



The Scottish
Parliament

How to submit a public petition

• How do I submit a public petition?



This publication describes how to petition the Scottish Parliament and how the Parliament's Public Petitions Committee works.

Introduction

Petitioning the Scottish Parliament is one of the principal means through which members of the public can have a direct influence and role within the political process by raising issues of national concern directly with elected Members. Members of the Scottish Parliament (MSPs) may not themselves submit petitions but otherwise there are no restrictions on who can submit a petition and there is no requirement to collect numerous signatures in support of a petition. Petitions can also be lodged in any language. The petitions system is, therefore, key to meeting the Parliament's key objectives of:

- power sharing
- accountability
- accessibility
- equal opportunities.

The Public Petitions Committee (PPC)

The PPC is a parliamentary committee dedicated to considering petitions. Petitions are considered individually at a meeting of the PPC. The Committee generally meets fortnightly when the Parliament is sitting. All meetings of the Committee are held in public.

The membership of the Committee broadly reflects the balance of the various political groupings in the Parliament. Six new petitions are normally considered at each meeting and some petitioners will be given the opportunity to speak to the Committee in support of their petition. Generally this will be where a petition raises a new issue for the Committee. Petitioners may also provide written evidence in support of their petition.

The Committee's role is to ensure that appropriate action is taken in respect of each admissible petition. In fulfilling this function the Committee takes responsibility for the initial consideration of the issues raised.



This can involve hearing evidence from petitioners, and seeking written evidence from organisations with an interest in the issues raised by a petition. The Committee may consult with the Scottish Executive or other bodies if appropriate and also invite relevant Scottish Executive Ministers to appear before it. It should also be noted, however, that the Committee is not bound to undertake any particular action and may close a petition without further consideration. In such cases however, the petitioner will be advised that the petition is closed and the reason for closing it.

Following consideration of the written and oral evidence gathered by the Committee, a decision will be taken as to whether the issues raised by a petition merit further consideration. Should the Committee agree that a more detailed investigation is required it will usually refer the petition to the relevant subject committee of the Scottish Parliament. The Committee can also bid for parliamentary time for a petition to be debated by the whole Parliament. Once again, having considered a petition the Committee or the relevant subject Committee may agree that no further action is required by the Parliament and close the petition. The Committee in all cases will notify the petitioner of any action.

Admissibility of Petitions

Petitions should raise issues in relation to matters which fall within the competence of the Scottish Parliament. This includes issues such as health, education and the environment. A full list of issues which are devolved to the Scottish Parliament and those reserved to Westminster are set out below.

The primary role of the Committee is to hold the Scottish Executive to account. The Committee has no remit to intervene in the operational decisions or actions of other public bodies in Scotland including health boards and local authorities. A petition which requests the Parliament to do anything which it has no power to do is inadmissible.

However, many petitions are driven by the experience of petitioners at a local level, for example, through a campaign to stop a local school closure or to prevent development on a local playing field. While the Committee cannot become directly involved in such matters it can ask the Scottish Executive to review its policies and/or guidance which governs the actions of local authorities and other public bodies.



Key devolved matters include:	Key reserved matters include:
health	the Constitution
education	foreign policy
culture and the arts	immigration and nationality
local government	social security
housing	defence and national security
social work	fiscal and economic affairs
police and fire services	trade and industry
agriculture	nuclear energy, oil, coal, gas and electricity
environment	employment
Some aspects of transport, including roads and buses	Some aspects of transport, including national road and rail safety
tourism	

Petitions may not ask the Committee to adjudicate on personal or commercial interests which should be determined by a court or other tribunal. Additionally, where the petitioner has or could have an admissible objection in relation to a Private Bill the petitioner would be expected to proceed under that procedure. Petitioners must also be able to demonstrate that there is a public interest in what they are calling for.

The Committee is also unable to consider petitions that bear on other matters currently being determined by the courts (sub-judice) or which are potentially defamatory or otherwise contain offensive language. Petitions should therefore generally avoid naming individuals.

Petitioners are also required to demonstrate that they have taken previous steps to resolve the issues raised by their petition, for example, through raising it with their MSP or local councillor or directly with the Scottish Executive.

Petitions which are the same or substantially similar and which are lodged by or on behalf of the same person or organisation during the same Parliamentary session shall be considered inadmissible unless more than a year has passed since the original petition was considered by the Committee.

Advice on admissibility can be obtained from the Committee Clerk whose contact details are provided below. In cases of dispute, the Public Petitions Committee shall decide whether a public petition is admissible.



Outcomes

The petitions process allows ordinary members of the public to have direct influence in the political process through the Public Petitions Committee. Petitioning provides direct access to elected Members and other key policy makers. Petitioning can raise the awareness of a particular campaign and put issues on the agenda which might not otherwise be considered by the Parliament or Executive.

