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**Youth Participation and the Scottish Parliament:  
Accessibility and Participation for  
Children and Young People**

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A thesis submitted in partial fulfilment of the requirements  
of the Robert Gordon University for the degree of  
Doctor of Philosophy

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Iain M. MacLeod  
Aberdeen, 2009

## **Abstract**

The Scottish Parliament which (re)convened in 1999 was designed to engender a new style of political practice. This 'new politics' was intended to address perceived failures within the 'Westminster approach' to policy-making and the 'democratic deficit' believed to have emerged during the 1980s in Scotland. Key to achieving this were four principles around which the Parliament's operations were designed: power-sharing; accountability; accessibility and participation; and equal opportunities. Citing accessibility and participation as the 'cornerstone' of their work, the Parliament's institutional architects (the Consultative Steering Group) argued that devolution should deliver a participatory democracy, with proactive efforts to be made by the Parliament to involve groups traditionally excluded from the policy process.

Due to the increasing prominence in recent years of discourse relating to young people's disillusionment with organised politics and the CSG's recommendation that every effort should be made to include them in the new Parliament's work, this research examines the degree to which greater accessibility to and participation in the Parliament's work has been delivered for children and young people during the Parliament's first two terms (1999-2007). Findings are based upon a mixed-methodological case-study approach, involving an audit of the Parliament's activity and qualitative input from MSPs, Parliament staff, representatives of youth charities / organisations / advocacy groups, and young people themselves.

The thesis argues that progress has been more pronounced in relation to accessibility than participation for younger people. The neoinstitutionalist theoretical framework suggests that insufficient rule specification in relation to the value of public participation and younger people has resulted in the emergence of hybridised logics of appropriate behaviour, particularly among parliamentarians. The result is the persistence of attitudes and practices which appear to reinforce aspects of Westminster practice and an adultist approach to young people's role in politics. Drawing upon recent developments in neoinstitutionalist theories of reliable reproduction, institutional breakdown and gradual change, the thesis examines the institutional logic behind the failure to consolidate the Parliament's founding vision.

### **Key Words**

Scottish Parliament, Devolution, Children, Young People, Accessibility, Participation, New Institutionalism

# **Table of Contents**

	<b><u>Page No.</u></b>
<b>Abstract</b>	<b>i</b>
<b>Table of Contents</b>	<b>ii</b>
<b>List of Tables, Figures and Appendices</b>	<b>viii</b>
<b>Abbreviations and Acronyms</b>	<b>x</b>
<b><u>CHAPTER ONE: INTRODUCTION</u></b>	
<b>1.1 INTRODUCTION</b>	<b>1</b>
<b>1.2 JUSTIFICATION OF THE RESEARCH</b>	<b>2</b>
<b>1.3 OVERVIEW AND ORIGINALITY OF THE RESEARCH</b>	<b>3</b>
<b>1.3.1 Overview</b>	<b>3</b>
<b>1.3.2 The Contemporary Context</b>	<b>5</b>
<b>1.3.3 The Scottish Context</b>	<b>6</b>
<b>1.3.4 Children and Young People</b>	<b>7</b>
<b>1.4 METHODOLOGY</b>	<b>9</b>
<b>1.5 KEY ASSUMPTIONS</b>	<b>10</b>
<b>1.6 OVERVIEW OF THE THESIS STRUCTURE</b>	<b>10</b>
<b>1.6.1 Overview</b>	<b>10</b>
<b>1.6.2 Establishing the Context</b>	<b>11</b>
<b>1.6.3 Theoretical and Methodological Frameworks</b>	<b>12</b>
<b>1.6.4 Findings of the Research</b>	<b>12</b>
<b>1.6.5 Conclusions</b>	<b>14</b>
<b>1.7 SUMMARY</b>	<b>14</b>
<b><u>CHAPTER TWO: SETTING THE CONTEXT</u></b>	
<b>2.1 OVERVIEW</b>	<b>16</b>
<b>2.2 BACKGROUND TO THE SCOTTISH PARLIAMENT'S DESIGN</b>	<b>17</b>
<b>2.2.1 1979 and Beyond</b>	<b>17</b>
<b>2.2.2 The Scottish Constitutional Convention</b>	<b>17</b>
<b>2.2.3 1997 – The General Election and White Paper</b>	<b>20</b>
<b>2.3 THE CONSULTATIVE STEERING GROUP AND FOUNDING PRINCIPLES</b>	<b>22</b>
<b>2.3.1 The Consultative Steering Group</b>	<b>22</b>
<b>2.3.2 The Founding Principles of the Scottish Parliament</b>	<b>23</b>
<b>2.3.2.1 Power-Sharing</b>	<b>24</b>
<b>2.3.2.2 Accountability</b>	<b>25</b>

2.3.2.3	Accessibility and Participation	26
2.3.2.4	Equal Opportunities	29
2.3.3	The Key Principles and Marginalised / Disenfranchised Groups	30
<b>2.4</b>	<b>YOUNG PEOPLE'S PARTICIPATION IN POLITICS</b>	<b>32</b>
2.4.1	Overview	32
2.4.2	Introduction	32
<b>2.5</b>	<b>WHY INVOLVE CHILDREN AND YOUNG PEOPLE?</b>	<b>34</b>
2.5.1	The Political Argument	34
2.5.1.1	Individualisation	38
2.5.1.2	Attitudes Towards Politics	38
2.5.1.3	Political Exclusion / Alienation	39
2.5.1.4	Apathy / Cynicism	41
2.5.1.5	Life-Cycle / Generational Effects	43
2.5.2	The Legal Argument	46
2.5.3	The Social Argument	51
2.5.4	Criticisms of Youth Participation	54
<b>2.6</b>	<b>HOW TO INVOLVE CHILDREN AND YOUNG PEOPLE</b>	<b>55</b>
2.6.1	Overview	55
2.6.2	Theorising Young People's Participation	56
2.6.3	Operationalising Young People's Participation	63
2.6.4	Examples of Children's Participation	66
<b>2.7</b>	<b>DELIVERING NEW POLITICS IN SCOTLAND</b>	<b>68</b>
2.7.1	Overview	68
2.7.2	The Westminster Dimension	69
2.7.3	Delivery of Accessibility, Participation and 'New Politics'	71
2.7.4	Criticisms of Accessibility, Participation and 'New Politics'	78
2.7.5	New Politics and Young People in Scotland	82
<b>2.8</b>	<b>SUMMARY</b>	<b>86</b>

