



The Scottish Parliament
Pàrlamaid na h-Alba

PUBLIC PETITION NO.

PE01765

Name of petitioner

Fiona McBride

Petition title

Make those in Scottish public office accountable

Petition summary

Calling on the Scottish Parliament and the Scottish Government to ensure that effective measures are introduced, which secure accountability of all Members of the Scottish Parliament (MSPs) and Scottish Government Agencies: for misuse and abuse of both Parliamentary privilege, and conferred authority; assigned to individuals in positions of trust.

Action taken to resolve issues of concern before submitting the petition

I contacted MSPs Des McNulty, and Ken Macintosh.

Petition background information

I believe that existing evidence of failures to comply with ethical standards and statutory law exposes multiple opportunities for wilful harm: and undermines the rule of law in Scottish public life.

I believe that there is currently no mechanism to prevent or efficiently deter Politicians and other public servants from acting in a manner which:

- (i) results in harm to public services,
- (ii) undermines the human rights of individuals, and
- (iii) fails to comply with the rule of law and judgments of the Court System.

I believe that the absence of such a mechanism has resulted in a flawed status quo; despite legislation and ethical standards to which individuals with the power of privileged and public position, in Scotland, are expected to conform.

Examples of actions to be considered:

- The Lord Advocate to be removed from the position of Scottish Minister; in order to maximise the appointed individual's capacity to ensure that the Scottish Government may be held fully accountable to the Courts and that it abides by the spirit and the letter of the law.

- Creation of a compensation scheme to include a system of fines for individual decision makers. Such fines may be commensurate with the degree of harm caused by, for example, Government wrongdoing. This scheme could offer prompt reparation to victims as and when Government (and its agencies') wrongdoing has been established.
- Introduction of supranational institution oversight of the Scottish Government, for example, at a European Union and/or United Nations level.

Unique web address

<https://www.parliament.scot/GettingInvolved/Petitions/PE01765>

Related information for petition

Evidence, and additional information will be made available on request

Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

YES

How many signatures have you collected so far?

0

Closing date for collecting signatures online

27 / 11 / 2019

Comments to stimulate online discussion

- To stem abuses of power: under the suggested compensation scheme, public entities should not be permitted to refuse to settle those parts of a complaint which have been accepted by both sides. Public entities may not use the strength of the public purse to drag out litigation.
- Potential conflicts of interest of legal advisers (declared and undeclared) to be made open to public scrutiny. Failures to disclose potential conflicts of interest are investigated by an entity independent of the Scottish Government and related public agencies. Perhaps such investigation made a responsibility of an introduced supranational organisation. Results of any such investigations to be made easily accessible; in order to encourage public scrutiny.