



Report of the 51st British Islands and Mediterranean Region Conference

**23-25 March 2022
Isle of Man**



Introduction

1. The annual conference of the British Islands and Mediterranean Region (BIMR) of the Commonwealth Parliamentary Association (CPA) took place in the Isle of Man (IOM) from 23-26 May 2022. The theme of the Conference was “Parliamentary Scrutiny” and provided an opportunity for parliamentarians from 11 of the 13 branches of the CPA BIMR to share ideas and exchange good practice.
2. As members of the Scotland Branch Executive Committee Jeremy Balfour MSP, Sarah Boyack MSP and Stuart McMillan MSP attended the conference in person 23- 25 March 2022. Elena Whitman MSP also joined the CPA Commonwealth Women Parliamentarians (CWP) meeting remotely.
3. A copy of the programme is attached at annex A.

Overview of the Strengths, Weaknesses, Opportunities and Threats to our Scrutiny system

4. The plenary included an opening presentation on the Isle of Man scrutiny system including a high-level strengths, weaknesses, opportunities and threats (SWOT) analysis. This was followed by a five-minute overview of the strengths, weaknesses, opportunities and threats to each Branch's scrutiny system.
5. Stuart McMillan MSP gave a short presentation about the overall status of scrutiny in the Scottish Parliament. This included providing an update on the male/female split and ethnic diversity. In addition, he highlighted the level of engagement from all opposition parties; the difference in approach between a minority Government in comparison to a coalition or co-operation agreement; the lack of post legislative scrutiny, which has been raised for the majority of his time in parliament; caring responsibilities and how the parliament is attempting to be more representative of the whole population; the Committee Engagement Unit; impact of Brexit on legislation; and the work of cross party groups and how they help shape debate.



Round table discussions

6. A series of round table discussions were held on day one of the conference. All groups discussed the following topics:
 - Effective preparation for new scrutiny members;
 - Preparing for inquiries and evidence sessions;
 - Effective media engagement;
 - How to turn recommendations into results.

7. Below is a summary of the discussions provided by the Isle of Man Secretariat.

Theme One: Effective preparation for new scrutiny members:

- Harness the existing experience of current Members and officers, through regular updates and knowledge sharing.
- The success of any mentoring requires both willingness and openness.
- Challenge convention, question why “it has always been done this way”.
- Collaborate to ensure better outcomes.
- Constituency work can generate lines of inquiry for scrutiny.
- ‘Learning by doing’ remains common on-the-job.
- Information overload, in the first few weeks, was not constructive, paced learning is preferred.
- Defer induction programmes, until at least two weeks after new Members start in-post.
- Mock practice sessions in parliamentary chambers were suggested as particularly helpful.
- Inexperienced new Members valued knowledge, to grow into their roles with confidence.
- Scrutiny training could be offered to both Committee Members, and backbenchers in-turn.
- Retain a “big picture” perspective, as opposed to routine low level questioning.
- Training for specialist financial scrutiny matters was valuable, as this area was complex.
- The function of scrutiny is not always clear to new Members, but is a vital part of the democratic process.
- Approach independent and reputable experts on different topics, for variety and perspective.
- *‘Shadowing’ (where senior parliamentarians are paired with new Members) is effective but requires both patience and goodwill.*
- *The CPA Parliamentary Academy – and its virtual courses – were especially welcomed.*
- The role of political parties (where they exist) in training political candidates was noted.
- Advanced notice of forthcoming parliamentary business aided timely scrutiny.
- Effective Committee Clerks and Parliamentary Researchers were considered valuable.
- Tips on navigating substantive documents, and lengthy reading materials – were helpful.
- Mock oral evidence sessions develop new Member confidence, and encourage speaking-up.
- Training materials are useful for reference, but “hands-on” practical sessions were optimal.
- Consider coaching on how to effectively question witnesses – with a balance between robust challenge, and parliamentary etiquette.