## **CHAPTER THREE: THEORETICAL PERSPECTIVE**

<b>3.1</b>	<b>OVERVIEW</b>	<b>89</b>
<b>3.2</b>	<b>WHY NEW INSTITUTIONALISM?</b>	<b>90</b>
<b>3.3</b>	<b>ORIGINS: CLASSICAL INSTITUTIONALISM &amp; BEHAVIOURALISM</b>	<b>92</b>
<b>3.4</b>	<b>THE NEW INSTITUTIONALISM</b>	<b>94</b>
3.4.1	What Is an Institution?	96
3.4.1.1	What Constitutes A Rule?	98
3.4.1.2	How Do Rules Shape Political Behaviour?	100
3.4.2	Variants of New Institutionalism	101
3.4.3	Normative Institutionalism	102
<b>3.5</b>	<b>INSTITUTIONAL DESIGN AND CHANGE</b>	<b>105</b>
3.5.1	Theories of Change	106
3.5.2	Processes of Change	108
3.5.3	Results of Change	111
<b>3.6</b>	<b>RELEVANCE AND APPLICATION TO THESIS</b>	<b>114</b>

<b>3.7 SUMMARY</b>	<b>116</b>
--------------------	------------

## **CHAPTER FOUR: METHODOLOGICAL APPROACH**

<b>4.1 OVERVIEW</b>	<b>118</b>
4.1.1 Research Preparation	118
4.1.2 Research Execution	122
<b>4.2 RESEARCH PARTICIPANTS</b>	<b>128</b>
4.2.1 Children and Young People	128
4.2.2 The Scottish Parliament	130
4.2.3 Children and Young People’s Representatives	133
<b>4.3 PRIMARY DATA COLLECTION INSTRUMENTS</b>	<b>134</b>
4.3.1 Questionnaire Survey	134
4.3.1.1 Rationale	134
4.3.1.2 Methodology	135
4.3.1.3 Analysis	135
4.3.1.4 Issues to Note	136
4.3.2 Observation	136
4.3.2.1 Rationale	136
4.3.2.2 Methodology	137
4.3.2.3 Analysis	138
4.3.2.4 Issues to Note	138
4.3.3 Key Informant Interviews	139
4.3.3.1 Rationale	139
4.3.3.2 Methodology	140
4.3.3.3 Analysis	141
4.3.3.4 Issues to Note	143
4.3.4 Focus Groups	143
4.3.4.1 Rationale	143
4.3.4.2 Methodology	144
4.3.4.3 Analysis	145
4.3.4.4 Issues to Note	145
4.3.5 Overall Primary Data Collection	145
<b>4.4 ETHICAL UNDERPINNINGS OF THE RESEARCH</b>	<b>146</b>
4.4.1 General	146
4.4.2 The Legal and Ethical Context	147
4.4.3 Focus Groups	149
4.4.4 Observation Sessions	150
4.4.5 Ethics – Adults	151
<b>4.5 SUMMARY</b>	<b>152</b>

## **CHAPTER FIVE: CHILDREN AND YOUNG PEOPLE’S PARTICIPATION IN THE WORK OF THE SCOTTISH PARLIAMENT**

<b>5.1 OVERVIEW</b>	<b>154</b>
---------------------	------------

5.1.1 Theoretical Significance	155
<b>5.2 PARTICIPATION IN THE WORK OF THE PARLIAMENT: FORMAL RULES</b>	<b>157</b>
5.2.1 The Scotland Act 1998; Transitional Standing Orders; Standing Orders	157
<b>5.3 PARTICIPATION IN THE WORK OF THE PARLIAMENT: QUANTITATIVE</b>	<b>163</b>
5.3.1 Opportunities and Frequency of Involvement	163
5.3.2 Participants and Representatives	171
5.3.3 Contextual Factors	174
5.3.3.1 Opportunities	175
5.3.3.2 Participants	180
<b>5.4 PARTICIPATION IN THE WORK OF THE PARLIAMENT: QUALITATIVE</b>	<b>184</b>
5.4.1 Participation Methodology	184
5.4.1.1 Format	184
5.4.1.2 Feedback	191
5.4.1.3 Role of ICTs	195
5.4.2 Impact and Outcomes	197
5.4.2.1 Definitions of Successful Participation	197
5.4.2.2 Outcomes	199
5.4.2.2.1 Instrumental Value	199
5.4.2.2.2 Inherent Value	204
5.4.2.2.3 Developmental Value	207
<b>5.5 SUMMARY</b>	<b>208</b>

## **CHAPTER SIX: ACCESSIBILITY OF THE SCOTTISH PARLIAMENT FOR CHILDREN AND YOUNG PEOPLE**

<b>6.1 OVERVIEW</b>	<b>214</b>
6.1.1 Theoretical Significance	214
6.1.2 Overview of Types of Accessibility	215
6.1.2.1 Accessibility of Information	215
6.1.2.2 Physical Accessibility	216
<b>6.2 ACCESSIBILITY OF THE PARLIAMENT: FORMAL RULES</b>	<b>217</b>
6.2.1 The Scotland Act 1998; Transitional Standing Orders; Standing Orders; Information Strategy	217
<b>6.3 ACCESSIBILITY OF INFORMATION</b>	<b>220</b>
6.3.1 Provision of 'Educative' Information	220
6.3.1.1 Overview of Approaches: the Education Service	221
6.3.1.2 Overview of Approaches: the Outreach Service	222
6.3.1.3 Opportunities	224
6.3.1.4 Participants	227
6.3.1.5 Methods	232
6.3.1.6 Outcomes	236
6.3.1.6.1 Instrumental Value	237
6.3.1.6.2 Inherent / Developmental Value	239
6.3.2 Provision of 'Instrumental' Information	240
6.3.2.1 Overview of Approaches: Provision of Information	240



6.3.2.2	Overview of Approaches: ‘Supporting Events’	241
6.3.2.3	Opportunities	243
6.3.2.4	Methods	245
6.3.2.5	Participants	248
6.3.2.6	Outcomes	249
6.4	<b>PHYSICAL ACCESSIBILITY</b>	251
6.4.1	Physical Accessibility: Passive	252
6.4.2	Physical Accessibility: Proactive	254
6.5	<b>SUMMARY</b>	259

## **CHAPTER SEVEN: BARRIERS TO ACCESSIBILITY AND PARTICIPATION**

7.1	<b>OVERVIEW</b>	263
7.1.1	Theoretical Significance	265
7.2	<b>KEY THEMES</b>	268
7.2.1	Thematic Categories	269
7.3	<b>EXOGENOUS BARRIERS</b>	270
7.3.1	Young People’s Capacity to Access / Participate	270
7.3.1.1	Political Knowledge	270
7.3.1.2	Political Interest	273
7.3.1.3	Political Trust and Efficacy	274
7.3.2	Logistical Barriers	276
7.3.2.1	Economic Resources	277
7.3.2.2	Time Resources	279
7.3.2.3	Geography	280
7.3.2.4	Transience of Childhood	281
7.3.3	Lack of ‘Pathways to Participation’	283
7.3.3.1	Impetus	283
7.3.3.2	Facilitative Structures	286
7.4	<b>ENDOGENOUS BARRIERS</b>	289
7.4.1	Systemic Factors	289
7.4.1.1	Lack of Compulsion	290
7.4.1.2	Lack of Time	292
7.4.1.3	Lack of Expertise	294
7.4.1.4	Lack of Relevance	295
7.4.2	MSPs’ Attitudes	296
7.4.2.1	Opposition in Principle	297
7.4.2.2	Opposition in Practice	299
7.4.2.3	‘Benevolent Adulthood’	301
7.4.2.4	‘Business as Usual’	303
7.4.2.5	Frame of Reference	306
7.5	<b>SUMMARY</b>	307

