



OFFICIAL REPORT
AITHISG OIFIGEIL

Standards, Procedures and Public Appointments Committee

Thursday 28 April 2022

Session 6



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Pàrlamaid na h-Alba

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STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE
11th Meeting 2022, Session 6

CONVENER

*Martin Whitfield (South Scotland) (Lab)

DEPUTY CONVENER

*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

COMMITTEE MEMBERS

*Edward Mountain (Highlands and Islands) (Con)

*Collette Stevenson (East Kilbride) (SNP)

*Tess White (North East Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Rt Hon Karen Bradley MP (House of Commons)

Denis Naughten TD (Dáil Éireann, Houses of the Oireachtas)

Lord Gardiner of Kimble (House of Lords)

Gerit Vermeylen (Flemish Parliament)

CLERK TO THE COMMITTEE

Katy Orr

LOCATION

The Sir Alexander Fleming Room (CR3)

Scottish Parliament

Standards, Procedures and Public Appointments Committee

Thursday 28 April 2022

[The Convener opened the meeting at 09:15]

Decision on Taking Business in Private

The Convener (Martin Whitfield): Good morning, and welcome to the 11th meeting of the Standards, Procedures and Public Appointments Committee in 2022. I remind members who are joining us remotely to place an R in the chat function on BlueJeans if they would like to come in on any issue.

Our first agenda item is a decision on taking business in private. Does the committee agree to take agenda items 3 and 4 in private? Agenda item 3 is consideration of the evidence that we will hear at item 2, and item 4 is consideration of the Lobbying (Scotland) Act 2016 impact assessment. Do members agree to take those items in private?

Members *indicated agreement.*

Future Parliamentary Procedures and Practices Inquiry

The Convener: The next item on the agenda is evidence for our inquiry into future parliamentary procedures and practices. Joining us today on our first panel are the Rt Hon Karen Bradley MP, chair of the Procedure Committee of the House of Commons, and Lord Gardiner of Kimble, Senior Deputy Speaker of the House of Lords. I welcome them both.

Karen Bradley, please introduce yourself and tell us where the House of Commons is in regard to those matters.

Rt Hon Karen Bradley MP (House of Commons): Thank you, convener. I chair the House of Commons Procedure Committee, which is responsible for the conduct of public business. Business starts and finishes with, "Order, order," and we cover the bit in the middle. That applies to the House of Commons, Westminster Hall, standing committees—which you would know as bill committees—and select committees in which evidence is being taken and parliamentary privilege therefore applies. That is the key point: our concern is that public business is conducted in the right way and that privilege is properly observed. There is also a Committee of Privileges, which deals with whether privilege has been abused, but we look at the procedures around the conduct of public business.

Current procedures in the House of Commons are exactly as they were before the Covid pandemic. We are entirely back to every procedure that we had prior to the pandemic. Everything that was brought in during the pandemic was time limited and has stopped. The only thing that we do differently now is that, when we walk through the division lobbies to vote, instead of a clerk recording our name, we record our names using our security passes and a pass reader. That is how our names are recorded in votes. Everything else is exactly as it was.

The Convener: That is very helpful. Lord Gardiner, I turn to you for a similar introduction to where the House of Lords is at the moment.

Lord Gardiner of Kimble (House of Lords): Thank you for the opportunity to speak to the committee.

Both houses reacted very swiftly to the pandemic and went very quickly from physical to hybrid meetings. We achieved much by doing so. As has been said of the House of Commons, we have returned to much of what we did before the pandemic because of the loss of spontaneity. We are a self-regulating house and the overwhelming

majority of members felt that we needed to return to our previous procedures.

We have retained a number of practices. We have continued with an extension of question time from 30 to 40 minutes and of private notice questions from 10 to 15 minutes. Importantly, members who have long-term disabilities will continue to be able to participate virtually. We have 11 members who are eligible to do that.

For voting, we adopted an arrangement called PeerHub, which enabled all peers to vote. We are moving towards using a pass reader such as is used in the House of Commons. Our lobbies are narrower than those in the House of Commons, so we have retained PeerHub for social distancing reasons. However, in the new session, we will have pass readers.

Select committees have autonomy, so they have the opportunity to hold their meetings physically, virtually or in hybrid format, and a considerable number of witnesses have successfully used those means. We have upgraded our committee room facilities, and we think that ministers ought to appear in person, because the dynamic of that is more valuable. Those are some of the areas that we have been attending to.

The Convener: Thank you. That is incredibly helpful.

As you would both expect, I will move around the committee members, who have various areas of interest to explore. However, first, I will use my convener's privilege to kick off by discussing the matter of proxy voting, which rightly predates the pandemic.

Proxy voting does not exist in the Scottish Parliament. Karen Bradley, will you briefly explain for the record how proxy voting works in the House of Commons?

Karen Bradley: Currently, only one category of MP can apply for a proxy vote, which is those who are taking baby leave. Baby leave is for fathers, mothers, adoptive parents and those who have had a miscarriage. We have tried to mirror the length of parental leave that a new parent would receive as an employee in the public or private sector, which is six months for a mother and two weeks for a father.

If someone has a proxy vote for baby leave, there is a provision that states that they are not allowed to participate in the proceedings of the house on the day on which they have that proxy vote, although the committee is looking at that issue, because there have been representations that that is not acceptable. Members have got used to proxy votes being available to everybody during the pandemic. For the record, I was firmly

of the view that we should continue with the electronic voting on our phones. The MemberHub app that we had, which mirrored the PeerHub app in the House of Lords, involved a member pressing a button at the time of the vote and being part of the democratic process. That meant that there was better engagement and that members were more alert as to what was happening in the chamber.

However, the powers that be determined that they did not want us to vote by phone. Phone voting was a fantastic thing that digital services in the House of Commons developed quickly, and it was subsequently adopted in the House of Lords, which reaped the benefits of all that work. Instead, we moved to a proxy system, and, by the end of the pandemic, there were only about 10 members who did not have a proxy vote. At one point, the deputy chief whip of the Conservative Party was delivering something in the region of 330 votes at every division. Personally, I had a difficulty with how that looked to the public; however, there were exceptional circumstances, so we can understand it.

During the pandemic, we were able to participate in the chamber and still exercise the proxy vote; therefore, with regard to the baby leave standing order, we are now considering whether to decouple participation in the chamber from the proxy vote.

At the moment, in the Commons, we are conducting an inquiry, which we have not yet completed, on whether to introduce a system of proxy voting for those with long-term sickness or medical conditions. We all recognise that somebody could be away for a few weeks—maybe two or three weeks—because they are on parliamentary business or because there is another reason why they cannot be there. In most cases, their constituents will probably not notice that they have been away, but, if they do notice, it can be explained as a short-term absence for parliamentary or constituency reasons. Nevertheless, we probably need to consider whether a proxy vote should be given to people who are away for longer than that because they are having long-term medical treatment or they have a condition that means that staying late in Parliament and voting close to midnight—as we have been doing this week—is not conducive to their health, to allow them to still participate in the democratic process but not have to stay for the vote, because just being there might damage their health. We are currently considering that in the committee.