Theme Two: Preparing for inquiries and evidence sessions

- Use civil servants effectively, consider one lead officer to better co-ordinate.
- Consider views of the third sector, charities, and community stakeholders.
- Build-in time to review and reflect on preparatory work, briefings etc.
- Chairs shape their Committees. Aim for the right people in the right place.
- Holding “pre-meet” sessions – ahead of oral evidence – affords time to prepare, and sequence pertinent questioning.
- Observe body language, tone, and any hesitation in answers from witnesses.
- Online calls for evidence, and e-submissions, increase participation and engagement.
- Members noted value in their own independent research, and topic familiarisation.
- Officer briefings ought to be authoritative yet concise, given Members’ time pressures.
- On-site visits and hearings held outside of Parliament, offered variety and profile.
- Raise issues that might otherwise go unchallenged.
- The benefit of a clearly defined mandate – for any Committee – was recognised, with little value added by over broad remits.
- It could be helpful for Members to know what other Committees were looking at – consider publishing minutes, or perhaps extracts, if permissible.
- Committees embody teamwork – working as one, for a shared outcome.
- Statutory consultation periods, provide an opportunity for Committees’ to collectively comment on items.
- Individuals may not wish to have their evidence personally attributed – with individual circumstances in each case – seek procedural advice where unclear.
- Issue-specific pressure and lobby groups may increase the public profile of a committee’s interest area.
- The public availability of proceedings – e.g. listen/watch again functions, supports public engagement and awareness of Committee work.

Theme Three: Effective Media Engagement

- Consider a media plan – harness social media for official announcements, and wider public engagement, e.g. press releases.
- Recognise it is not possible to respond to every update – particularly with live issues.
- Build on experiences learnt during the pandemic – where live streamed briefings were common, and online audiences grew for Parliamentary/Government content.
- Consider ‘question and answer’ type content that invites discourse and contribution.
- Consider the demographics of your audience – and the platform that best suits. E.g. LinkedIn for professionals, and TikTok for youth engagement.
- Aside from Committee work – Members’ own use of social media varies – being a personal choice – with mixed feedback on the benefits (e.g. democratic engagement) and challenges (e.g. malicious content) of online presence.

- It was observed that online negativity was largely not replicated in-person.
- The relationship between politicians and the media varied; with misreporting, or factual errors, requiring rectification for accuracy.
- Increased virtual accessibility of sittings – via film or audio – contributes to political awareness.
- Committees often attract attention only at the end – after reports are published.
- Communications can be impartial, however, political aspects are often what makes a story interesting to media outlets.
- Consider choice of language, tone and clarity of messaging.
- TV and radio were regarded as traditional, and interview-based, whereas online media sought ‘clickbait’ to drive traffic to content.
- The economic pressure on local print media suggests headlines are becoming the focus.
- Media’s use of Freedom of Information requests, as a source, can lead to scrutiny topics.
- Inviting high profile – but relevant – witnesses, frequently attracts media interest.
- The livestreaming of evidence sessions shares the work of a committee directly (subject to consent, and data protection considerations).

Theme Four: How to turn recommendations into results

- Clear, actionable recommendations are more likely to gain traction.
- Sound evidence and source material greatly strengthen recommendations.
- Committees draw attention to a particular area, and strong recommendations can effect lasting change.
- The Isle of Man’s Tynwald Policy Decisions Report¹ keeps track of recommendations, and Government’s progress on delivery.
- *If not ‘followed up’ in some way, recommendations run the risk of going nowhere.*
- *Governments have their own priorities, and day-to-day challenges can result in recommendations being seen as unimportant.*
- *Building relationships and dialogue, with both other Members, and Government, can be useful.*
- *Some recommendations are time-sensitive, and less relevant, if not actioned in good time.*
- In most systems, Government is obliged to formally respond to committee reports.
- Producing a unanimous report is helpful for presenting a unified position – and achieving results, particularly in party systems.
- Public pressure can help, e.g. recommendations may evolve into a public petition for action, widely shared and signed.
- Recommendations can be amended out of recognition by a majority – hence all amendments warrant careful consideration.
- Lack of delivery on recommendations can contribute to public apathy.