## **CHAPTER EIGHT: CONCLUSIONS**

8.1	<b>OVERVIEW</b>	311
-----	-----------------	-----

8.1.1 Introduction	311
<b>8.2 THE THEORETICAL FRAMEWORK REVISITED</b>	<b>312</b>
8.2.1 Institutional Reproduction and Breakdown	312
<b>8.3 THE KEY FINDINGS REVISITED</b>	<b>314</b>
8.3.1 Participation	314
8.3.1.1 Participation: Quantity	314
8.3.1.2 Participation: Quality	315
8.3.1.3 Participation: Overall Rule Specification	316
8.3.2 Accessibility	321
8.3.2.1 Accessibility: Information	321
8.3.2.2 Accessibility: Physical	322
8.3.2.3 Accessibility: Overall Rule Specification	324
<b>8.4 KEY FINDINGS: INTERPRETING THE PAST, PREDICTING THE FUTURE</b>	<b>326</b>
8.4.1 Sources of Breakdown	326
8.4.2 Results of Breakdown	329
8.4.3 The Future of the CSG Vision	331
<b>8.5 ORIGINAL CONTRIBUTION TO KNOWLEDGE</b>	<b>332</b>
8.5.1 Substantive Knowledge Contributions	333
8.5.1.1 'New Politics'	333
8.5.1.2 Adulthood	336
8.5.2 Methodological Contributions	337
8.5.3 Research Limitations and Future Research Priorities	339

<b><u>REFERENCES</u></b>	<b>343</b>
--------------------------	------------

## **APPENDICES**

<b>APPENDIX A</b> Evolution of the Scottish Parliament's Committees	<b>373</b>
<b>APPENDIX B</b> Clearance Certificate from Disclosure Scotland	<b>374</b>
<b>APPENDIX C</b> Sample Research Participant Consent Form	<b>375</b>
<b>APPENDIX D</b> One-Off Accessibility Events for Children & Young People	<b>376</b>

## **List of Tables and Figures**

### **TABLES**

<b><u>Table</u></b>	<b><u>Title</u></b>	<b><u>Page No.</u></b>
<b>2.1</b>	Degrees of Participation and Associated Capabilities of Young People	<b>62</b>
<b>4.1</b>	Bill Types, Sessions One and Two	<b>123</b>
<b>4.2</b>	MSP Interviewee Characteristics	<b>131</b>
<b>4.3</b>	Representation of Parties in Interviews	<b>131</b>
<b>4.4</b>	Total Primary Data Collected	<b>146</b>
<b>5.1</b>	Total Committee Activity, Sessions One and Two	<b>163</b>
<b>5.2</b>	Total Public Petitions Process Activity, Sessions One and Two	<b>164</b>
<b>5.3</b>	Marginalised / Disenfranchised Bills / Inquiries	<b>164</b>
<b>5.4</b>	Marginalised / Disenfranchised Petitions	<b>165</b>
<b>5.5</b>	CYP Participants as Proportion of All Actors in Committee Work	<b>166</b>
<b>5.6</b>	Petitions from Marginalised / Disenfranchised Groups	<b>166</b>
<b>5.7</b>	Marginalised / Disenfranchised Petitioners Invited to Present Petition	<b>167</b>
<b>5.8</b>	CYP Actors as Proportion of All Actors, by Issue Relevance	<b>168</b>
<b>5.9</b>	Mode of CYP Participation, by Issue Type	<b>168</b>
<b>5.10</b>	CYP Participation Type, by Committee	<b>169</b>
<b>5.11</b>	CYP Petitioners Invited to Present Petition	<b>170</b>
<b>5.12</b>	Top 10 (Stratum) Actors, Youth Issues	<b>171</b>
<b>5.13</b>	Top 10 (Stratum) Youth Actors by Issue Relevance	<b>172</b>
<b>5.14</b>	Top 10 (Stratum) Youth Actors by Evidence Type	<b>173</b>
<b>5.15</b>	CYP Petitioners as Individuals / Groups	<b>174</b>
<b>5.16</b>	CYP Petitions – Representative Groups	<b>174</b>
<b>5.17</b>	‘Consultation Plus’ Issues, by Type	<b>189</b>
<b>5.18</b>	‘Consultation Plus’ Issues, by Group	<b>189</b>
<b>5.19</b>	Methods Used in ‘Consultation Plus’, Youth Issues	<b>190</b>
<b>5.20</b>	CYP Petitions by Submission Method	<b>197</b>
<b>5.21</b>	‘Successful’ Young People’s Petitions	<b>203</b>
<b>5.22</b>	Outcome of Petitions Submitted by CYP	<b>203</b>
<b>6.1</b>	Education: Children and Young People Visitor Numbers, Sessions One & Two	<b>221</b>
<b>6.2</b>	Outreach: Misc Sessions with Children and Young People, 2004 – 2005	<b>223</b>
<b>6.3</b>	Outreach: <i>MSPs in Schools</i> Sessions, 2004 – 2007	<b>223</b>
<b>6.4</b>	Outreach: Sessions with Other Groups, 2004 – 2006	<b>225</b>

<b>6.5</b>	Education: Distribution of Sessions by School and Pupil Type, Session One	<b>228</b>
<b>6.6</b>	Outreach: Distribution of Sessions by Participant Age Group, 2004-06	<b>230</b>
<b>6.7</b>	Events for or about Children and Young People, 1st Festival of Politics	<b>242</b>
<b>6.8</b>	Events for or about Children and Young People, 2nd Festival of Politics	<b>242</b>
<b>6.9</b>	Committee Meetings outside Edinburgh feat. Youth Issues (Session One)	<b>255</b>
<b>6.10</b>	Committee Meetings outside Edinburgh feat. Youth Issues (Session Two)	<b>255</b>
<b>6.11</b>	Partner Library Details, Session One	<b>258</b>
<b>8.1</b>	Likelihood of CSG Implementation by <i>Overall</i> Rule Specification	<b>313</b>

