committee to declare any interests that they have that are relevant to the work of the committee. I will start by saying that I do not have any relevant interests that I wish to declare.

Clare Adamson (Motherwell and Wishaw) (SNP): I have no relevant interests to declare.

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): I have nothing in particular to report, but I refer people to my entry in the register of members' interests.

Donald Cameron (Highlands and Islands) (Con): I have no relevant interests to declare.

Patrick Harvie (Glasgow) (Green): I do not think that I have any registered interests that I am required to declare, but I draw members' attention to the voluntary section of my entry in the register of members' interests, which says that I am an associate member of the National Union of Journalists. Since joining this committee, I have asked for an addition to the voluntary section to show that I am a vice-president of the European Movement in Scotland.

Sarah Boyack: I will take this opportunity to say that I am also one of the vice-presidents of the European Movement in Scotland. That is in the voluntary section of my entry in the register of members' interests, too. Thanks for that reminder, Patrick.

Jenni Minto (Argyll and Bute) (SNP): I have no relevant interests to declare, but I refer people

to my entry in the register of members' interests, particularly the entry in the voluntary section that says that I am a trustee of a museum.

Sue Webber (Lothian) (Con): I have no relevant interests to declare.

Sarah Boyack: I thank everybody. For the information of people who are watching this broadcast, I point out that people can see our entries in the register of members' interests and our voluntary records on our pages on the Scottish Parliament website.

Convener

09:18

Sarah Boyack: Agenda item 2 is the choosing of a convener. Parliament has agreed that only members of the Scottish National Party are eligible for nomination as convener of the committee. My understanding is that Clare Adamson is that party's nominee. If any member disagrees with that nomination, they should type N in the chat bar.

I am delighted to declare that no one has typed N in the chat bar.

Clare Adamson was chosen as convener.

Sarah Boyack: Congratulations on your appointment, Clare. I now hand over to you.

The Convener (Clare Adamson): I thank Sarah Boyack for convening the committee for the first two agenda items, and I thank the committee for choosing me as convener. I am absolutely delighted to take on the post, and I look forward to working with you.

Deputy Convener

09:20

The Convener: Under the next agenda item, the committee is to choose a deputy convener. The Parliament has agreed that only members of the Scottish Conservative and Unionist Party are eligible for nomination as deputy convener. I understand that Donald Cameron is that party's nominee. Does any member disagree with that nomination? If they do, they should put an N in the chat bar now.

I do not see anything in the chat bar.

Donald Cameron was chosen as deputy convener.

The Convener: I am absolutely delighted to congratulate Donald Cameron on his appointment as deputy convener.

The extent of our remit is very challenging and, at times, we might have different opinions, but I hope that we will work well together, constructively and consensually most of the time, if not all the time.

I thank members for their endorsement of both the convener and the deputy convener.

Legacy Papers

09:21

The Convener: The next agenda item is legacy papers. The session 5 legacy papers that are relevant to the committee are from the Culture, Tourism, Europe and External Affairs Committee and the Finance and Constitution Committee. Members were provided with a helpful summary of the legacy papers ahead of the meeting. It would be helpful to have a short discussion of the issues that are raised in the papers and of any priorities that members would like the clerking team to take forward to our business planning session on the committee's work programme at the end of August.

I invite Donald Cameron, as the deputy convener, to start the conversation.

Donald Cameron: Thank you very much, convener. I congratulate you on your appointment as our convener, and I am delighted to be the committee's deputy convener in what should be a fascinating session of Parliament.

I will speak very broadly and, I hope, briefly on the legacy papers, because I think that that is the purpose of this agenda item.

I will start with culture. Arts funding will be a very important aspect of the committee's work, especially in the wake of the pandemic. I was briefly a member of the Culture, Tourism, Europe and External Affairs Committee in the previous session of Parliament. That issue was covered, but the state of arts funding will be pivotal to arts organisations in the next few years as we seek to recover from Covid. I am particularly interested in exploring the relationship between central arts funding and local funding of more community-based arts groups.

In relation to the United Kingdom's relationship with the European Union in the wake of Brexit and the trade and co-operation agreement, the committee can play an overarching role in how the next few years go. In my view, it should not be the committee's role to investigate specific policies relating to trade, agriculture, the environment and health that fall within the remit of subject committees. Our role should be slightly more overarching, as I said. However, there are important issues, such as the Northern Ireland protocol, which the legacy paper says is an urgent matter. Clearly, that is very topical.