The Convener: That is extremely helpful. I am sure that this committee will follow your investigation into that initiative.

I want to pick up one aspect of that. My understanding—please correct me if I am wrong—is that the application for a proxy vote goes to the Speaker for authorisation. Is there any control over who can hold the proxy vote after that? Is that the member's own decision? A number of people have pointed out to us that, basically, the whips hold the proxy. Whether or not that was an active decision or something that came about because of circumstances—you have indicated your view on that—what would be your preferred way of someone holding a proxy vote?

Karen Bradley: Who holds the proxy vote is entirely down to the member. When proxies were introduced in Wales during the pandemic, the proxy votes were allocated to the whips, and I believe that the same was done when proxies were operated in Canada. However, we have always kept the approach that a member gives the proxy vote to their member of choice. For baby leave, that is usually somebody whom the member is close to or is friends with—someone whom they trust and who perhaps is of the same political persuasion in terms of moral issues.

That is where it gets very difficult. It is fine when somebody votes with the party whip, but, once a person gets into moral issues or perhaps things in respect of which they have a constituency issue, the issue is that they might expect the deputy chief whip to rebel. To be fair to our deputy chief whip, during the pandemic he voted against the Government more than any member of a Government has ever done before, because he was exercising proxies on behalf of members—including me—who voted against the Government on certain measures, including some pandemic measures. He did so in good faith. All credit to Stuart Andrew, who was the deputy chief whip at that time, for being honourable and doing the right thing.

We ended up with the whips taking the votes—that was true in all parties—because we simply did not want to have people in the House of Commons any more than was necessary. Social distancing, the state of the pandemic at the time and the fact that we were trying to control the virus meant that we were dissuaded from being physically in the building. As I have said, a person could physically turn up and speak if they wished to, or they could speak virtually if they preferred to, but the whips took the proxy votes at that time. However, we need to remember that it was an exceptional time and that, in normal circumstances and times, the parental leave proxies are allocated to whichever member the person wishes to have them.

The Convener: That is very helpful.

Lord Gardiner, my understanding from ancient school history is that the House of Lords had proxy voting many hundreds of years ago but

abandoned it. What is the current position? I understand that there is no formal proxy system now, but is another method used to assist members to vote if they are unable to be there?

Lord Gardiner: You are absolutely right that there is no provision for proxy voting in the House of Lords. Indeed, our standing orders prohibit it. I think that the issue has not come forward for consideration during the pandemic because of the PeerHub app that was devised, with which people can vote anywhere. As the situation improved somewhat from September 2021, members were required to confirm on the app that they were present on the parliamentary estate before voting.

09:30

Now, the house has voted that we should return to using the lobbies, with a pass reader, which will assist with accuracy, speed, accessibility and so forth, with the rider that—I emphasise this—we have a distinct scheme for people with a long-term disability who wish to continue with active participation. A group of us considered that, and we are mindful of the definition of disability. In the view of the House of Lords, that scheme is not an option pre-retirement or because of frailness; it is for people who want to actively participate and who may not be in a position to attend the house all day but wish to participate virtually at different parts of the day. We have come up with a very distinct scheme, and I think that it is well appreciated.

The Convener: That is very helpful. As always, I am conscious of time and I will not steal any more of it. I will pass you over into the very capable hands of Collette Stevenson.

Collette Stevenson (East Kilbride) (SNP): Thanks, convener. Good morning to both witnesses. It is lovely to have you here.

I want to explore your views on virtual and hybrid proceedings. You have touched on several aspects and have mentioned the areas in which those approaches work. I know from some of the paperwork we got that there was a sense that there were more contributions throughout the pandemic and that the virtual voting system in the House of Lords increased contributions. Karen, is there is a shared view, in the legislation, on whether there should be different rules for virtual participation in chamber business and committees, to try to preserve debate in the chamber?

Karen Bradley: During the pandemic, there were different rules for bill committees, select committees, Westminster Hall and the chamber.

In the chamber, we introduced hybrid participation. That meant that members could participate physically and, as I am participating

now, on a screen. The difficulty with that, and what made people frustrated, was that it had to be very pre-planned and organised. There was a call list, you could not intervene and there was very little debate within the debates. We introduced virtual participation in debates only very late on in the pandemic. We had virtual participation for questions early on, but we did not introduce it for debates until much later in the pandemic, because there was a feeling that there would not be the cut and thrust of the Commons that people look for.

You are correct in saying that more members participated—there is no doubt about that. The statistics also made it clear that more women participated virtually and that people who live further from Parliament were able to participate more than they would otherwise have been able to. However, the House of Commons decided that it did not want to continue with any virtual participation when the pandemic was over. That decision was taken by the house, and it was the majority view. It was also the majority view of my committee that we needed to return to pre-pandemic participation.

There was never any virtual participation on bill committees, which is a criticism that we now hear in relation to scrutiny, particularly of statutory instruments. During the pandemic, much of what was changed was changed through statutory instruments, and there is a real sense that there simply was no scrutiny of them.

I do not know whether you have seen Hannah White's book "Held in Contempt", which was published recently, in which she talks about the lack of scrutiny and the way in which instruments were debated after they had come into force. That meant that there was no opportunity for members to have a say on them. We had small committees upstairs, at which only a core of five members—the minister, the shadow minister, two whips and another member from the governing party—were part of the debate, so things were going through without debate and scrutiny. I think that we will come to rue that.

We did allow virtual participation in Westminster Hall, where there are no questions. That is another place where it was very late in being introduced, but we did start to allow virtual participation in the debates. Again, however, that is now gone.

The area where I think there is a sense that the house may want to move to virtual participation is select committees. Select committees have always been able to take evidence remotely, but members have to be in the room. The Liaison Committee, which is made up of all the chairs of select committees, has made representations that the chairs should have discretion to allow members to participate virtually.

I became of a victim of their saying that that was not possible when I contracted Covid in the new year. It was the week in which the Leader of the House of Commons was coming in to give evidence and I could not participate, as the chair of the committee, in questioning the Leader of the House of Commons, who is the minister for our committee. I could not even be in the room virtually; I had to watch on the Parliament television channel and I could not take part in any way. Clearly, I could message members of the committee and make my points by letting others know what I thought about what I had heard, but it was very frustrating to be the chair of a committee and not be able to scrutinise the minister who, in effect, reports to my committee because I could not participate virtually.

There is a sense that many, although not all, chairs of select committees would like to reintroduce virtual participation for members, particularly while we still have relatively high levels of Covid. Also, the medical advice is that, if you are under the weather, even if you are not testing positive for Covid, you should not come in, because we have learned the lesson that carrying on regardless is perhaps one of the reasons why Covid spread so quickly in the early days. I think that there is a view within the select committees that we would like to have virtual participation back for members of those committees. However, I do not get the sense that, at the moment, the house has a majority in favour of virtual participation in any other part of our business.

Collette Stevenson: Thanks very much, Karen. That was really interesting. One of my colleagues will probably come in on the aspect of scrutiny.