## **FIGURES**

<b><u>Figure</u></b>	<b><u>Title</u></b>	<b><u>Page No.</u></b>
<b>2.1</b>	Participation Articles in the UNCRC	<b>48</b>
<b>2.2</b>	The Ladder of Citizen Participation	<b>57</b>
<b>2.3</b>	The Ladder of Young People’s Participation	<b>58</b>
<b>2.4</b>	The Wheel of Participation	<b>59</b>
<b>2.5</b>	“Pathways to Participation”	<b>60</b>
<b>2.6</b>	Characteristics of Effective and Genuine Participation	<b>65</b>
<b>2.7</b>	Characteristics of ‘the Westminster Model’	<b>70</b>
<b>4.1</b>	Cycles of Inductive and Deductive Reasoning	<b>141</b>
<b>8.1</b>	Summarised Research Findings: Participation (Quantity)	<b>314</b>
<b>8.2</b>	Summarised Research Findings: Participation (Quality)	<b>315</b>
<b>8.3</b>	Summarised Research Findings: Accessibility (Information)	<b>322</b>
<b>8.4</b>	Summarised Research Findings: Accessibility (Physical)	<b>323</b>
<b>8.5</b>	Summarised Research Findings: Barriers to CSG Implementation	<b>328</b>

## **List of Abbreviations and Acronyms**

<b><u>Acronym</u></b>	<b><u>Denotation</u></b>
ACPOS	Association of Chief Police Officers in Scotland
ADSW	Association of Directors of Social Work
AMS	Additional Member System
APG	All-Party Group of the Westminster Parliament
CoSLA	Convention of Scottish Local Authorities
CPG	Cross-Party Group of the Scottish Parliament
CSA	Campaign for a Scottish Assembly
CSG	Consultative Steering Group on the Scottish Parliament
CYP	Children and young people
EIS	Educational Institute of Scotland
FoP	Festival of Politics
ICTs	Information Communication Technologies
MP	Member of (Westminster) Parliament
MSP	Member of the Scottish Parliament
MSYP	Member of the Scottish Youth Parliament
NUS	National Union of Students
PPC	Public Petitions Committee
PPP	Public Petitions Process
RGU	The Robert Gordon University, Aberdeen
SO(s)	Standing Order(s) of the Scottish Parliament
SCC	Scottish Constitutional Convention
SCCYP	Scotland's Commissioner for Children and Young People
SCF	Scottish Civic Forum
SCLC	Scottish Child Law Centre
SCRA	Scottish Children's Reporters Administration
SHRC	Scottish Human Rights Centre
SPCB	Scottish Parliamentary Corporate Body
SPICE	Scottish Parliament Information Centre
SPTC	Scottish Parent Teacher Council
TWISP	<i>This Week in the Scottish Parliament</i> (Publication)
UNCRC	United Nations Convention on the Rights of the Child
WHISP	<i>What's Happening in the Scottish Parliament</i> (Publication)

# Chapter One

## Introduction

---

*I know of no safe depository of the ultimate powers of society other than the people themselves; and if we deem them too unenlightened to exercise their power with a wholesome discretion, the answer is not to take it from them, but to inform them.*

– Thomas Jefferson

### 1.1 INTRODUCTION

The establishment of the Scottish Parliament in 1999 is widely believed to have provoked significant changes in the political landscape in Scotland (Nairn, 2000). The return of a Scottish Parliament – absent since the Treaty of Union in 1707 – signalled a new focus of governance for politicians, organised interests and civil society. A happy corollary of this is an additional focus for students of politics, and since 1999, a good deal of academic attention has been lavished upon Holyrood, with much of this directed towards the intended differences between the Scottish Parliament and ‘the Mother of All Parliaments’: the UK Parliament at Westminster.

A concentrated focus upon differences between Holyrood and Westminster is no coincidence: the Scottish Parliament was purposely designed to be *different*. Although divisions may exist among students of Scottish politics literature as to how realistic the beliefs and expectations of the Parliament’s institutional ‘architects’ may have been, there is nevertheless broad consensus that expectations of the Parliament were extremely high in a number of respects prior to devolution, as a result of the conceptual institutional work which informed debates about the working practices of the new Scottish Parliament, and of the rhetoric which surrounded it.

## **1.2 JUSTIFICATION OF THE RESEARCH**

The Scottish Parliament was imbued with an ambitious mission: the redemocratisation of Scotland. Of course, this assumes that what preceded it was not inherently democratic. This in itself depends strongly upon individual interpretations of democracy, but the crucial factor – as is explored in greater depth below – is that regardless of the reality, a democratic deficit was widely *perceived* to exist in Scotland prior to devolution. As a result, the founding vision of the Parliament was constructed upon the idea of reconnecting people and politics, and bringing increased legitimacy to its own work by building a greater degree of accountability and public participation into its work. However, there was recognition that more democracy can actually serve to entrench existing patterns of exclusion and, as such, the introduction of greater democratic participation – through the introduction of more participative democratic devices such as citizens’ juries – was to be *proactively* extended to previously marginalised and disenfranchised groups in order to ensure that the ethos of ‘new politics’ included as much of society as possible. To this end, groups explicitly identified included BME groups, the disabled community, elderly people and children and young people.

Just over ten years have elapsed since the devolution of power from Westminster to Holyrood. In that time, little academic attention has focussed upon the way in which the Scottish Parliament’s ‘new politics’ has delivered for these marginalised and disenfranchised groups. This thesis focuses upon one of the very groups – children and young people – identified by the Parliament’s institutional architects as requiring particular attention. In that the introduction of a more participative approach to policy-making represents possibly the most ambitious of all the CSG principles, and given that politically marginalised / disenfranchised groups represent the most difficult communities to which the principle can feasibly be extended, this thesis aims to consider the way in which the Scottish Parliament has worked towards possibly the most ambitious and politically unfamiliar aspiration contained within its founding blueprint.

## **1.3 OVERVIEW AND ORIGINALITY OF THE RESEARCH**

### **1.3.1 Overview**

The wheels of constitutional reform which were set in motion in 1997 were not intended to simply bring Westminster governance closer to the people of Scotland through a process of 'governmental decentralization' (Winetrobe, 2001: 5). As identified above, the rhetoric of the day suggested that the intention was to bring 'new politics' to Scotland; a political settlement which would ostensibly be more in tune with Scottish cultural and political sensibilities than Westminster (Wright, 2000a). This built upon cross-party and civic work conducted during the 1980s with a view to resolving the 'democratic deficit' which was perceived to have emerged under the Conservative governments of Margaret Thatcher and John Major, when Scotland as a political entity was governed by a party which it continually rejected at the polling stations. Of course, debate exists as to how distinctive a political unit Scotland may be considered to be. Whilst undoubtedly important, such issues lie beyond the focus of this research, particularly now that the (re)establishment of the Scottish Parliament consolidates Scotland's claim to be considered as a distinct political unit.

