



The Scottish Parliament
Pàrlamaid na h-Alba

PUBLIC PETITIONS COMMITTEE

European Commission
Secretariat General
Directorate E 'Better Regulation and
Institutional Issues
Unit E1 'Institutional Issues
B-1049 Brussels

8 February 2010

Dear Sir, Madam

I refer to the Commission's consultation on the [European Citizens' Initiative](#). I apologise for missing your deadline of 31 January 2010 but hope that you will accept this submission and that it assists you in taking this issue forward.

I do not propose to set out specific comments in response to the questions asked in the paper. Rather, I wanted to make you aware of the principles and approach to public petitioning here in the Scottish Parliament.

The ECI will provide an opportunity for citizens in Member States to submit a proposal where they consider a legal act is required. The threshold for such proposals to be considered is one million citizens. The Public Petitions Committee (PPC) certainly supports the aim of extending the right of citizens to call for new policy initiatives. That must be the central purpose for any public petitioning regime.

I do not propose commenting on the 1 million threshold issue. We approach public petitioning from a different perspective. Any citizen (and they do not need to be in Scotland) can petition the Scottish Parliament. A key feature is that only 1 signature is required and, assuming it meets the admissibility criteria, that petition will be considered by the PPC. We believe this is in the spirit of encouraging access to, and participation in, our public petitions process (these being two of the Parliament's founding principles which must underpin everything we do). Our belief at the end of the day is that the issue behind the petition is the most important point and not how the petition got to us and who supported it. We have considered some very important petitions which attracted only a very small number of signatures. We must ensure that we do not put what would be regarded as 'barriers' in the way of citizens

**Public Petitions Committee, TG.01, The Scottish Parliament,
Edinburgh, EH99 1SP**

Tel: 0131 348 5186, Fax: 0131 348 5088, Text Relay: 18001 0131 348 5186

fergus.cochrane@scottish.parliament.uk

www.scottish.parliament.uk/s3/committees/petitions/index.htm

<http://scottishparliamentpetitions.blogspot.com/>

petitioning their Parliament thereby reducing the possibility for them to raise their petition with us.

We did touch on the issue of support for petitions during our [inquiry into the public petitions process](#). In our report (June 2009) we stated—

Parliamentary debates on petitions

186. *The third issue relates to debates in the Chamber on petitions. There are two aspects to this. George Reid, a member of the Consultative Steering group and former Presiding Officer of the Parliament drew our attention⁶³ to the ‘radical’ suggestion that a petition with more than 50,000 signatures should automatically generate a bid from the Committee for a debate in the Chamber.*

187. *This is an interesting concept and one which we have carefully considered. It could be argued that this would demonstrate the power of petitioning, of the Parliament responding to the will of a substantial body of opinion that time is made available in the Chamber to debate the substance of the petition. That is not an argument to discount and we fully respect the amount of effort that the organiser of such public petitions would have made to gather that number of signatures and why they might legitimately feel that some immediate action should result in recognition of this.*

188. *On the other hand, and a key feature of our open and accessible process, is that a petition only requires one signature in order to go before the Committee and be considered. While not discounting the value of attracting signatures to a petition and the attention which a petition can gather on the back of a lot of signatures, in terms of the work of the Committee all public petitions carry equal importance whether it has one or 100,000 signatures. It is the issue behind the petition that should be the impetus for debate, not the number of signatures.*

189. *During 2008, the Committee started its consideration of petition [PE1108](#) on access to cancer treatment drugs. The petition attracted 632 signatures. However, we secured agreement, following the publication of both the [report of our inquiry](#) into this issue and the [Scottish Government’s response](#), for this to be debated in the Chamber. That debate took place on [1 October 2008](#).⁶⁴ We agree with the comment of the Cabinet Secretary for Health and Wellbeing in her opening statement to that debate⁶⁵—*

“I welcome the opportunity to participate in one of the most important debates that the Parliament has had.”

190. *It was not the number of signatures that led to this debate, but the importance of the issue itself.*

191. **We therefore do not propose to go forward with this suggestion at this time.** *However, it is one that has been raised and which we will keep in mind for the future.*

A further point to make you aware of is that we have no age, sex, or nationality threshold with our petitioning process. Any citizen can submit or support a petition. As I said earlier, the petitioner need not be Scottish or even resident in Scotland (the petition should relate to a matter within the Scottish Parliament's competence). This again fulfils out open, accessibility and participation principles.

One final thought I should like to share with you relates to the issue of verification. This is an issue on which we are fairly relaxed. Any hard copy signatures received by us (and we tend not to receive too many of these) will be looked at by our clerks but only briefly. We undertake no verification, even random, of the names, signatures. The main reason being that the petition will be considered with only 1 name (the petitioner's) therefore other signatures do not have a role in terms of whether and how we consider that petition. Of course, through our [e-petition system](#), there are IT solutions which filter out rogue, spam, multiple e-mail addresses so some form of 'verification' takes place with these. But, again, our clerking team do not undertake any substantial checking of the e-signatures submitted.

We do of course have considerable experience of public petitioning here in the Scottish Parliament. I would be more than happy to share that with you should there be any specific questions you have arising from this letter. Please get in touch if you do.

I look forward to seeing the outcomes from your consultation.

Yours sincerely

Frank McAveety

Frank McAveety MSP
Convener of the Scottish Parliament Public Petitions Committee