

**PE1731/T**

Scottish Government submission of 26 February 2020

Thank you for your letter of 23 January 2020 seeking details of how the Scottish Government will support and take forward the action called for in the petition, including details of how safeguards could be included to ensure the concerns of some local authorities do not happen in practice.

I would firstly refer you to my original reply in which I addressed those concerns. The Scottish Government does not believe that there is any significant risk following experience in England and Wales. I do not believe there is any justifiable need for additional safeguards.

Although I see that some councils would prefer to provide recording themselves this petition does not call for that. This petition is simply seeking to extend the existing right of journalists to record meetings to members of the public and recognises that technology has moved forward.

I would be amenable to direct Scottish Government Officials to take this amendment forward, if so desired.

As you will be aware, Section 50A, Paragraph 6, subparagraph c of the 1973 Local Government (Scotland) Act 1973 already allows for the recording of a public council meeting by accredited representatives of newspapers and for them to be afforded “facilities for taking their report” and, unless the council is already providing recording facilities of their own, at the journalist’s own expense. This would need to be extended to provide the facility to members of the public as well as for journalists. I would envisage the facility remaining at the expense of members of the public if the facility were to so be extended.

Paragraph 7 of the Section states that “Nothing in this section shall require a local authority to permit ... the use of any means to enable persons not present to see or hear any proceedings...” It would be necessary to also amend this paragraph in addition to Paragraph 6 as it follows digital recording would result in this outcome.

How this change is managed in practical terms would be a matter for each individual local authority. As councils should already be affording suitable facilities for journalists, it is for them to decide how to extend those facilities to members of the public. We do not believe in micromanaging local authorities, especially in what would be a minor change to the law that would allow greater transparency. We would, however, be more than happy to work with COSLA to see how it could move forward in practical terms.