The major organisations which arose in response to this democratic deficit – the Campaign for a Scottish Assembly (CSA) and the Scottish Constitutional Convention (SCC) – were unequivocal in their assertions that in aiming to address the perception of such a deficit, the new Parliament should aim to re-engage with the electorate and promote a more participatory, civic-minded form of political culture which would add legitimacy to the Parliament's work. The SCC's recommendations – contained within its final report, *Towards Scotland's Parliament* – were endorsed by the pro-devolution parties, and when the Labour Party came to power in 1997 (after campaigning on a programme of constitutional reform), the wheels were set in motion for a raft of institutional changes.

The bulk of the work subsequently done to 'design' the Scottish Parliament was conducted by the Consultative Steering Group on the Scottish Parliament, established by the government following the successful devolution referendum in September 1997, and whose membership included a mixture of political representatives from the



pro-devolution parties and a (larger) number of civil society representatives, who had also been involved in the work of the CSA and SCC. This 'civic' section of the CSG contained ostensibly 'apolitical' representatives of Scottish opinion drawn from local government, Scottish churches, industry and academia. The sphere of civil society has long been important in Scottish political terms: in addition to civic institutions and symbols being the principal carriers of national identity following the Act of Union in 1707, much of the impetus for devolution following the failed referendum of 1979 came from within civil society, albeit strengthened by the involvement of some of Scotland's main political parties (Paterson, 2001).

The CSG's work established the ethos which was intended to underpin the work of the new Parliament, although in truth, much of it was foreshadowed by the work of the CSA and SCC, both of whom had previously made it clear that their thirst for greater democracy would not be quenched simply by bringing Westminster-style governance to Edinburgh: the 'governmental decentralization' later to be described by Winetrobe. Rather, as Canon Kenyon Wright – Chair of the Constitutional Convention and subsequently a member of the Consultative Steering Group – put it:

Our real enemy was not a particular government whatever its colour, but a constitutional system. We came to understand that our central need, if we were to be governed justly and democratically, was not just to change the government but to change the rules.

(Wright, quoted in Devine, 1999: 607)

Thus, for the new Scottish Parliament to achieve the legitimacy perceived as lacking in the Conservative governments of 1979 – 1997, things would have to be done *differently*. Prior to the 1997 general election, the SCC had already published numerous reports upon the way in which politics would be done differently in a post-devolution Scotland, including proposals for a (more) proportional electoral system and greater emphasis upon public participation (see Scottish Constitutional Convention, 1988; 1990; 1995). The CSG reported in December 1998, having based its work and detailed recommendations around four guiding principles which in turn drew strongly upon the work of the Constitutional Convention:

1. Power-sharing
2. Accountability
3. Accessibility & Participation
4. Equal Opportunities

(Consultative Steering Group, 1998)

Whilst recognising the interdependence of these principles, the CSG expressly highlighted the importance of accessibility and participation as the 'cornerstone' of their recommendations. In particular, if the Parliament was to gain legitimacy throughout Scottish society, efforts should be made to reach out to previously marginalised / disenfranchised groups such as disabled people, minority ethnic communities, and children and young people.

### **1.3.2 The Contemporary Context**

As asserted at the outset of the above section, there are few instances in UK politics of upheaval to match the programme of constitutional reform initiated in 1997. However, a significant branch of political theory literature asserts that whilst apparent political stability can often mask significant underlying disruption and contestation, so the opposite may also be true, with apparent revolutions resulting in little significant alteration to the *status quo ante* once the political dust has settled, leaving only empty rhetoric as a reminder of earlier intentions. Such accusations have become increasingly prominent in recent years, as the transition to democracy in the post-Soviet states of Eastern Europe has gathered pace. The associated programmes of institutional design have in many instances been extremely ambitious. However, the limits of 'designing' democracy and the entrenchment of previously established interests have often become apparent after relatively little time (e.g. Elster et al, 1998; Jones Luong, 2000).

At its most fundamental level, it is this rhetoric and the apparent 'upheaval' which was to accompany the Scottish experience of democratic design which forms the focus of this thesis, exploring just how much things have really changed since the establishment of the new Scottish Parliament. A more in-depth consideration of the intended changes follows in Chapter Two, but for now it is worth noting that not only were policy *choices* expected to diverge from Westminster following devolution, policy

*processes* were expected to do likewise. This was part of the underlying design of the Scottish Parliament's procedures aimed at solving the 'democratic deficit', fundamentally reconfiguring the relationship between people and parliament. As a result, in the same way that pressure groups and voluntary organisations began to recalibrate their efforts towards Holyrood by opening offices and employing parliamentary liaison officers north of the border, so academic attention began to consider in depth the implications of national governance returning to Scotland. As such, the post-1999 period has seen a level of academic interest and publication inconceivable during the Scottish Office era. However, the thesis adopts a consciously different approach to other post-devolution studies in a number of respects.

### **1.3.3 The Scottish Context**

Firstly, the research employs a case-study approach of the first two sessions of the Scottish Parliament<sup>1</sup> in order to examine one specific aspect of the way in which the 'new politics' was expected to operate. A significant number of the analyses which have thus far considered the introduction of 'new politics' have done so at more of a macro-level, considering the principles underlying the Parliament as a single entity or as a more abstract unified concept (e.g. Paterson et al, 2001). In reality, the principles themselves vary significantly in terms of ambition, feasibility and apparent compatibility with latent political culture. As a result, considering them in aggregate is perhaps unhelpful in terms of a deeper understanding of the different dimensions therein (Mitchell, 2000). Equal opportunities, for example, is a concept which is relatively familiar to the UK, and which involves relatively little disruption to the political status quo. Power-sharing and widespread popular participation outside of formal election periods are less familiar concepts in a UK context, and would require a significant degree of political will, civic engagement and institutional adjustment. In this respect, this research contributes to knowledge in the field by examining one of the more challenging aspects of the CSG vision (Millar, 2000) within the context of a similarly challenging case.

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<sup>1</sup> Session One: 1999 – 2003; Session Two: 2003 – 2007.

Secondly, the research focuses strongly upon the process of policy-making rather than policy outputs. Much of the research conducted at Scottish level in the post-devolution period has focussed upon policy delivery, with a specific focus upon divergence from and similarity to Westminster policy outputs. Whilst the importance of this literature is in no way questioned, the way in which new *processes* of policy-making were intended to legitimise policy *outputs* – and the way in which this has materialised in reality – is an important component of any consideration of the implementation of the Parliament’s founding vision (cf. Allmendinger, 2002).