¹ <https://www.tynwald.org.im/business/tyndec/Pages/decisions.aspx>

- Members dedicate time and effort into reaching recommendations, so are naturally invested in seeing work through to completion.
- Elements such as the media, backbencher support, and campaigns, can raise the profile of recommendations, further driving them up any political agenda.
- Putting recommendations into Written or Oral Questions, or as Parliamentary Motions, can be an effective tool for holding Ministers to account.
- A lack of policy officers to put recommendations into practice slows down progress.
- Recommendations should be Specific, Measurable, Assignable, Realistic, and Time-related (“SMART”).
- Ultimately, the democratic process is the beneficiary of good scrutiny, and constructive recommendations further build public trust and engagement.

BIMR Annual General meeting

1. Later during day one, the Annual General meeting (AGM) took place. At the meeting Rt Hon. Maria Miller MP, CPA UK Branch was elected as the new BIMR CWP Representative/Steering Committee Chair.
2. In addition, Stuart McMillan MSP provided delegates with an update on the work of the CPA Executive Committee (CPA ExCo) and Jeremy Balfour MSP provided delegates with an update on the work of the Commonwealth Parliamentarians with Disabilities (CPwD) working group.



Commonwealth Women Parliamentarians Steering Committee Breakfast Meeting

3. On day two of the conference, the BIMR CWP Steering Committee met and discussed how lessons could be learnt from the experience of the pandemic.
4. Rt Hon. Maria Miller MP chaired the meeting and members elected Rhian Passmore MS as Vice Chair of the BIMR CWP.

5. Sarah Boyack MSP provided Members with an update on the Scottish Parliament Gender Audit, which was seen as an opportunity for other legislatures to learn from its recommendations.
6. The Committee also discussed the issue of lack of diversity among CPA event participants. It was suggested that going forward Branch Members need to think about the issue of diversity in their selection of participants to CPA events.



What Work has the Highest Impact and Why?

7. In the morning of day two of the conference Stuart McMillan MSP provided members with a case study of the work of the Delegated Powers and Law Reform Committee (DPLRC) in particular through the Brexit process and during the Covid-19 pandemic.
8. During Brexit, protocols were devised to help deal with effective scrutiny of Scottish Statutory Instruments (SSIs) and Statutory Instruments (SIs). These protocols helped at the peak of increased legislation but they will now be withdrawn. He stressed the importance of the DPLRC and how more Parliamentarians became aware of the work of the Committee.

Breakout sessions

9. Day two of the conference continued with various breakout sessions. Stuart McMillan MSP attended the breakout sessions *Effective Scrutiny of finance matters* and *Effective Scrutiny of legislation*. Sarah Boyack MSP attended the breakout sessions

Effective Scrutiny of climate change actions and Effective Scrutiny of engagement and outreach. Jeremy Balfour MSP attended the breakout sessions *Effective Scrutiny of diversity in legislatures* and *Effective Scrutiny of population and demographics*.

Effective Scrutiny of diversity in legislatures (Jeremy Balfour MSP)

10. The breakout session mainly covered gender and disability issues and where different jurisdictions are at present.
11. One of the main issues raised is getting women and disabled individuals to stand and be elected. It was highlighted that issues such as how a parliament works, and accessibility of buildings are often overlooked until an issue emerges. For example, in one Branch a person using a wheelchair was elected and then it was realised there was no access into the building for them.
12. The group also looked at technology and how it is used on a daily basis. Most parliaments had embraced some form hybrid sittings. However, it was noted that technological advances can also exclude certain groups of people and this needs to be taken into account going forward.

Effective Scrutiny of population and demographics (Jeremy Balfour MSP)

13. The group highlighted the importance of engaging with real people and not just lobbyists or policy officers. They discussed how to reach out to wider society and those with lived experience. Jeremy Balfour MSP provided an overview of the Scottish Parliament's school visits programme, which was seen as very positive.
14. Another aspect raised was the use of websites and social media. Members provided both positives and negative examples of their use and they spoke about the role of the media and different experiences of using the media during lockdown.
15. Jeremy Balfour MSP also provided an overview of the Access to Elected Office Fund Scotland, which again was seen as very positive.