Lord Gardiner, what are your views on this question?

Lord Gardiner: The House of Lords moved quite swiftly. We started virtual proceedings in April 2020 and hybrid proceedings in June 2020, so we have had those proceedings for quite a time. As I have said, a lot of legislation was scrutinised, but I think that there was a strong feeling that the scrutiny and the proceedings were not as dynamic and immediate. Therefore, the mood of the house, by a majority, was that, as the situation with the pandemic and the medical advice improved, we would return to previous procedures.

Interestingly, as a matter of detail, we decided by a majority that we would retain speakers lists for oral questions. We continued with that process, whereas we got rid of speakers lists for everything else, because they lost the dynamic of debate. Having gone through some months of having a speakers list for oral questions, the house decided that the sessions had become anodyne and ministers were not under the pressure that they

should be under. I say this as a former minister who was one of the few who enjoyed oral questions in that atmosphere: you did not get the right dynamic. Therefore, the house decided that it would return to having 10 minutes for each question but with a free flow.

Interestingly, the free flow has probably increased the number of members who pose questions; it was more staccato when there was a list. There was also a tendency for some members to ask too long a question and for the minister, therefore, to reply with too long an answer. The feeling now is that continuing the speakers list was an experiment that we tried but that did not quite work for the house.

On the select committees, the mood in the House of Lords is very much that the autonomy that each committee has to decide how best to conduct its business has worked well, not only from the point of view of members but in terms of the range of witnesses to whom we can speak. For instance, our international committees are taking evidence from people situated all around the world. Those are the areas that have been a success and which we will wish to retain.

Collette Stevenson: We, in the Scottish Parliament, have a similar problem with regard to succinct questions and answers, so we are well aware of that issue.

What are your views on how decisions on virtual participation should be managed? Should those decisions be for the parties or the Speaker, or should that be left to the discretion of individuals?

Lord Gardiner: Our strategic direction comes from our—[*Inaudible.*] Can you hear me?

The Convener: Yes, you have come back online. We missed part of your answer.

Lord Gardiner: I am so sorry. The House of Lords Commission issues what I call the strategic direction, then the Procedure and Privileges Committee brings forward reports to the house, which, as a self-regulating body, decides all of those processes and procedures. There was a truncated process during the hybrid situation. The house agreed that changes had to be made promptly, and, indeed, several different guidances—11, I think—were issued during that period.

Essentially, however, our process of change comes through the Procedure and Privileges Committee putting forward proposals for the house to debate and agree or not—I have had experience of both outcomes. If something is not agreed, it is taken back for further consideration. That is the process by which we get buy-in from the house. The structure of the Procedure and Privileges Committee is important, as it has a

large number of back benchers from different political parties. It takes in the whole range of members of the House of Lords.

Karen Bradley: The Commons is different, and the hierarchy is difficult to explain. There is no one body that is responsible for any one bit of what we do. Certain things are at the discretion of the Speaker. For example, the Speaker introduced call lists, and he can reintroduce them at any time. Similarly, the Speaker can determine the way that voting works. Those things are not set down in standing orders and are not prescribed anywhere; they are issues whose determination is down to the Speaker. The commission would have a role in that, but, ultimately, the Speaker decides.

With regard to changes to standing orders, although my committee can make recommendations, it is only the Government that can put such motions on the order paper. The Government owns and controls the order paper and is able to determine the business.

When we were trying to introduce virtual participation in debates, the Government put that motion on the order paper—I will not comment on how willing it was to do so—in such a way that it could not be amended or that, if it was amended, it would not proceed. Members were frustrated by that approach—it is called “a nod or nothing”—because there was no debate or discussion; either it went through or it did not. A debate was sort of concocted, and people got frustrated because they felt that the members of the house were not being heard.

I must put on record that I believe that house business should not be whipped. The recent development of putting a three-line whip on house business sets a dangerous precedent. The house is there to scrutinise Government. Of course, Parliament exists partly so that the Government can get its business done, but it also exists to scrutinise, and, if the Government is determining how that scrutiny happens and is whipping its members to ensure that they determine how that scrutiny happens, scrutiny will not be as good. Even if it is as good, no one will quite believe that it is. I would firmly say that house business should never be whipped, but we have that difficulty at the moment.

Collette Stevenson: Thanks very much. That is really interesting. I have no further questions.

09:45

The Convener: Thank you, Collette.

Moving on to scrutiny, I will put the witnesses into the capable hands of Edward Mountain, who has a few questions on that subject.

Edward Mountain (Highlands and Islands) (Con): I should probably put it on the record that, for the past year, I have had to work in hybrid or virtual format through no choice of my own.

There are some distinct views on this, but I will come to you to start with, Karen. I would like to discuss and hear your view on spontaneity and people's ability to make interventions and actually participate in debate when you were operating in a hybrid way. We have a wonderful system in Scotland in which we know the debates for the next three weeks, the whips choose the speakers, the speakers are notified to the Presiding Officer and the Presiding Officer calls them—and that is it. We cannot make interventions if we are participating remotely. Did you find operating in a hybrid way as sterile as that?

Karen Bradley: It was not the whips who decided who spoke; we were put into a call list. With statements and questions, it was a lottery. The first out of the hat are the people who are called, with a balance kept between Government and Opposition benches.

I will make a point that Lord Gardiner has touched on. I was a minister before, and, if I had known everybody who was going to ask me a question at question time, the process would have been much easier, as I would have had a good idea of the kind of question that they might have asked. In the system that we have always had, with topical questions and follow-ups to substantive questions, we never really know who is going to come in.

If you are a minister and you want your officials—and, indeed, you as the minister—to be completely on the ball, that prepping for oral questions, when you have no idea who is going to ask you what, is incredibly important. Part of the challenge is that we, from ministers to officials, have to ensure that a policy is robust. If you cannot answer a simple question put to you on the floor of the House that you did not expect, there is probably something wrong with the policy. Good scrutiny makes a better Government—that is another point worth making.

With debates, the real frustration was that we had no interventions. Even someone who was participating physically could not intervene on someone who was participating virtually. Once the screen came on, that was it: the person on the screen spoke, with no interventions and nobody interacting with them. In what is a debating chamber, that interaction is incredibly important. As a result, we ended up with some very frustrating debates, with most speakers getting no more than three minutes. They just read a speech into the record. It meant that they at least had a speech on the record, but the issue itself did not get furthered.

I was a whip at one point. Whips would say, "You can go and listen to a wonderful debate, but it really shouldn't change the way that you vote." I am not sure that that is such a good policy, but most whips would probably believe that that is the right way to do things. Yes, you can have the debate, but then you must go and vote with the Government or with the Opposition, depending on your party allegiance.

You need that cut and thrust of debates, with an ability in the debate to move an argument on and consider it more fully. We did not have that, and it was very sterile. For me, the frustration is that there were technical ways that we could have considered for facilitating interventions, but there was a reluctance even to try them out, because—I suspect—people who would much rather have gone back to fully physical meetings did not want to find out that they might actually have been quite good. I suspect that, at some point in the future, we will want to consider the issue again, although there is certainly no appetite to do so at the moment, based on the experiences during the pandemic.