This introduces the third key aspect, which is that this research focuses upon the Parliament alone. One of the results of a focus upon policy delivery has been a focus upon the Executive and not the Parliament in academic research. This is significant as between 1999 and 2007, the Executive was undeniably the primary arena for policy-making, thanks to the majority coalition founded by Labour and the Liberal Democrats. With a number of critics arguing that this immediately diminished the capacity of the Parliament to contribute to the legislative process, much academic attention was moved away from the Scottish Parliament and towards the Scottish Executive. However, the CSG vision applied to the Executive only inasmuch as it was ultimately accountable to the Parliament: whilst the CSG was keen to see its vision replicated in the work of the Executive, its final report makes it clear that its direct remit is the Parliament alone (Consultative Steering Group, 1998: 2.28).

#### **1.3.4 Children and Young People**

Children and young people’s role in politics has often been problematic, with an apparently arbitrary age qualification for voting regularly criticised for disenfranchising enthusiastic and engaged youngsters. In reality, the focus upon the legal age at which young people can vote often masks a significant degree of *alternative* political activity: indeed, as Chapter Two shows, many young people are more interested in alternative forms of action than simply voting.

This notwithstanding, children and young people have traditionally been conceived of as ‘outsiders’ to the formal political process, and are usually seen as participants only

in the private, family sphere rather than the public, civic sphere. Their contradictory position is exemplified by the fact that they are typically seen as a social grouping which is at once under threat and in need of protection, yet which also poses a distinct threat from which society itself needs to be protected (Prout, 2003). Whatever the conceptualisation of children and young people though, the result has traditionally been the same: that adults legislate 'in their best interests', often without taking the time to ascertain what children and young people believe their best interests to be. However, recent years have seen considerable strength accruing in the children's rights movement (albeit usually led by adults) and the case for involving children in decision-making processes has been similarly strengthened by the emergence of rights-based demands and evidence-based practice. By signing up to the UN's Convention on the Rights of the Child, the UK Parliament has an obligation to involve children and young people and accord their views due weight, although the subsequent lack of government action (at both UK and Scottish level) to enshrine the UNCRC in domestic legislation raises immediate questions as to the way in which it is regarded in reality. Despite this, as a devolved institution of Westminster within a multi-level governance framework, the Scottish Parliament is similarly obliged to act upon the Convention.

Thus, in addition to the original contributions outlined above, this research also breaks new ground by considering the impact of the Scottish Parliament upon children and young people. Although the effects of the Parliament upon this community have been considered before, it has been done by conceptualising children and young people as passive policy objects as opposed to active policy subjects, and has typically focussed upon the way in which policy outcomes have impacted upon them as a constituency. In Scottish terms, this study is unique in that it is the first to consider the effect of the Scottish Parliament upon children and young people in the capacity of active policy subjects and not passive policy objects, mapping their participation in the work of the Parliament as opposed to second-guessing the effect of adult decisions on their lives.

## **1.4 METHODOLOGY**

The thesis' methodological approach is set out in Chapter Four. The thesis as a whole represents a case-study of one specific aspect of the Scottish Parliament's work, and, in keeping with the well-established methodological and evidential characteristics of the case-study approach, a pluralistic approach was taken to the collection of evidence. A mixed inductive-deductive approach was used, whereby quantitative and documentary evidence was marshalled with a view to 'mapping' accessibility for and participation of younger people in the work of the Parliament, whilst qualitative evidence was collected to support a process of exploring (or 'mining') experiences of and attitudes to these issues.<sup>2</sup>

The principal source of quantitative evidence utilised in the thesis is an audit of the work of the Parliament's committees and Public Petitions process in Sessions One and Two. This audit involved the generation of a database detailing every participant in every Bill and Inquiry conducted by all of the Parliament's subject committees and a number of its mandatory committees. This database proved to be a valuable tool in establishing baseline measurements for young people's participation, and offers significant potential for exploration of public participation across a broader age-spectrum in future work. Whilst the dataset is entirely quantitative, the source information is drawn from the review of parliamentary documents. Similar documentary consideration formed the basis of qualitative data as well, with review of key founding documents establishing the formal structural context within which participation and accessibility are situated, before in-depth interviews were conducted with MSPs, Scottish Parliament staff and youth representatives (including young people themselves), and focus groups were conducted with children and young people with a view to exploring experiences and attitudes qualitatively. To complement this understanding, observation at key parliamentary events was conducted. Further details of the different research methods, research participants and related ethical considerations are provided in Chapter Four.

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<sup>2</sup> See Legard et al (2003) for an overview of 'mapping and mining'.

## **1.5 KEY ASSUMPTIONS**

One important issue to outline immediately is the difficulty in operationalising a definition of what is constituted by a ‘young person’. Put simply, there is no consensus within the literature or within the youth sector as to when a young person is no longer considered as such. For the purposes of this thesis, the age-range specified by the primary vehicle for direct youth participation in Scotland – the Scottish Youth Parliament – is used. Thus, in this thesis, a ‘young person’ is anyone under the age of 25, whilst a ‘child’ has a more narrowly delineated age-range of 0-16. As such, the terms overlap considerably. For this reason, the compound terms of ‘children and young people’ or simply ‘younger people’ are used throughout the thesis. Where information relates specifically to children or to over-16s, this distinction is made explicit. Otherwise, the two are treated as belonging to one social constituency (albeit one exhibiting enormous heterogeneity).

A further terminological idiosyncrasy also needs to be explained. Throughout this thesis, reference will be made to ‘the Scottish Executive’, even though this is no longer the correct nomenclature. In 2007, following the election of a Scottish National Party minority administration, the Scottish Executive (the executive branch of the Scottish governance arrangement) underwent a ‘rebranding’ exercise, and is now known officially as ‘the Scottish Government’. This research maintains the previous terminology neither because the previous term is preferred, nor because of any value judgement upon the use of the term ‘government’ in a devolved context, but rather because during the period studied, the executive branch was known (and referred to during interviews and focus groups) as such. Thus, purely for ease of understanding and internal consistency, the term ‘Scottish Executive’ is used throughout.

## **1.6 OVERVIEW OF THE THESIS STRUCTURE**

### **1.6.1 Overview**

This introductory chapter is followed by seven additional chapters setting out the context within which the research is set, the frameworks which guided the data collection process and informed the data analysis stages, the findings of the primary

data collection and subsequent analysis, and a summary section drawing together conclusions from the primary data collection and attempting to situate them within the wider body of knowledge, making explicit the thesis' original contribution to knowledge and priorities for future research.

### **1.6.2 Establishing the Context**

Chapter Two presents an overview of some of the literature which has guided and informed this study. No such review can ever be entirely comprehensive, but the chapter attempts to provide a summary of the way in which the work of other authors has contributed to providing key departure points for the thesis. In this respect, there are two main strands to the literature reviewed. Firstly, literature relating to Scottish devolution is considered with a view to specifying the mission facing the Scottish Parliament. Thus, the key documents pertaining to the establishment of the Scottish Parliament are examined with a view to determining the role which accessibility and participation were expected to play in post-devolution policy-making. This is complemented by considering the literature which exists in relation to the CSG's principles and the way in which the Parliament has delivered upon these since 1999. In this respect, a clear focus is maintained upon the principle of accessibility and participation although – as identified earlier – much of the literature tends to focus upon the concept of 'new politics' at aggregate level.

