

***MEMO+ is an occasional series of briefing papers on topics of interest to minority ethnic communities in Scotland. MEMO+ is produced by the [Scottish Council of Jewish Communities](#) in partnership with [BEMIS](#) and is supported by the Scottish Executive.***

## Briefing: Public Petitions in the Scottish Parliament

### The Scottish Parliament

Since its first days in 1999, the [Scottish Parliament](#) has followed four key principles of power-sharing, accountability, accessibility, and equal opportunities, and has encouraged everyone in Scotland to get involved with the political process. One way in which it achieves these objectives is by means of the Public Petitions procedure.

### Who can submit a petition?

Anyone can petition the Scottish Parliament as an individual, or as part of a group. It is not necessary to collect a list of signatures of other people supporting the petition – it is enough for one person to be concerned about a subject. However, the petitioner should be able to demonstrate that he or she has tried to resolve the issue by other means first, for example, by raising it with his or her local Council or MSP.

### What can a petition be about?

A petition can be on any subject that you are concerned about, but it cannot ask the Scottish Parliament to do anything that it does not have the legal power to do. Devolved issues, ie, issues that are in the control of the Scottish Parliament, include health, education, culture, local government, housing, social work, the police, agriculture, and the environment. The Scottish Parliament does not have control of Reserved issues such as foreign policy, immigration, and defence, but can discuss them, and can call on the Westminster Parliament to take action.

Subjects of recent petitions include banning the sale of airguns; the environmental effect of 24-hour supermarkets; solicitors' contingency fees; funding for village halls, specialist teachers for remote schools; reopening suburban railways; encouraging local museums; hospital parking charges; domestic violence; and various local planning matters.

## **What can't a petition be about?**

A petition cannot

- ask the Scottish Parliament to make judgements about personal or commercial interests that should be decided by a court,
- ask the Scottish Parliament to resolve an issue that is the responsibility of a Local Council,
- ask the Scottish Parliament to resolve a reserved matter (though it can ask it to “take a view” and convey that view to UK Ministers),
- be about subjects about which a court case is currently taking place,
- raise an objection about a Private Bill currently being considered by the Scottish Parliament,
- be the same (or nearly the same) as a petition submitted by the same person;

Petitions will not be accepted if they include:

- offensive, intemperate, inflammatory, sarcastic or provocative language,
- false or defamatory statements,
- information prohibited by an interdict or court order,
- commercially sensitive or confidential information,
- names of individual people, or information that could permit individual people to be easily identified.

## **How to submit a petition**

Petitions, can be submitted in any language, but must be written on a special form, or [template](#), and must include the following information:

- name, address, e-mail address and phone number of the main petitioner,
- the text of the petition,
- background information to the petition, and why you think the Scottish Parliament should take action (max 4 sides A4),
- whether you have done anything else about the issue, and if so, what,
- whether you are willing to speak about your petition and answer questions from MSPs at a Committee meeting.

Petitions should be marked:      Petition to the Scottish Parliament  
And addressed to the:            Clerk to the Public Petitions Committee  
  The Scottish Parliament  
  Edinburgh  
  EH99 1SP

***Postage is free if the envelope is handed in at a post office.***

If possible petitions should also be sent by e-mail to: [petitions@scottish.parliament.uk](mailto:petitions@scottish.parliament.uk)

## **e-petitions**

The template for submitting a petition gives the option of posting petition–on the [e-petitions website](#) before being formally submitted to the Scottish Parliament. This publicises the issue more widely, and allows other people to take part in online discussions about the subject of the petition, and to sign to indicate support.

## **Who will help?**

The Clerk to the Public Petitions Committee will answer questions and give advice about submitting petitions (see above for postal and e-mail addresses or telephone 0131 348 5186).

## **What happens then?**

All petitions are considered by MSPs in the [Public Petitions Committee](#), which decides on the appropriate action to take. All meetings of the Committee are held in public, so anyone can attend, but it is advisable to [book in advance](#).