Edward Mountain: I turn now to Lord Gardiner. I should explain that our committee system in the Scottish Parliament is slightly different. It is, in effect, our second chamber for scrutinising legislation, and committees can take evidence very effectively.

Do you think that committees are in a position to scrutinise legislation line by line if they are doing it remotely and the members are not around a table, facing questions? If you had 200 amendments to one bill, as I had, could they be considered remotely, or would that be impossible?

Lord Gardiner: Having taken the Agriculture Bill and the Fisheries Bill through the House of Lords during this period, I know that it can be done, but it could have been more dynamic if we had been meeting more fully, with the system that we now have.

The whole ethos of our assemblies is that discourse and exchange should take place. Picking up on what Karen Bradley has said, I think that one of the reasons that the House of Lords wished to return to being physically in the chamber and in the grand committee was precisely that lack of ability to pose questions and challenge a minister. Things became more formulaic. There was not the same sense of electricity at question time.

Our committee stages happen either in grand committee or in the chamber, as you know. In a house where the whole essence is to scrutinise bills line by line, there needs to be the ability to challenge and for a number of members to play off each other to try to get the right words when

discussing an amendment. That process became much more sterile. As a minister, I always wanted to be at the despatch box. I think that it would have been very difficult to have dealt with a bill if I had been taking part remotely somewhere.

That was my experience, and the sense of the house was that we wanted to return, because ministers' proposals were not really receiving satisfactory scrutiny. We wanted to get back to that spontaneity of challenge. Those facets are why the house overwhelmingly wanted to return, although it is recognised that all of us, in all legislatures, have done our very best to achieve legislation, even if it might have turned out better in the form in which we are seeking to undertake business now.

Edward Mountain: Thank you. I have one more question, which is for Karen Bradley. Lord Gardiner's point chimes with me: ministers, if they are not at the despatch box, just talk things out. If they are not there, you cannot intervene, shut them up or get them back on topic. They just waffle away for the 20 minutes that they have for questions, giving you non-answers.

Do you agree with that summation? When ministers are participating, should they be in front of the committee or the Parliament to ensure that they have no way of wriggling out of answering a question—or, at least, have less of an opportunity to do so?

Karen Bradley: Right at the beginning, when we introduced the hybrid model, you could participate by Zoom to ask a question, but the speaker was very keen that ministers should be in the room to answer it. However, there were some who for good medical reasons—or other good reasons—were not able to do so.

It just became difficult to stop people, not just ministers. If you are in the chamber and you go on for too long with your question, Mr Speaker catches your eye pretty darn quickly. It becomes very clear that the house is losing patience; you start to hear people saying, "Sit down," "Intervene," "Is it lunch yet?" and so on. Somebody will make a quip that will put you off your stride. Nobody can go on for too long when they are in the chamber. However, if you are on a screen you can just keep going. That was true of everybody—not just ministers, but other participants. I did quite a lot of media over that time and I remember speaking to a journalist who said that it was really difficult to keep to time when they could see you only on a screen. They could not catch your eye and say, "The news is coming up in a moment—can you sit down?" That is one of the problems with virtual participation; it is much too easy to go on and not be stopped.

Edward Mountain: Thank you, Karen. I agree. Having been a convener, I know that, in a committee room, it is very easy to turn off a minister's microphone so that they shut up. You cannot do that remotely.

The Convener: Time is tight. I turn to Bob Doris.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I have a couple of questions about recruitment and retention of, and diversity among, elected representatives. We know that Mr Mountain has had to contribute virtually for a significant period of time. Hybrid working has supported that.

I was interested to hear about use of proxy voting at Westminster for members who are on baby leave or have long-term health conditions. We lost some very high-quality parliamentarians during the previous parliamentary session because of issues with work-life balance.

My question is for Karen. Setting aside the need to make the technical and dynamic aspects of hybrid Parliaments work effectively, what benefits do hybrid Parliaments bring with regard to retaining members of your, or any other, legislature? Do they create a work-life balance that might help to retain mothers who would not otherwise get to spend time with their families and who might feel that something has to give?

Karen Bradley: That is the other side of the argument. There is no doubt that our scrutiny was not as good during Covid, but we should look at the reality. If we had not introduced that hybrid Parliament straight after Easter 2020, we would have had no scrutiny. The idea that that was a bad thing is just plain wrong. We were one of the few Parliaments that sat through the whole pandemic and was able to do some scrutiny.

The problem was that we imposed a hybrid system on a model that is very physically based. The model of scrutiny that we have in the Westminster Parliament requires people to be there, for maximum benefit. We should not get rid of hybrid working because it does not fit the system; rather, we should be asking whether we need to reform the system to allow for more hybrid participation.

You are right: the statistics were clear. More women were participating virtually, compared to their average participation in the House of Commons, as were more people with long-term health conditions, who would not have been able to be anywhere near Parliament and cannot come even today when Covid is not the public health emergency that it was in the lockdown era. We had people who could not travel. We all know of such instances; my committee heard some very powerful evidence on that.

There is a lot of discussion at the moment about our culture, approach and attitude. Perhaps we should look more fundamentally at the way Parliament operates to make it culturally and physically a better place for all people to participate. We want Parliament to represent the public, but it will not do that if we insist on it being like a sixth-form debating society.

Bob Doris: I am working remotely today, which has allowed me to feed my baby and give my son his breakfast. I will be at a constituency regeneration event at lunch time, and this is the one day this week when I will get to have dinner with my family. I do not want to work like that every week, but it gives a work-life balance.

I have overcome barriers. The MSPs and MPs who are in Parliament have already overcome barriers, despite not always getting the work-life balance that we want. I am interested in the people who are not putting themselves forward for election. Are there barriers that a hybrid Parliament could overcome for people from ethnic minority backgrounds, people with disabilities or long-term health conditions, people with young families and those from any other groups?

If I look at the situation from my end, hybrid working supports me, but I had already overcome barriers to get elected in the first place. Could hybrid Parliaments do something to ensure that all our Parliaments look a lot more like the people whom we wish to represent?

Karen Bradley: That is not only about hybridity; it is about the whole way that we work. The Westminster select committee system is very similar to this committee. I do not think that preventing members of a committee from being able to participate unless they are physically in the room helps debate and scrutiny. The Westminster select committee system allows for a hybrid approach and virtual participation by witnesses as well as committee members. We need to look at that model.

10:00

At Westminster, we have a lot of challenges. They include restoration and renewal, which may or may not happen, and will force us into changing the physical way in which we operate; the challenge of culture, which is live and in the headlines at the moment; and how we make sure that scrutiny really works so that the Government is properly scrutinised, even when it has a massive majority. This is a point at which we need to think very hard about the Parliament that we want to be, so that we can attract the best people. We want people who make the Parliament look like the rest of the country, so that people can look at the Parliament and say, "Yes—that person is

like me. I could be one of them." This is not just about hybridity; it is about everything that we do.