Secondly, Chapter Two summarises the literature which was used to inform consideration of the 'youth dimension' of the research. It firstly addresses the question of whether or not children and young people are politically marginalised and / or disenfranchised before moving on to consider *why* they should be involved as political actors, establishing that there are three principal arguments deployed as justifications for doing so. Finally, it considers examples of how children and young people can be involved, drawing upon both practical and empirical literature to introduce a number of key considerations when doing so.

The chapter concludes by drawing together these two strands and examining the documentary evidence relating to young people's accessibility to and participation in



the work of the Scottish Parliament. The chapter finds that there has been little prior consideration of the role played by young people in the Parliament's work, but what documentary evidence does exist is considered in order to provide an initial insight into the work of the Parliament in this respect.

### **1.6.3 Theoretical and Methodological Frameworks**

Chapters Three and Four elaborate upon the framework which underpinned the processes of data collection and analysis. Firstly, Chapter Three provides a theoretical context for the research. The study is strongly guided by a normative / sociological institutionalist theoretical perspective. This contributed significantly to the approach used for the entire data collection and analysis process, and is central to the way in which the evidential basis of the thesis has been interpreted. As such, the chapter provides an overview of the constitutive elements of the new institutionalist paradigm at a general level, before identifying differing schools of neoinstitutionalist thought and providing a rationale for the choice of a normative / sociological institutionalist perspective. It then goes on to examine recent developments in neoinstitutionalist understandings of institutional change, providing a theoretical framework which establishes the importance of both structure and agency as determinants of the success of institutional design.

Chapter Four presents an outline of the methodology designed for the thesis. Whilst restrictions on space preclude in-depth discussions of ontological and epistemological issues, the philosophical basis of the thesis is established before providing an overview of the case study approach adopted, identifying the various methodological components of the research design and research participant groups invited to contribute to the research. Finally, the ethical issues involved in data collection and analysis are examined, with a focus upon the work conducted with younger people.

### **1.6.4 Findings of the Research**

Chapters Five, Six and Seven present the findings of the data collection and analysis, and collate the different aspects of the Parliament's work in implementing the

accessibility and participation principle for children and young people, as well as the difficulties which it has faced in doing so.

Chapter Five focuses upon young people's participation in the work of the Parliament, examining the two formal parliamentary mechanisms in which non-parliamentarians can participate: the Parliament's committees and Public Petitions process. Based upon neoinstitutionalist theories of change discussed in Chapter Three, the chapter first explores the formal rules which underpin key actors' work in relation to participation. The chapter then proceeds to establish in quantitative terms the degree and nature of involvement of young people in the Parliament's work, before moving on to identify the informal rules ('standard operating procedures' or 'logics of appropriateness') which also contribute towards templates of action in relation to youth participation.

Following this, Chapter Six goes on to approach the accessibility component of the joint CSG principle. Again, the chapter begins by establishing the formal rules guiding political actors' approach towards accessibility for young people. The Parliament's work in this respect is then set out and explored in greater depth using quantitative baseline data before considering two types of accessibility – the accessibility of information and physical accessibility – and considering the way in which the Parliament has approached these. Again, key actors' accounts are then used to build a deeper understanding of how this relates to the CSG vision and whether or not any gap exists between the CSG vision and political reality.

Chapter Seven is the final chapter to introduce substantive findings. In light of the progress made towards delivering accessibility and participation for children and young people, the chapter investigates the barriers and obstacles which have been encountered by key actors in attempting to deliver the joint principle of accessibility and participation for children and young people in the work of the Scottish Parliament. In doing so, it considers the evidence from Chapters Five and Six in relation to institutional 'gaps', and explores the theoretical proposition that such gaps emerge as a result of actors' heterogeneous interpretations of their responsibilities and roles where institutional norms have been the subject of insufficient formal codification and / or normative support. The chapter considers two different accounts of the origin of

institutional gaps in the Scottish Parliament's case, and suggests that the Parliament's performance in terms of implementing the CSG vision has been influenced both by its approach to the CSG vision and by the performance of civil society. As a result, there has been a differential implementation of accessibility and participation, with greatest resistance emerging firstly in relation to reconsideration of the representative democratic heritage of the Parliament, and secondly to the prevailing conceptualisation of children and young people.

### **1.6.5 Conclusions**

Chapter Eight draws together and synthesises the findings of Chapters Five, Six and Seven, and considers their implications in the context of the literature considered in Chapter Two and Three, exploring more deeply the way in which the new institutionalist approach makes sense of the findings both at an individual case study level and within the broader context of the post-devolution literature. The chapter considers the ramifications of the neoinstitutionalist interpretation of the results in relation to the future of the CSG vision and argues that significant attention still needs to be paid to the CSG's vision if its rhetoric is to become reality. The chapter concludes by clearly establishing the original contribution to knowledge made by the research, and providing suggestions as to future research priorities.

### **1.7 SUMMARY**

This chapter has introduced the overall scope, limits and approach to the thesis' topic. It establishes the importance of the topic at hand, and the way in which two apparently discrete bodies of knowledge – young people's participation in politics and post-devolution parliamentary studies – have important implications for each other as well as for this research. In addition, the chapter provides a rationale for the issue being studied and describes briefly some of the areas in which this research represents an original contribution to knowledge of post-devolution studies of Scottish politics. Attention now turns to consideration of previous research upon the relevant dimensions of post-devolution politics in Scotland and the role played by young people

in formal politics, before considering the way in which the overlapping of these two has been represented in the literature.

## **Chapter Two**

### **Setting the Context**

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*A new Constitution does not produce its full effect as long as all its subjects were reared under an old Constitution; as long as its statesmen were trained by that old Constitution. It is not really tested till it comes to be worked by statesmen and among its people, neither of whom are guided by a different experience.*

– Walter Bagehot

#### **2.1 OVERVIEW**

This chapter provides an overview of the background to this research. Whilst some of this has already been briefly established in Chapter One, this chapter considers in greater depth the Consultative Steering Group’s vision and its implications for this research. In doing so, it provides a brief overview of the devolution process, the reasons for establishing the CSG and the recommendations of the CSG itself. Having established that the CSG envisaged a new type of democracy which would encourage participation of young people in its work, the chapter then turns to consider the different arguments for and methods of involving children and young people in decision-making processes. In addressing these two broad areas, the thesis identifies two concepts which are important for the remainder of the thesis: the intended difference of the Scottish Parliament from the Westminster model; and the implicit intention to break with prevailing trends of adultism in policy-making. Attention then returns to the Scottish context in order to consider the literature which exists in relation to the success of the Scottish Parliament in attaining the relevant aspects of the CSG vision.