The Committee may decide to:

- invite the petitioner to attend the meeting to give them more information,
- write to the Scottish Government or other relevant organisations to ask for their views on the petition,
- invite Scottish Government Ministers to attend the meeting to answer questions about the subject of the petition,
- refer the petition to one of the [subject Committees](#) for more detailed consideration,
- request that time should be allocated for the petition to be debated by the whole Parliament,
- close the petition without taking any further action.

## **Do petitions achieve anything?**

**Yes!**

The subject is brought to the attention of MSPs, and their discussion is recorded in the [Official Report](#) which is available for anyone to read online. In a few cases petitions have even resulted in the Parliament passing new legislation to resolve the issue.

Examples of how the Scottish Parliament has responded to petitions:

[Petition 535](#), which asked the Scottish Parliament to investigate past institutional child abuse was debated by the whole Parliament. Before the debate the First Minister apologised on behalf of the people of Scotland that the abuse had been allowed to occur.

[Petition 881](#) (which is an “open” petition, and is, therefore, still the subject of ongoing consideration) asked the Scottish Parliament to review provision for people with profound learning disabilities. The Committee took evidence from the Scottish Executive, and from people with particular expertise on the subject, and recently asked the Scottish Government whether new funding would be available following the strategic spending review.

[Petition 862](#), which asked the Scottish Parliament to review the system for dealing with and monitoring convicted child sex offenders was referred to the Justice 2 Committee, which set up a special sub-committee to make more detailed inquiries, after which a [report and recommendations](#) were presented to the Parliament.

## Useful Links

- **The Scottish Parliament**  
<http://www.scottish.parliament.uk/home.htm>
  - **Visitor Services**  
<http://www.scottish.parliament.uk/vli/visitingHolyrood/visitorInfo.htm>
  - **Official Report**  
<http://www.scottish.parliament.uk/business/officialReports/index.htm>
- **Public Petitions Committee**  
<http://www.scottish.parliament.uk/s3/committees/petitions/index.htm>
- **Scottish Parliament guidance on submitting a petition**  
<http://www.scottish.parliament.uk/vli/publicInfo/documents/Howtosubmitapublicpetition.pdf>

The guidance is also available in:

Gàidhlig	Gaelic	العربية	Arabic	中文版本	Chinese
বাংলা	Bengali	أردو	Urdu	ਪੰਜਾਬੀ	Punjabi
Polski	Polish				
- **Scottish Parliament video about Public Petitions in the Scottish Parliament**  
[http://www.holyrood.tv/popup.asp?stream=http://vr-sp-archive.lbwa.verio.net/archive/public\\_petitions.wmv](http://www.holyrood.tv/popup.asp?stream=http://vr-sp-archive.lbwa.verio.net/archive/public_petitions.wmv)
- **Template for submitting petitions to the Scottish Parliament**  
<http://www.scottish.parliament.uk/business/petitions/guidance/petitionsTemplate.doc>
- **e-petitions**  
<http://epetitions.scottish.parliament.uk/>
- **List of open petitions**  
<http://www.scottish.parliament.uk/business/petitions/open/index.htm>
- **List of closed petitions**  
<http://www.scottish.parliament.uk/business/petitions/closed/index.htm>

**BEMIS** is the umbrella body for ethnic minority organisations in Scotland. It aims to strengthen the capacity of the ethnic minority voluntary sector; raise the profile and coordinate the voice of this sector; and take a lead on policy issues to ensure that issues of concern are raised with government and other relevant bodies.  
<http://www.bemis.org.uk/index.html>

The **Scottish Council of Jewish Communities** is the representative body of all the Jewish communities in Scotland. It advances public understanding about the Jewish religion, culture and community, and also works in partnership with other organisations to promote good relations and understanding among community groups and to promote equality. <http://www.j-scot.org.uk/>

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