Bob Doris: Does hybridity have a role to play in encouraging people from underrepresented groups to step forward in order that we increase the number of people who wish to seek election and expand the pool of talent? You said that the issue is about more than hybridity—of course it is—but does hybridity have a role to play in that?

Karen Bradley: Like every workplace in the country, we now know how we can operate. Because of hybridity, we were able to hear from President Zelensky in the House of Commons and we are able to have meetings with Ukrainian MPs to hear what is happening on the ground there. I regularly participate in such meetings. That simply would not have been possible and we would never have thought to do that until the pandemic showed us that we could. The whole world is looking at different ways of doing things and making sure that more people can be part of such things. My background is as a tax accountant in the City of London. My former colleagues are now operating in a different way in order to attract different people into their profession. It has to be right that we look at those issues.

Bob Doris: That is very helpful.

The Convener: I apologise, Bob. I need to cut across you because of time. Does Lord Gardiner of Kimble have any comments? He needs to leave the meeting soon.

Bob Doris: That is precisely what I was going to ask. I am conscious that the House of Lords is not an elected chamber, but we have seen the benefits of increased contributions there. I would welcome your reflections on the issues that we are debating.

Lord Gardiner: One of the reasons why we decided to open the eligibility scheme for members who have long-term disabilities was that we wanted the participation of those members. Many of them wanted to have the option to come to the House of Lords and play their part there but to have moments in the day or periods of time when they would not be in the chamber. One of our reflections was on the area of disability.

The House of Lords has that autonomy and it is working very well, but there is a general consensus that, if a select committee is hearing evidence from a minister, the dynamic is much better if the minister is physically there. Ministers and committee members have observed to me that there is a better dynamic.

We have tried to provide an option for people to attend meetings. Everyone who is eligible for the scheme has said that they wish to attend whenever possible. They want to be in an

absolutely equal partnership in the chamber, in a grand committee and in all other aspects of their work; the scheme provides opportunities for that. I believe that the arrangements are working very well.

Thank you for asking me about that.

The Convener: I hope that witnesses will not mind if our clerks correspond with them so that they can place more evidence about other matters on the record. I thank the Rt Hon Karen Bradley and Lord Gardiner of Kimble for attending and giving evidence. It has been most helpful.

I suspend the meeting briefly so that we can change witnesses

10:05

Meeting suspended.

10:07

On resuming—

The Convener: I welcome everyone back to the meeting, and I welcome our second panel of witnesses. Joining us today are Denis Naughten TD, who is a member of Dáil Éireann, and Gerit Vermeylen, who is director of legislative services at the Flemish Parliament. I welcome both gentlemen to the meeting. We were going to be joined by the Hon Laurence Skelly, who is President of Tynwald, but unfortunately he is unwell. On behalf of the committee, I say that we hope that he makes a swift and full recovery.

Collette Stevenson: I am sorry, convener, but there appears to be a problem. My screen just says, “The meeting will begin shortly” and there is no one on screen.

The Convener: I think that broadcasting was about to—

Collette Stevenson: Sorry.

The Convener: That is all right—the wonders of technology.

Once again, I introduce Denis Naughten from the Dáil. Good morning, Denis. As you are aware, the committee is looking at future procedures for the Scottish Parliament, based on our experience, coming out of Covid, of use of hybrid Parliament facilities so that members can contribute in the chamber and remotely. Would you like to make an opening statement so that members are aware of the circumstances in the Dáil?

Denis Naughten TD (Dáil Éireann, Houses of the Oireachtas): Thank you for inviting me to contribute to your evidence session this morning. We are perhaps unique among the Parliaments in our catchment, in that we have a written

constitution that can be amended only by the Irish people. Our constitution, Bunreacht na hÉireann, clearly states that both Houses of the Oireachtas—the Houses of Parliament—the Dáil and the Seanad

“shall sit in or near the City of Dublin or in such other place as they may from time to time determine.”

There is, therefore, a clear and unambiguous statement in our constitution that Parliament must sit in a physical place in the vicinity of Dublin. In addition, the constitution provides that

“questions in each House shall ... be determined by a majority of ... the members present and voting”.

That is written into our constitution.

The third aspect that is relevant to this morning’s discussion is the issue of parliamentary privilege. Under our constitution, again,

“utterances made in either House”

of Parliament have absolute privilege. The legal interpretation of that is that they must be made physically in the Parliament itself. In effect, that means that, for all plenary sittings and public committee hearings, members must be within the precincts of Leinster house or within the Dublin area.

During the most restrictive element of the Covid-19 restrictions, we had a dual-campus approach in the Dáil. We had plenary sessions taking place in the Convention Centre Dublin, on the other side of the River Liffey, while the committees were still operating from the Leinster house complex. During the main restrictions, in plenary only one third of members were present in the chamber at any one time; there was a rota put in place with one third of members contributing and one third voting.

One of the first changes that colleagues wanted was abolition of the reduced voting numbers, not just because they wanted to be able to record their position on a motion before the Dáil, but because being there provides them with an opportunity to meet and engage with ministers and colleagues. I am happy to go into further detail on that later.

On foot of those changing dynamics, the Ceannt Comhairle—the Speaker of the Dáil—established, in March 2021, a family-friendly and inclusive Parliament forum, in which we had the staff of the Oireachtas, as well as members, looking at how we could make Parliament far more family friendly. One of the issues that was looked at was the introduction of hybrid sittings for the Dáil, the Seanad and committee business, whereby members would choose to participate in some business either remotely or physically. That would require extending the designation “Parliament” to other physical locations, so we are looking at introducing regional hubs in existing state buildings, where members from surrounding

constituencies could participate in Dáil, Seanad or committee business without the need for them to be physically present in the Parliament complex in Dublin.

At present, members can participate remotely in committee business, whether that is in select committees that are dealing with legislation or in joint meetings where we have outside witnesses, but they must be on the Leinster house complex. They must be in their parliamentary office, as I am today.

That should give you a flavour of what we are currently looking at here, in Ireland.

The Convener: Thank you, Mr Naughten. That was a fantastic flavour.

I turn to Gerit Vermeyleen. As director of legislative services, you have the privilege of being the one person here today who is not elected, but perhaps that gives you an insight that we do not have. Would you like to explain how the Flemish Parliament managed during the Covid period?

Gerit Vermeyleen (Flemish Parliament): Of course. I will be happy to do so. Greetings from Brussels, and thank you for inviting us to explain what we have done during the past two years, more or less.

In principle, the Flemish Parliament has its meetings in Brussels—our standing rules determine that. We switched to virtual and hybrid meetings, but it depends—I have to make a distinction between plenary sessions and committee meetings. The plenary sessions continued to be physical meetings, but we have 124 members of Parliament, and our meetings were limited in terms of the presence of those MPs.

During the different phases of the pandemic, we have had purely physical plenary meetings, with the exception of the voting, as I will explain in a minute. At those meetings, we did not have the 124 MPs present but we had a period with 39 members present and, in the past six or seven months, 70 have been present. The others had to stay at home or be elsewhere. They could not come because of the social distancing rules.