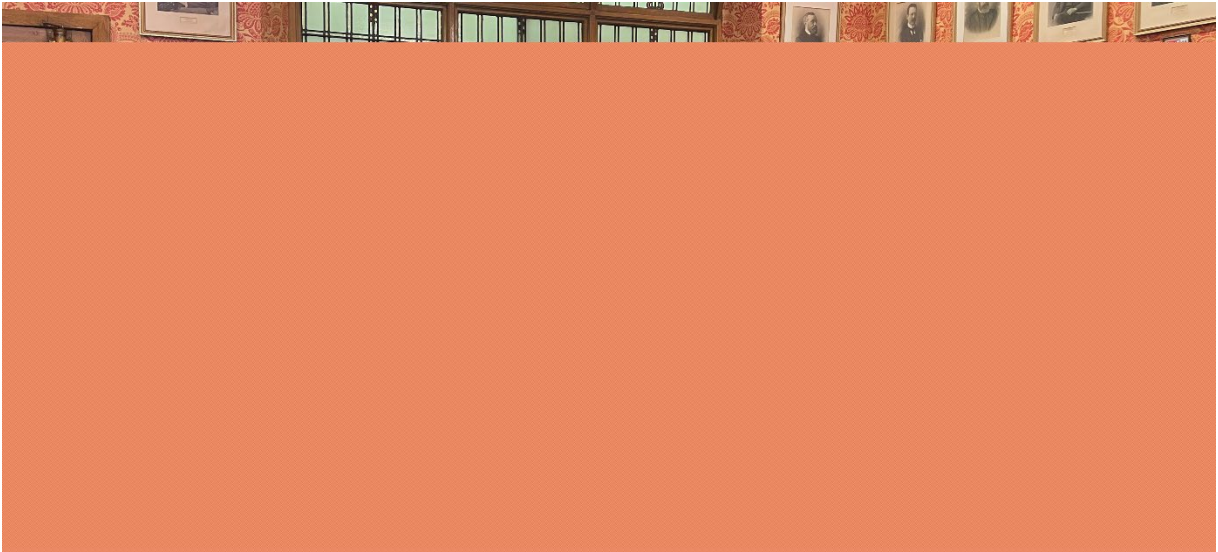


Effective Scrutiny of climate change actions (Sarah Boyack MSP)

16. Sarah Boyack MSP set out the two Scottish Climate Change Acts passed in 2009 and 2019, their targets and the work of committees in the Scottish Parliament to scrutinise progress on Ambitions, Challenges and Solutions being developed.
17. The group discussed the role of the UK Climate Change Committee in providing research and analysis of areas where more action is needed.
18. Sarah Boyack MSP also highlighted the cross-committee debate on climate change in 2021, which saw different committees highlighting action needed on climate change. The group focused on discussing climate actions in communities and investment in low carbon heat and power for housing and buildings and transitioning to low carbon transport.
19. In addition, the group had a lengthy discussion on opportunities to develop renewables on and off shore, the need to develop grid connectivity and access to battery technologies.
20. Furthermore, they discussed how to share best practice and knowledge across CPA members, given the range of capacity in jurisdictions, both in terms of reducing carbon emissions, and in working to adapt to the impact on climate change, especially for island and coastal communities.

Effective Scrutiny of engagement and outreach (Sarah Boyack MSP)

21. The group discussed using digital technology to keep connectivity with members of the public and make the work of committees, cross party groups and Members accessible. For example, through hybrid or online meetings being made available through websites and social media.
22. In addition, the group discussed opportunities post pandemic to maintain digital connectivity and how committees can engage with communities in new ways going forward.



Effective Scrutiny of finance matters (Stuart McMillan MSP)

23. The group discussed how, as regional members come from both party and non-party systems, the matter of scrutiny clearly differs in every legislature.
24. Stuart McMillan MSP highlighted the Scottish Parliament scrutiny process and how it can be affected by the Westminster budget process, such as late announcements in the House of Commons. In addition, he indicated how the Scottish Parliament budget process has altered in recent years with a longer pre-budget scrutiny process now taking place.
25. One area of consensus was the matter of longer-term financial settlements. It was considered that this could provide greater assurances and longer-term planning for public and third sector bodies.