Petitions can inform the scrutiny of legislation and lead to changes in the law. They may be considered as part of a wider parliamentary or governmental review of policy. They can stimulate parliamentary debate and discussion and can result in policy changes by the government and/or other public bodies.

How do I submit a petition?

Petitions should be submitted using the template for public petitions. The template can be obtained from the Parliament's website or by contacting the Clerk to the Committee.

Petitions should include the following information:

- Details of the principal petitioner: include your name, a contact address where all correspondence will be sent to, an email address and a phone number.
- Text of petition: state clearly and concisely what action you want the Scottish Parliament to take.
- Additional information: provide any additional information relevant to your petition and set out the reasons why you consider the action requested to be necessary. This information will be made available to Members of the Committee prior to its consideration of your petition and should be limited to no more than 4 sides of A4.
- Action taken before submitting the petition: provide a summary of the action you have taken to resolve your issue of concern including details of elected representatives you have approached.
- Petitioners appearing before the PPC: the Convener may invite you to appear before the Committee to speak in support of your petition. You should indicate whether you are willing to make a brief statement to the Committee and answer questions that Members may have if invited to do so by the Convener.

¹ If you do not wish your contact details to be made available publicly, for personal or other reasons, you can request that these be withheld. It should be noted, however, that such requests will normally only be granted in particularly sensitive or exceptional circumstances.

Completed petitions should be sent to the Clerk to the Committee. Section 100 of the Postal Service Act 2000 provides that petitions can be posted to the Parliament free of charge if handed in at a post office. To make use of this service, petitions should be clearly marked "Petition to the Scottish Parliament" and should use the postal address provided below. Where possible petitions should also be submitted in electronic format.

Petitions should not include:

- Offensive, intemperate, inflammatory, sarcastic or provocative language or language to which those reading could reasonably take offence.
- false or defamatory statements;
- information which is protected by an interdict or court order
- commercially sensitive or confidential material;
- the names of individuals, or information whereby they may be easily identified, in relation to criminal accusations.

Petitions which do not follow these guidelines will be considered inadmissible. In such cases, you will be informed in writing of the reasons why your petition is considered inadmissible.

What if I want to use the e-petition system?

The e-petition system enables you to promote your petition on the internet from where you can attract a wider audience and gather more names in support of your petition before formally submitting your petition to the Public Petitions Committee.

E-petitions are hosted on the Parliament's website for an agreed period, usually between four and six weeks.

<http://epetitions.scottish.parliament.uk/>

Each e-petition has its own discussion forum, where visitors and supporters can discuss and debate the petition and related issues. Petitioners are asked to provide some initial comments to stimulate online discussion.

When the agreed period for hosting an e-petition is over, the petition is formally submitted to the Committee for consideration in the normal way.

What happens next?

You will be sent a written acknowledgement once your petition has been formally lodged and will be advised in writing when your petition is to be considered by the Committee. You will also be given a petition reference number, for example PE999.

All petitions are considered in public by the Public Petitions Committee. Petitioners are welcome to observe proceedings from the public gallery and may also be invited to speak in support of their petition at such a meeting.

Full details of the progress of your petition can be found on the Scottish Parliament Website at:

www.scottish.parliament.uk/petitions.

A written record of everything that is said during the Committee meeting will be published (the Official Report) and this is also available on the internet. In addition, all meetings of the Committee are webcast.

Petitioners are informed of any decision taken by the Committee and the reasons for that decision.

Who should I contact if I need assistance or have any queries?

This guidance note is also available in a range of different languages. Petitions can also be submitted in Braille and, where appropriate, in other formats by those with special needs. You should discuss any such requirements with the Clerk to the Committee before you submit your petition.

Further information and advice on the submission of petitions to the Scottish Parliament can be obtained from:

Clerk to the Public Petitions Committee
The Scottish Parliament
EDINBURGH
EH99 1SP
Telephone: 0131 348 5186
e-mail: petitions@scottish.parliament.uk

The Scottish Parliament Public Information Service provides information about the Scottish Parliament, its membership, business and procedures. Contact details are given below:

	Address	Public Information Service The Scottish Parliament Edinburgh EH99 1SP
	Telephone	0131 348 5000 0845 278 1999 (local rate)
		Textphone users can contact us on 0845 270 0152 . We also welcome calls using the RNID Typetalk service.
	Fax	0131 348 5601
	Email	sp.info@scottish.parliament.uk
	Website	www.scottish.parliament.uk

The Scottish Parliament Public Information Service

This leaflet is part of the series *How the Scottish Parliament Works*. Please contact the Public Information Service if you would like this leaflet in another format or language.