10:15

We had our debates with a limited number of MPs present. Those were not hybrid meetings. The members who were not present in Brussels could not participate in the debates. However, when the pandemic started, our information technology guys immediately developed an IT application to enable the MPs to vote from elsewhere—home or wherever they were—and voting in the plenary meetings always took place via that application. The members who were

physically present also had to use the new digital application to vote and it worked perfectly, so the IT guys did a hell of a job.

The plenary meetings kept on being physical meetings with a limited number of MPs present. The committee meetings are another thing. At the beginning of the pandemic, we immediately switched to purely virtual meetings by video call with few exceptions. Committees could decide to have physical meetings but, in general, we had purely virtual meetings. There were no hybrid meetings.

For us, hybrid means that members can choose to be physically present or to participate from a distance. Purely virtual means that they could not come to Brussels—they had to stay away—with the exception of the chairman of the committee. He or she had to be present in Brussels, together with the committee clerk. It was decided that someone should be physically present to broadcast our committee meetings. All our committee meetings are, in principle, public and we broadcast them with a live stream. From a technical point of view, someone had to be present and it was decided that that should be not only the civil servant—the committee clerk—but the MP who chairs the committee.

In the beginning, we had only one committee room that was technically enabled for hybrid meetings; we now have six. During the pandemic, there was a tendency to go back to normal as far as possible. We organised ourselves in such a way that not only purely virtual meetings but hybrid meetings became possible. The members can choose to be physically present or to participate from a distance, as can the ministers. It works. Virtual and hybrid meetings work. The debates can take place. Ministers can be there. Members of the Government can be questioned.

One of the reasons that I, a civil servant, am talking to you is that opinions about the future among the MPs in the Flemish Parliament go in quite different directions.

In the meantime, we are back to normal, as there are no longer any Covid measures. However, it was decided that committees can choose to have either purely physical meetings or hybrid meetings, so our committees continue to have hybrid meetings. I think around 60 or 70 per cent of our committee meetings are hybrid. Our MPs have strong opinions about physical meetings versus hybrid meetings. Some of them are very much in favour of having hybrid meetings so that they do not have to come to Parliament.

The Convener: That is very helpful. Part of the intention of this morning's meeting is to explore that issue. I would like to use convener's privilege to ask the first question, which is about proxy

voting. Mr Naughten, I understand that your constitution prevents proxy voting. Is there a growing tide towards having proxy voting to allow access at times when elected members should perhaps be able to take off their elected member's hat due to personal circumstances, but in a way that allows their constituents to still be represented? Do you have any thoughts on that?

Denis Naughten: Our experience is that there is a demand from members to get back to physical voting in the chamber. We had a reduced voting system for a period of time when only one third of members were present, which reflected the view of all the different grouping and parties in Parliament. There does not seem to be a demand for remote voting. The demand seems to be that we try to confine the voting to a specific period in the parliamentary week, to allow members to plan their time around it. In the previous parliamentary session and in this session, we have tried to dispose of all voting business on a Wednesday afternoon or evening. That is also the time when members of the parliamentary parties meet their colleagues and all the other political groupings have their group meetings to decide policy issues. We have tried to concentrate the business that requires people to be physically present in Parliament in that particular period to provide a level of flexibility. However, there is no demand for remote voting from members.

The Convener: Do you think that that comes from the cultural importance of your Parliament physically meeting in set spaces? As you say, it is one of the fundamental precepts of the constitution that the Parliament should physically meet. Does the demand for transparency and understanding drive and perhaps overshadow individual circumstances that mean that the members cannot attend Parliament?

Denis Naughten: I would be a strong advocate for expanding remote participation as much as we can. I chair one of the parliamentary committees, and I facilitate remote participation as much as I can.

We need to remember that politics is the art of compromise and a lot of parliamentary work is not done on the floor of the chamber; it can be done over a cup of coffee. For example, this week, I have engaged separately with three ministers on three different pieces of legislation for which I am pushing a particular approach. I met one of them in the lobby in the chamber before voting, I met one outside the committee room after discussing a piece of legislation, and I met another over a cup of coffee in the canteen. That aspect is important in trying to get compromises and solutions during the passage of legislation. They do not happen in the chamber itself. That is an important part of Parliament—it is not just about the chamber; it is

also about the complex itself and the engagement that takes place bilaterally and multilaterally before legislation is presented on the floor of the house.

The Convener: That is helpful.

Mr Vermeylen, my understanding is that the Flemish Parliament does not have proxy voting for members who cannot attend. Is there a view to move to that, or has the electronic voting system removed any demand for it?

Gerit Vermeylen: At the moment, we have gone back to normal. In normal circumstances, voting takes place by the physical pushing of a button in the meeting room, and we have switched back to that kind of voting. Voting from a distance therefore does not happen any more. However, some MPs are in favour of installing that way of voting for the future. Discussions are taking place about members who cannot attend because of sickness but who are well enough to watch the meeting on television or on their computer screen from a distance and participate in voting at the end of the meeting. However, I do not think that there is a majority in favour of going in that direction, and I think that physical presence will keep on being necessary for members to be able to participate in voting in the future.

The Convener: That is very helpful. Thank you.

Collette Stevenson: Good morning. I will explore your views on the virtual and hybrid way of working. As you have said, suggestion has been made of unintended consequences and disadvantages to some members if they are not present in Parliament itself. In some statistics, the House of Lords said that contributions had increased because there was a hybrid arrangement in place, albeit that there was a slight decline in the number of different members contributing. What are the barriers to change, and how can a balance be found?

I will direct my question to—I am sorry, but I have completely forgotten your name. I will direct my question to Mr Naughten—my apologies.

Denis Naughten: We need to look at how we can address barriers. There is absolutely no doubt that Covid has changed the dynamic of Parliament. We are all more used to using remote tools. I use them on a weekly basis in dealing with constituents. Previously, I was physically travelling to meetings the length and breadth of my constituency, but some of those meetings are now taking place remotely, even with community groups. Even when I am here, in Parliament, I can now have meetings with groups in my constituency at the same time, which is very important—*[Interruption.]* My apologies—that is the committee bell kicking off.

It is important that we remove as many barriers as possible. I have been advocating around the whole area of witness evidence being given before a parliamentary committee. At the moment, in order to have privilege, that witness must present within the precincts of Leinster House. It requires a change in the legislation so that they would have privilege no matter where they present from.

I chair the parliamentary committee that has responsibility for policy for our island communities and quite a number of members from island communities have participated in the committee's proceedings. It would normally take them three days to travel to Dublin, give evidence and travel home, but they can now participate while sitting at their kitchen table.

10:30

We are exploring the idea of having a number of regional hubs whereby members of Parliament could participate in proceedings—committee hearings, in particular—from one of those regional hubs, instead of having to travel to Dublin for every meeting. I think that doing that and confining the voting to the Wednesday afternoon and Wednesday evening is a good compromise. As well as offering more flexibility in terms of engagement and meaning that members do not have to travel to Dublin as much, it would provide them with the ability to engage with colleagues, which I believe is important.