Beyond that, the workings of the devolution settlement will require our scrutiny, not just in terms of Brexit and common frameworks but more generally. I was very interested in what the legacy paper said about interparliamentary working. My

strong view is that we should energise that process through our relations with similar committees in Parliaments across the UK and more widely.

Finally, in relation to our international focus, the "External Affairs" part of our title is important. Although Europe will necessarily dominate our discussions, it is important that our international focus is wider than purely on the European Union. We should think about Scotland's relationship with the rest of the world more generally. I was struck by the comments on international development in the legacy paper. That is an interesting aspect of policy that we could look at.

Thank you for your time.

The Convener: A number of members have indicated that they wish to contribute. Please put an R in the chat box if you wish to do so.

Sarah Boyack: We have two excellent legacy papers that will be really useful. The one from the Culture, Tourism, Europe and External Affairs Committee is good and has a lot of recommendations. From my perspective, and bringing the two reports together, it is about what we can do to add quality to the Parliament's scrutiny.

In relation to Brexit, there are clearly issues that we need to think through. Donald Cameron is right that other committees will be interested in issues such as Erasmus+ and trade. There are wider issues about what happens post-Brexit and how the devolution settlement is working. We need to pick up those overarching issues, as Donald Cameron said.

I am interested in the recommendations about scrutinising the Scottish Government's external affairs and international development work. We should look at the external affairs strategy and the international development programme, both of which will be really important as the world begins to reopen post-Covid. We need to consider Scotland's role—that is an important issue for us.

The points about common frameworks and interparliamentary work are important. It is key for the committee to promote such work. That is partly about our relationships under the devolution settlement, but it is also about post-Brexit relationships across the UK. That is a really important piece of work for us.

There is a huge agenda on culture post-Covid. Yesterday, the First Minister made a statement about the beginnings of reopening. In Edinburgh and the Lothians, festivals are a huge issue. There are issues about the capacity of theatres and venues such as live music venues to come back post-pandemic. Another issue is the impact of arts funding, both pre-Covid and in relation to what will

happen to regenerate the sector. I suspect that I am not alone in having been contacted by artists, musicians and others involved in the culture sector who do not work full time and who basically have had no work at all during the pandemic. There are a lot of issues to pick up there.

We also have the legacy expert panel's report. I wonder whether, for our first session, it would be useful to get an update from the panel, just to help to shape our work, as we have such a lot in our brief. It is about six months since that report was produced, so it would be useful to get an update.

Patrick Harvie: I congratulate the convener and Donald Cameron on their appointments.

The committee covers an interesting mix of topics. As you said, convener, on some issues within our remit we will clearly be partisan, which might result in slightly more polarised debates. However, I like to think that there are more aspects of our remit on which we will find that we are on the same page.

On the constitutional side, there is, obviously, a possibility—some would think that it is a likelihood—that a referendum bill will be referred to us. However, given that the framework legislation for referendums has already been passed, such a bill is likely to be fairly simple and technical. The debate on constitutional issues is much deeper and more complex. We might give some thought to how we might separate a debate on what might be a fairly straightforward bill, in legislative terms, from the much richer debate on constitutional questions.

09:30

I very much agree with Donald Cameron's comment about interparliamentary working. Even aside from the constitutional debates in recent years, there has always been much more of an opportunity to do interparliamentary work—not just with the UK Parliament but with other Parliaments—than has ever been realised. There is also the issue of scrutiny and challenge of the intergovernmental machinery. Even many people at the UK level recognise that that machinery is pretty dysfunctional at the moment and that it needs to be examined.

Some constitutional issues will be cross-committee ones as well. Issues such as the fiscal framework will involve constitutional views as well as matters for the Finance and Public Administration Committee to consider. There are immigration, housing and health issues. For example, there were proposals in several party manifestos for the Holyrood election that related to the regulation of health professions, and there are devolved and reserved aspects of that. There may be a number of issues that are slightly lower down

the list of priorities for the committee, but a bit of interaction—[*Inaudible.*]

On Europe, as members have said, there is the impact of Brexit and the issues of common frameworks and parliamentary accountability, especially in relation to common frameworks. How are Governments held to account in the Scottish Parliament or the UK Parliament for decisions that are signed off between them? That is a really big, unanswered question about our current constitutional status.