Effective Scrutiny of legislation (Stuart McMillan MSP)

26. A wide and varied discussion took place with a particular focus on the effective scrutiny of legislation and how all legislatures attempted to deal with Covid over the last two years.
27. Stuart McMillan MSP also raised the issue of EU exit and how this was dealt with. He highlighted how the Scottish Parliament attempted to deal with both Primary and Secondary legislation over the last two years in addition to the constantly changing situation that Covid-19 was presenting.
28. It was clear that every legislature had their own challenges to address, particularly those that are smaller and have greater numbers of non-party aligned representatives. The lack of opposition representatives in some locations effectively meant that those in Government either had a free reign or also acted as if they were in opposition. The one constant theme was the continual challenge that Covid-19 presented.
29. Some non Covid-19 examples were presented with one delegate highlighting the challenge that independent representatives in smaller jurisdictions face when confronted with local issues that become particularly vexed. Local lobbying can quickly alter minds and political positions.
30. It was agreed however that CPA HQ have a part to play in helping members, particularly newer members with scrutiny of legislation.

Costs

31. The cost of the outward visit totalled £1487.34. This covered travel for three Members and the Branch Secretary.

Secretariat for CPA Scotland Branch



51st British Islands and Mediterranean Region (BIMR) Conference Programme

Conference Day One- Thursday 24th March 2022

09:00 Official Opening

Welcome address by The Hon Juan Watterson SHK

09:30-11:00 **Plenary - Scrutiny Systems SWOT**

Chair and opening presentation on IOM Scrutiny System including high-level SWOT analysis (20 min): *The Hon Juan Watterson, Speaker of the House of Keys and Chair of the Tynwald Public Accounts Committee*

Each jurisdiction will be invited to give a five-minute overview of the strengths, weaknesses, opportunities and threats to their scrutiny system

11:30-12:45 **Roundtable discussions**

Chair: *The Hon Juan Watterson SHK*

15-20 mins on each discussion topic:

- effective preparation for new scrutiny members;
- preparing for inquiries and evidence sessions;
- effective media engagement;
- how to turn recommendations into results.

Note takers will be available and a summary of discussion points will be circulated following the conference.

14:15-16:15 **BIMR Annual General Meeting**

Conference Day Two- Friday 25th March 2022

08:00-09:00 **Commonwealth Women Parliamentarians Steering Committee Breakfast Meeting**

09:30-10:30 **What work has the highest impact and why?**

Chair: *TBC*

The following case studies, followed by time for whole group discussion:

CASE Study Committee Effectiveness

Presenter: Ms Julie Elliott MP

CASE Study (Delegated Powers During Covid)

Presenter: Stuart McMillan MSP

CASE Study

Presenter: TBC

11:00-12:00 Breakout Sessions

Effective Scrutiny of:

1. Finance matters (Members' Room)
Chair: *Deputy Heidi Soulsby MBE (Guernsey)*
2. Climate Change actions (Barrool Suite)
Chair: *Sarah Boyack MSP (Scotland)*
3. Diversity in legislatures (Committee Rooms)
Chair: *Jeremy Balfour MSP (Scotland)*

13:30-14:30 Breakout Sessions

Effective Scrutiny of:

1. Population and Demographics (Members' Room)
Chair: *The Hon Edwin Reyes MP (Gibraltar)*
2. Legislation (Committee Rooms)
Chair: *Peter Greenhill MLC (Isle of Man)*
3. Engagement and Outreach (Barrool Suite)
Chair: *Hon Leona Roberts MLA*

14:45-16:00 Report back

Share lessons to take home, or personal development activities as a result of conference

16:00-16:15 Conference Closing Remarks

Chaired by *The Hon Juan Watterson SHK, Chair of the CPA IOM Branch Executive Committee*

Closing remarks by The Hon Laurence Skelly MLC, President of Tynwald