



The Scottish Parliament
Pàrlamaid na h-Alba

Reimbursement of Members' Expenses Scheme- Travel Application By Correspondence Reference: SPCB (2022) Paper 51

Executive summary

1. The SPCB is invited to consider an application submitted by Emma Harper MSP to have the travel costs associated with a proposed visit for a member of her staff to the United States of America in August 2022 met under the provisions made at paragraph 6.1.5 of the Reimbursement of Members' Expenses Scheme.

Issues and options

2. The Reimbursement of Members' Expenses Scheme makes provision to meet travel costs associated with a Member undertaking their parliamentary duties or a member of staff travelling in the UK in support of the member in carrying out their parliamentary duties. However, in relation to travel outwith the UK, Members are required to make an application to the SPCB to have such costs met. The SPCB have in the past approved the costs of staff travel abroad where the individual has been representing the Member and the Member has been unable to attend themselves. In this instance given the short notice of the meeting Ms Harper has a full diary of constituency events that cannot be easily rearranged.
3. The criteria previously applied when determining such applications included where the reason for the journey was:
 - a. Directly related to a specific constituency matter, where the visit is necessary in order to address the issue;
 - b. Directly related to Parliamentary business;
 - c. Something the SPCB considers the Parliament should be paying for;
 - d. Provides value for money.
4. In this case Ms Harper is applying to the SPCB for the costs of her member of staff to travel to Boston, USA on her behalf on 16th August and return on 18th August 2022. The visit relates to work the Member and her office have undertaken in relation to supporting an application from a constituent whose family member is currently incarcerated in Boston following conviction by a

US court. At the time of their incarceration, they were in the United States staying with a family member and studying, but they are a British citizen. The application is a request to have the constituent's family member transferred to the UK to serve the remainder of their prison sentence in a UK prison. The member of staff who is looking to travel has been the person most involved with the case.

5. The proposed visit would entail them meeting with the Vice-Consul at the British Consulate in Boston and attending a hearing with the Department of Corrections to read out a supporting statement from Ms Harper and discuss the Members' involvement with the individual and their family and discuss why they think the transfer would be in the best interests of the individual. We understand that any supporting statements will also address the interests of the US Department of Corrections and how they would be affected by a transfer.
6. The Member has advised that the Department of Corrections will not agree to them partaking virtually and have insisted that any representations are made in person. The Member believes that if travel costs are not approved and such representations cannot be made in person this might negatively impact the outcome of the transfer application.
7. The SPCB will wish to consider whether such circumstances are covered by the criteria set out within the Scheme as being part of a Member of the Scottish Parliament's parliamentary duties and as per the criteria detailed in paragraph 3 of this paper or whether such action is too far removed from normal constituency business to be considered eligible for support under the Scheme.
8. The SPCB will wish to note that by approving such travel it could be seen to create a connection to the Scottish Parliament on the matter.
9. The estimated cost of return flights to Boston is approx. £800.
10. Overnight accommodation would not be required as, if the travel is approved, the staff member will stay in the constituents' house in Boston.

Governance

11. There are no governance issues in terms of the Scheme as it provides for Members to apply to the SPCB for the costs of travel abroad to be met from the Scheme prior to travelling.

Resource implications

12. Should the SPCB determine that the costs should be met it is confirmed that there are sufficient funds available within the overall Members budget for 2022-23.

Publication Scheme

13. This paper can be published in accordance with the SPCB's publication scheme.

Next steps

14. Advise the Member of the SPCB's decision and if the SPCB agree the travel costs can be met from the Scheme then the Member and their staff will be advised to move forward with the proposed visit.

Decision

15. The SPCB is invited to consider an application from Ms Harper for the cost of staff travel to be met from the Members' Expenses Scheme for a proposed visit to Boston, USA as detailed above.

Allowances Office

10 August 2022