A point has been made about relationships within the UK and between the different parts of the UK, and the same point should be made about Europe. Without the role that the former Europe committees had in engaging with the European legislative process when we were a member of the European Union, we now have the responsibility to maintain strong and active relationships at the European level. That will be important for Scotland in the long term.

I am really glad that everybody who has spoken has talked about the importance of not losing sight of culture. I think that I am right in saying that culture has moved between committee portfolios in every session of the Scottish Parliament. It has been shuffled around between different committee remits in every new session, which is regrettable. I am keen that we do not see culture issues fall off our radar.

Donald Cameron mentioned the impact of Covid and the potential for looking at recovery from Covid in a way that benefits the cultural scene. We have a tradition of talking about the creative industries, which is relevant and important, but creativity and opportunities for people to access and be involved in creativity and culture go beyond the formal creative industries. That relates to arts funding, which people have talked about, and to much more than that.

The Culture, Tourism, Europe and External Affairs Committee did some work on the screen sector that will be really important. That sector used to be significant in Scotland. It has been in a long-term decline, but it has a real opportunity to rebuild and become much more significant. The convener is aware that I have flagged up the issue of BBC Studios in Glasgow and potential changes that are being proposed there by the BBC at the UK level. It is unclear whether BBC Scotland will be in a position to make a decision for itself on that subject. There is a suggestion that a decision might even be made next month, which would not allow the committee an opportunity to scrutinise the question. I have suggested that, in the first instance, we write to BBC Scotland and copy in the director general at the UK level, asking that the matter be considered, that some caution be exercised and that we have an opportunity to take

evidence before a decision is reached. That was a bit of an overview, but I hope that committee members will be happy to support our writing a letter along those lines.

Dr Allan: I, too, congratulate both the convener and the new deputy convener.

Patrick Harvie, in particular, covered some of the constitutional issues. We are obviously going to have to look at a referendum bill. On the point that he made about intergovernmental relations, I have served on—or endured being on—a joint ministerial committee, and I think that the committee, regardless of our differing perspectives on the constitution, has to own up to the fact that the joint ministerial committees are not an effective mechanism for conversation between our Governments. We should start to look at what the alternatives might be and see whether we can come to a consensus about that.

We will obviously look at the Brexit legacy and the implications for the devolution settlement, including questions in the wake of Brexit on things such as UK spending in what might in the past have been considered to be devolved areas, and trade deals.

Donald Cameron made the good point that we need to be careful that we do not tread too far into the work of other committees, but a number of things in our remit and in the legacy papers will probably involve our having to find a *modus vivendi* with other committees. It is difficult to see how we could talk about culture without talking about its place in schools or about Brexit without talking about agriculture. There is a bit of work to be done before we get started on how we can establish good relations with other committees in order to ensure that we can do that work.

International development is another area that I have been involved in. We will scrutinise what the Scottish Government does on that, but it must be seen both in the context of Covid and in the wider context—I am sorry to be political so early on—of a UK Government that seems to be withdrawing from some of its commitments in the area. That has implications for the setting of Scotland's relatively modest but important international development work. There is also a specific job of work to be done in not just celebrating but looking at our particular relationship with Malawi.

Jenni Minto: I congratulate Clare Adamson on her convenership and Donald Cameron on becoming deputy convener.

I am a new MSP, so I am new to the committee structures, but I would like to reflect what Patrick Harvie said: this is probably the most exciting committee and its remit is hugely wide ranging. The MSPs on the committee all bring different experiences, whether from within the Parliament

or from outwith it, which is going to add to the work that we can do.

I will not repeat what others have said, but our leaving the EU and how we move forward from that will clearly be a big part of our work. As Patrick Harvie said, that will include reflecting on the relationships that we have across Parliaments—not just with Westminster, but with the European Parliament and the other devolved nations. That is really important given that the Scottish Government has made a commitment to keep pace with EU law.

Like other members, I wonder how we can best work with other committees. As well as having strong relationships across Parliaments, we need to have them across the committees in our Parliament.

