Bruce Crawford MSP  
Convener  
Finance and Constitution Committee  

By email  

9 March 2021  

Dear Bruce  

Thank you for your letter of 23 February.  

Firstly, on budgetary issues, I note your comments on the budget for this year and welcome how you have set out the economic and fiscal challenges arising from the pandemic.  

The legacy paper from your expert panel is very useful indeed in highlighting a number of key scrutiny challenges both on the budget process and in terms of fiscal policy, in particular highlighting the uncertainty for financial scrutiny as a result of the impact of the pandemic.  

The overview of post-Brexit devolution challenges will be a new feature of committee work and, indeed, a significant matter for the whole Parliament. It will be particularly important for the Parliament, and its committees, to establish appropriate and proportionate levels of scrutiny of the operation of the new features of the post-Brexit policy landscape, including the keeping pace power, common frameworks and market principles. I was also particularly pleased to see the reference in the legacy paper to meaningful inter-governmental working.  

What struck me was the scale and range of the issues raised in the legacy paper across both the Finance and Constitution arms of your committee’s remit. It does suggest that a fresh approach would be helpful in considering the committee structure best suited to deliver effective parliamentary scrutiny, taking into account issues of policy cohesion and capacity.  

You have rightly focused on issues of financial and constitutional scrutiny but you will be aware that there are other areas where the Parliament should be expected to lead, as part of a renewal agenda. Members will have their own views on priority areas, but
these might include innovation in participative engagement; going further in our post-
legislative scrutiny and placing greater focus on policy implementation and public
administration.

As a former Minister for Parliamentary Business, you know that decisions on
committee structures and remits are taken in the weeks immediately after the start of
the new Session. These are, of course, ultimately political decisions, with Business
Managers having to balance a number of competing considerations. That said, there
is undoubtedly work that could be done before final decisions are made at the political
level.

My own view is that it would be helpful if officials were to set out some options for how
the Parliament can best take forward a renewed approach to scrutiny, informed by
your committee’s and other legacy reports, reflecting a need for accountability to the
public through the Parliament. Work is already underway in this regard. While I do not
share the view that there is a need for the type of review your legacy paper sets outs
(particularly given the useful work your committee has already undertaken), I do think
that it would be helpful for officials to have further conversations with bodies or
individual who share the same core values as us.

Finally, I note the comments around committee resourcing. As part of our own legacy
work, the SPCB will be highlighting the commitments that were made to your
committee. I am sure that this issue will be a priority issue for the incoming SPCB in
the context of setting a budget for 2022/23 once a new committee structure has been
agreed.

Yours sincerely

Rt Hon Ken Macintosh MSP
Presiding Officer