The parliamentary whips would probably be anxious to keep physical voting in place. A number of years ago, I went against the party whip and voted against the Government that I was a member of. I knew that I had to physically vote inside Parliament. Every other member of the Government was looking directly at me when I pressed the button to vote against the Government. Physical voting makes it more difficult to vote against the Government.

The other side of it is that there needs to be an element of collegiality to be able to vote with colleagues when difficult decisions have to be made. That kind of relationship can be built up only when interpersonal relationships have already been built. One thing that has come out of Covid-19 is that surveys have shown that 44 per cent of people have reported that they have found it harder to build trust with co-workers while working remotely. That also applies to Parliament. We had our parliamentary election in the month before Covid hit Ireland, so there is definitely such a deficit, particularly among newer members.

Collette Stevenson: Thank you. I direct the same question to Gerit Vermeulen.

Gerit Vermeulen: I second almost everything that Mr Naughten said, especially as far as

flexibility goes. Virtual and hybrid meetings—especially committee meetings—make it easy for foreign experts to be invited to hearings or to give evidence in committee meetings without having to travel to Brussels and so on. I am convinced that hybrid meetings are here to stay. We were obliged to learn how to use those new possibilities, and we have learned what the advantages are, so we will keep on using those methods when necessary.

On the other hand, there is a strong feeling among a lot of members of Parliament that the quality of debates suffers as a result of the use of those hybrid possibilities. As I said earlier, we broadcast all our plenary and committee meetings. In normal circumstances, we do not have a lot of viewers, but I am sorry to say that it must be horrible to have to watch a virtual or a hybrid parliamentary meeting. Those meetings are not at all attractive to watch. One of the reasons for that is that there is less feeling in a debate that takes place in a virtual environment than there is in one that takes place in a physical environment, which—

Collette Stevenson: Thank you. I am sorry to cut you off—did you want to continue?

Gerit Vermeulen: No problem.

Collette Stevenson: I have no further questions.

The Convener: I am glad to see that, no matter where a Parliament sits, members are governed by bells ringing in various places.

Bob Doris has the next set of questions.

Bob Doris: Putting to one side technical issues with hybrid meetings, the dynamics of debate and interventions and all that—Mr Mountain may raise those issues—the opportunities of a hybrid Parliament give flexibility to members, perhaps not by default but where there is a caring need, a long-term condition, a disability or another reason. Are there opportunities to protect members of Parliament who have difficulties with their work-life balance or who have to overcome other barriers?

I will roll my questions together in the interest of time. By definition, such members have overcome the barriers, but some think that the price to pay is too much and leave Parliament, and many other people decide not to stand for election because of the nature of Parliament and the challenges and barriers that they face. They could be someone from a black, Asian and minority ethnic background, a disabled person with a long-term condition or someone juggling family life. Can hybrid Parliaments create opportunities to make our legislatures look a bit more like the societies that we represent, be more diverse and protect members' work-life balance?

Denis Naughten: Yes, there definitely are opportunities in hybrid working. At the end of January, I ended up having Covid, so I had to isolate, but I was still able to chair private meetings of the committee and participate in other parliamentary meetings that were not being broadcast. Hybrid working facilitated that. It provides for a level of consistency, because, if you have the same members at the same meetings every week, it is much easier to get decisions, because you build up a relationship and a rapport. For example, I am a member of the Business Committee, which decides the schedule each week. If we had different members turning up every second week, it would be much harder to get agreement.

There is an opportunity in relation to illness and physical disability. We have members who, for one reason or another, are immunocompromised, and they have been able to participate actively in meetings from their parliamentary office, which would not have been possible for them if that facility was not available. There is an opportunity for people who are isolated for one reason or another to contribute as members of Parliament or to the parliamentary process. For example, I chair the Committee on Social Protection, Community and Rural Development and the Islands, and it is hard to get family carers as witnesses at a committee hearing. Because of their commitments, they cannot give that time, but it is possible for them to give evidence remotely, and the opportunity is there.

There is also an opportunity in relation to a minister who is not available or is avoiding engagement with a committee by saying that they are out of the country—for example, our ministers have to attend the Council of Ministers at European Union level, but there is no reason why they cannot plug in remotely.

The other aspect of your question, which is important, was on whether remote technology can help to increase diversity. It can help with greater participation, particularly at committee level in our system, anyway. However, I would hesitate to suggest having members participating exclusively from a remote setting. We have had senators who have represented our Irish communities abroad who were physically based in the United States but also physically attended Parliament. They were able to give us insight from offline engagement about the issues that would not be reflected in a debate—it is important to remember that.

We had an election back in February 2020, and we have a lot of new and very capable TDs, but they have not had the opportunity to learn. The parliamentary process is an apprenticeship, and people learn by seeing and doing, but it is very

hard to do that remotely. I feel disappointed for some of the members who have not learned the skills of the trade. We, as a Parliament, must make up that deficit by using the parliamentary tools that are available.

If someone participates exclusively remotely, their voice will be heard, but will they make an impact with policy or legislative changes? It is very hard to do that remotely. So much happens through interpersonal engagement with ministers and with the officials who are drafting legislation, rather than in committees or in plenary sessions of Parliament.

Bob Doris: That point is well made. I am not sure that anyone has suggested exclusively remote participation, but you make a good point that relationships must first be built, fostered and nurtured before there can be a positive dynamic for hybrid work. We are grappling with that here, in the Scottish Parliament. Thank you for putting that on the record.

Gerit, do you have any observations?

Gerit Vermeulen: Plenary sessions during the pandemic took place physically but with a limited number of members. We have our plenary votes on Wednesday afternoon or evening, and most of the members could participate in virtual voting. We have 124 MPs and, during that period, at least 115 to 120 members participated in plenary voting. Now that we are back to physical voting only, when those who are present can vote but others cannot, we see 100 to 105 members being present and participating. Thanks to the virtual voting system that we had during Covid, more members participated in voting.

Work-life balance could play a role. MPs who have small children are very much in favour of hybrid meetings and of continuing to have hybrid committee meetings. There is also what I like to call work-work balance. Some of the other MPs who are very much in favour of hybrid meetings are the mayors of their town or village, or they have other governing responsibilities, and they have work to do there. It is about work-life balance and work-work balance.

As I said, hybrid meetings give us opportunities to operate more flexibly. Can that play a role in encouraging people with other profiles to participate in elections and stand for public office? I do not believe that it can. I am not convinced that it plays any role—it would not make a difference. However, once members are elected to Parliament, hybrid working surely gives them more possibilities and flexibility.

Bob Doris: Thank you.

The Convener: I hand over to Edward Mountain.

Edward Mountain: I will try to keep this short, because a lot of my questions have been answered. I have a question for Denis Naughten. I am delighted to know that parliamentary privilege exists for your Parliament, Denis. It does not exist for the Scottish Parliament, so what we say is not subject to privilege.

Your point about politics and relationships is well made. I hark back to evidence that we heard from somebody else that you do not bump into people on WhatsApp. That is right—the ability to talk to people is important.