My background is mixed, but I have experience of working in broadcasting and the arts. As others have mentioned, those industries and the creativity of people who work in them have been badly impacted by Covid. Not only do we have to worry about the effect that it has had in the cities, we have to think about the impact that it has had in rural areas—on their festivals and art shows, for example—as well as on our indigenous languages.

On broadcasting, Patrick Harvie mentioned the letter about the structures within BBC Scotland and whether further work needs to be done on the commissioning of output and the various channels that we have. That is interesting.

I will finish there, but I am very excited to be part of the committee and look forward to working with experts from across the various fields, learning more about them and helping to shape our future.

Sue Webber: Like Jenni Minto, I am new to Parliament and to the committee. The committee has quite a broad remit and, as other members have said, it is key that we do not step on the toes of the other subject committees. However, there is definitely somewhere for us to dip in and out as and when necessary. Finding that balance is going to be key for the committee if it is to be effective. It will be interesting to see how that develops.

I am an MSP for Lothian, so issues around the festivals and culture are really important to me. How the festivals and the Edinburgh economy change and adapt will be key, as the sector has been left largely unsupported for the past 15 to 16 months. We need to be aware of that.

On the four points in the legacy paper, we must make sure that we are on top of the point about the 2022 census. As a citizen, I was disappointed that we did not take part in the UK-wide census that took place in 2021. We need to figure out how to get back on track with the rest of the country

and make sure that the census is carried out. There are no excuses now for its not taking place.

I remember all the emotion around the fire at the Glasgow School of Art, which was very upsetting. We must make sure that there is an investigation into that and find out what happened. It was a great cultural tragedy for the country.

On interparliamentary working, as I have been an outsider for longer than some of the other members here, I know that people in our country do not want to see the different Parliaments in the UK bickering; they want to see us working together in a much more positive way. If we take one thing away, it is that we have to start working more positively together and finding positive things to work on instead of always drilling down on the minuscule negatives. People do not want to see that. There is time for it, but we have to be mindful about what we are here to do.

The Convener: I thank everyone for making so many interesting points. I am glad to see that the importance of interparliamentary working came to the fore for most of you, because I am conscious that we need to work hard on that. I am delighted that there is consensus around building those relationships across the UK and in the wider context.

I have reflected on Patrick Harvie's comments about culture. I think that the legacy report of the Education and Culture Committee, which I sat on for a long time, might have been instrumental in culture having been moved away from the education portfolio and put with the Europe portfolio, which I thought was a better fit. That being said, on crossover work, Alasdair Allan and I sat on a committee that did a substantial piece of work on music tuition in schools and its cultural aspects.

The European aspect of the committee has always had that overarching and cross-parliamentary responsibility, and that has worked well in the past. The conveners have been able to work together through the conveners group and the clerks to ensure that there has been no conflict with the other committees, and I am keen for that to continue.

09:45

When we consider culture, we sometimes concentrate on the big-ticket items such as the major festivals, the larger organisations and those that get more funding. I was therefore taken to hear that culture in the community is of interest to Ms Minto and Ms Boyack. I am keen to investigate that, too.

To pull together some of these strands, we have a definite role to play in how devolution works in a

post-Brexit world. The Parliament was established in a very different constitutional context from the one we are in now, and we might have a role in looking at whether the operations of the Scottish Parliament are fit for purpose in some of those relations as we go forward.

There are some really interesting issues to be going on with. I thank Patrick Harvie for bringing the BBC situation to our attention. I understand that all members have had the opportunity to view the draft letter on that. If anyone is not happy with that letter being sent, could they put an N in the chat box? I see that we are agreed that that letter, as drafted by the clerks, will go to the BBC.

I have also been reminded that there was an announcement this morning on the possible privatisation of Channel 4, which will have an impact on its footprint in Scotland. That is an issue that the committee might want to look at that has immediately come to the fore.

I think that we have given the clerks enough to think about. I look forward to coming back in August for our work programme meeting. That will probably be a full day of discussions of proposals. We might well have an indication of the programme for government and some likely bills that might come to the committee by then, but we have enough to be going on with for now.

That concludes our business for today. Thank you for your attendance. I am really looking forward to taking this very exciting opportunity for the committee to do some really good work.

Meeting closed at 09:47.

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