Have you watched other Parliaments debating in a hybrid format? If so, do you think that those debates are informative or sterile?

10:45

Denis Naughten: Yes, I have watched other Parliaments in the hybrid process, and I believe that they are stale.

Body language is a key issue. Last week, I was talking to some of your colleagues. I serve on the Inter-Parliamentary Union working group on science and technology. We were elected in April 2021, and we had all-remote meetings until last December, while working on a paper. Last December, we had our first opportunity to physically meet. We did more in those three hours than in the previous eight months of work. None of us 21 parliamentarians from across the globe had met each other before that. Body language, facial expression and all of that played a key role in progressing the international paper that we were working on. I therefore see it as very important.

I served on the EU Council of Ministers. There, particularly, where there are 27 member states and 27 ministers, that interpersonal relationship that we build up with our colleagues makes a huge difference in getting agreement. At the EU level, we have to get agreement.

Going back to your question, the debates are a bit staged. However, Parliaments, particularly in second stage debates, are quite stagnant anyway and, I think, have become more so since Covid-19—our Parliament has, anyway. We had a restriction that debates could last for only two hours, after which plenary had to be ceased and the whole place sanitised before we started again. We are now finding that, even though the time restrictions have been removed, many debates do not last for much longer than two hours. That approach has spilled over into the day-to-day plenary aspect, which I am concerned about and we need to be conscious of.

Absolutely, hybrid working has been great in that it has reduced the amount of travel that we as members of Parliament do across our

constituencies or to and from the Parliament in Dublin, Edinburgh or wherever. However, we are losing that bit of time while we are travelling—in the car, on our own—to mull over and contemplate a problem. In reality, many good and innovative policies develop during that period in the car, when we are on our own and undistracted. In today's society, technology is all around us and the phone is there the whole time—for example, with WhatsApp or emails—so it is important to have a bit of time and space to contemplate a problem and come forward with a practical solution that can get the agreement of our parliamentary colleagues and peers right across the parliamentary divide.

Edward Mountain: I am not sure that people in my office would agree with you, because, when I leave on the train at 5.30 and start firing off emails, they are not particularly pleased with that.

I have a brief question for Gerit Vermeulen. When ministers are called before a committee or before the whole Parliament, can they be held properly to account if they are appearing virtually, or do they just waffle on and run down the clock, while there is no way of controlling them? That might be difficult for you to answer, Gerit—

Gerit Vermeulen: Not really. It does not make a difference. Ministers waffle on, as you put it, in physical meetings, too, so it really does not make a difference. They can also be held accountable in the virtual way of working. It might be a cultural thing, but I really do not see any reason why it can make a difference.

I do not know whether members are allowed to do so in your Parliament, but many members here—even sometimes ministers—tend to mute their camera during hybrid meetings when they participate from a distance. Mr Naughten talked about body language, eye contact and so on. Those things are, of course, more difficult to see in hybrid meetings, but they are impossible to see when participants mute their camera. The tendency to do that is really—pardon my French—a pain in the ass.

Other members or viewers who are participating do not even know whether that MP is present—a member can mute their camera and go and do something else in the garden or whatever. That happens here. We make remarks on it—we ask them not to do it—but it does not help. That is another element that does not help to make hybrid meetings attractive to participate in or to watch.

Edward Mountain: Our broadcasting services control our cameras. If we type, “Away from keyboard”, they do not turn them on.

I am always conscious when I am in the room with our convener, because you get a glare when you overstay your welcome, and I can feel that

glare boring into me now, so I will hand back to him. It would be more physically threatening if I were in the room with him rather than doing this remotely.

The Convener: I am grateful for your empathy, Edward.

I think that Mr Naughten wanted to comment on that point as well.

Denis Naughten: I will be brief. I have been on both sides of the table: I have been a minister under scrutiny before a committee, and I have chaired such meetings and quizzed ministers in the past. Having a minister physically present is much easier, because it is much more difficult for them to avoid the questions.

As a minister, it is not just about the questions; it is about the reactions of one's Government colleagues inside the committee room to what one is saying. It is not purely about the response that one gives to an individual member; it is also about the reactions and facial expressions that one can see from colleagues.

We have been lucky in that, in our procedure, ministers have always had their camera on throughout committee hearings that have taken place remotely. Personally, I believe that the default should be that ministers should be physically present unless there is a real, justifiable and legitimate reason for them not to be. It is not just because of the engagement. One can often have a discussion offline, outside the committee meeting, with the official who is advising the minister and get a better insight into why the minister is taking a particular position on an issue, which might lead to a compromise solution.

The Convener: I am slightly conscious of time, but I would like to bring in Tess White.

Tess White (North East Scotland) (Con): Good morning. I think that Mr Naughten has just answered this question, but I would like to go to Mr Vermeylen. Can you share with us your high-level view on the philosophical question about the impact of hybrid proceedings on openness and transparency in a representative democracy?

Gerit Vermeylen: You are almost forcing me to give you my personal opinion about the whole business of hybrid and physical meetings.

Tess White: Yes, please.

Gerit Vermeylen: I am happy to give you my opinion. Although virtual or hybrid meetings certainly have advantages and give more opportunities, flexibility and possibilities in relation to MPs' time management, a Parliament that takes the debating and everything that happens in it seriously and that wants to work in an optimal way, in the best possible circumstances, should

have only physical meetings. If I were the one to decide, virtual or hybrid meetings would not take place in the Flemish Parliament. It is as simple and plain as that.

Tess White: Thank you. That is helpful and clear. I will follow that up with a final question. Do you say that for reasons of transparency and robust scrutiny?

Gerit Vermeylen: Absolutely.

Tess White: Okay—perfect.

Mr Naughten, will you give your philosophical view on that question of representative democracy and hybrid proceedings?

Denis Naughten: At the moment, across the world, we are seeing a polarisation of political positions in many Parliaments and countries. If you had only a remote or hybrid Parliament, that polarisation would snowball. It is important, because Parliament is not just about the plenary chamber or the committee room; it is about the engagement that takes place indirectly within the precincts of Parliament, with ministers and various interest groups that give us their view. There is also engagement with other colleagues as we try to find solutions to particular parliamentary issues.

That physical presence is therefore important. We should try to ensure that as many voices as possible participate in the deliberations. Hybrid meetings can facilitate that for members and witnesses who, for one reason or another, cannot be physically present to give their perspective on a particular issue. However, ultimately, decisions need to be made physically in Parliament—that physical element is imperative.

Tess White: Thank you. That is very good and clear.

The Convener: That brings us to the end of our questions. I thank both of the witnesses in the second panel for attending. It has been fascinating to hear from other legislatures, which is an advantage of IT, although it is always a disappointment that we cannot share a cup of coffee or tea and chat outside the room, where so much of the work is done, as all parliamentarians are aware. I thank Mr Naughten TD and Mr Vermeylen, director of legislative service, for their contributions.

That draws to an end the public part of the meeting.

10:58

Meeting continued in private until 11:33.

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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