## **2.2 BACKGROUND TO THE SCOTTISH PARLIAMENT'S DESIGN**

### **2.2.1 1979 and Beyond**

The current Scottish Parliament and its institutional design have their roots in the failed devolution referendum and subsequent election of the first Thatcher government in 1979. Thatcher's reign as Prime Minister saw a deepening discontent with the political status quo in Scotland. Despite regularly rejecting the Conservative Party at both local and parliamentary elections, voters in Scotland were repeatedly faced with a returning Conservative administration at Westminster. The perceived impotence of Scottish voters was enough to ensure that the 'unfinished business' of 1979 did not fade away (Devine, 1999). The impact of Thatcherite neo-conservative social and economic policies, deeply unpopular in Scotland, further reinforced the perception that Scotland was being governed by a party without a mandate and entirely out of touch with its national interests, and against which it had no recourse (Devine, 1999).

However, as Canon Kenyon Wright's quote in Chapter One showed, discontent with Thatcherite policies was only symptomatic of a far deeper ill: a 'democratic deficit', to which the solution was not simply the ousting of one particular government in favour of another, but rather to change the system altogether. It is during this period that the importance of 'public' participation begins to assume a prominent role in the devolution process. In the absence of an effective *political* mechanism for implementing change, much of the work conducted in relation to home rule during the 1980s and 1990s was carried out by apolitical or extra-political actors.

### **2.2.2 The Scottish Constitutional Convention**

Following the general election of 1987, the Campaign for a Scottish Assembly formed a Constitutional Steering Committee whose members were drawn from various religious, political, trade union and civic organisations (Brown, 2000a: 544); and whose deliberations between January and June were to result in a July report – *A Claim of Right for Scotland* – recommending that an indirectly-elected Constitutional Convention be established to draw up plans for a Scottish Assembly, to mobilise public

opinion in support of the scheme, and to liaise with the Westminster government to ensure implementation of the Convention's proposals: as Taylor puts it, 'to talk, to tell and to do' (Taylor, 1999: 33-36, 60). By 1989, the Claim had been signed by 58 of Scotland's 72 MPs, 59 of its 65 councils, seven of its eight MEPs and a whole host of civic organisations, including religious and minority ethnic communities, cultural groups, the Gaelic and women's lobbies, the Scottish Trades Union Congress (STUC), Scotland's local authorities and the Scottish Council for Development and Industry (SCDI). Indeed, the role of the public/civic groups in mediating between political representatives and brokering pre-devolution negotiations has been highlighted as substantial (Taylor, 1999: 47-48).

The Convention's plans were published in *Towards Scotland's Parliament* in 1990. Emphasis was laid upon the involvement of the general public in the work of the new parliament: 'Reform will give a sense of involvement in the political process that is currently lacking' (Scottish Constitutional Convention, 1990: 7; see also Brown, 2000a). As such, 'The aim is and must be to encourage an open, accessible and democratically accountable government and a *participatory* democracy which will bring Parliament and people close together in determining what is best for Scotland' (Scottish Constitutional Convention, 1990: 12; emphasis mine). However, although the Convention talked of 'exciting possibilities' and 'new forms of scrutiny' (1990: 12), there was a notable failure to deliver any indication of the precise mechanisms through which their vision of just such a participatory democratic vision could be realised.

Lynch (1996) highlights the 'difficult times' experienced by the Constitutional Convention between the general election in 1992 – at which the Conservatives were again returned – and 1995, when its second full report to the people of Scotland was published (Scottish Constitutional Convention, 1995). As a result of the lost momentum and disenchantment following the election, much of the impetus for renewed home rule discussions in the post-election period emanated not from the Convention or its membership, but from a range of new, mixed-membership, semi-political, bottom-up organisations, such as Scotland United, Democracy for Scotland and Common Cause (Lynch, 1996; Taylor, 1999; Brown, 2000a), with over 30,000

members of the public demonstrating in Edinburgh later that year to demand 'the return of democracy' to Scotland (Lynch, 1996: 5).

In 1993, the Convention was reconvened. It established an independent Constitutional Commission, whose membership was drawn almost exclusively from civic society. Through its work on the constitutional implications of a Scottish Parliament (Scottish Constitutional Convention, 1995: Appendix III; Lynch, 1996: 6-7), the Convention built upon *Towards Scotland's Parliament* and launched *Scotland's Parliament, Scotland's Right* in 1995; a document whose very name was at pains to stress again the belief of the Convention in the sovereign right of people in Scotland to a greater measure of self-determination. It represented a far more comprehensive appraisal of the Convention's devolution proposals than did *Towards Scotland's Parliament*. Aside from its procedural recommendations, the Convention's report again emphasised the role of public participation. Specifically, the Convention was steadfast in its belief that the new political settlement in Scotland should offer more to the wider public than the UK legislature at Westminster was currently able to. Thus, the new Scottish parliament would 'usher in a new way of politics that is radically different from the rituals of Westminster: more participative, more creative, less needlessly confrontational' (Scottish Constitutional Convention, 1995: 5). The Convention saw the role of the public as crucial to the success of the new institution:

Democracy is a challenge as well as a right and a privilege. It bestows a culture of involvement, and therefore of responsibility [...] The contrast with present public alienation from the processes and structures of government is both compelling and invigorating. There is every reason to expect that the people of Scotland, taking charge of their own destiny, will tackle the issues that confront them more effectively than has Westminster [...] Indeed, the longing for a Parliament in Scotland chimes well with the powerful trend internationally towards democracy, accountability and constitutional renewal.

(Scottish Constitutional Convention, 1995: 4)

Echoing much of the contemporary debate surrounding not only democratic renewal and increased participation but also normative concepts of civil society, citizenship, rights and responsibilities, the Convention recognised the need for appropriate institutional structures to facilitate an active contributory role for the Scottish public in



the work of the Parliament. In addition, the Convention stressed the need to put in place such systematic arrangements 'to make sure that the parliament remains responsive to the wishes and values of the Scottish people', taking views and advice from many specialist organisations and individuals to ensure the integrity of its decisions and strategies in principle and in practice (Scottish Constitutional Convention, 1995: 19).

Despite this, there remains a clear lack of elaboration in most of the Convention's recommendations (Lynch, 1996). Indeed, those which would benefit most from a thorough elaboration (even simply of intent, if not practice) are those which are most lacking. For the purposes of this study, for example, no mention whatsoever is made of how members of the public might be able to participate in the work of committees. Indeed, despite the rhetoric of participation deployed throughout the report, in reality the recommendations of the Convention appear to constitute little more than a grandiose programme of consultation, an exercise in which the Scottish Office was already well versed (e.g. Jordan and Richardson, 2000). That consultation alone could be sufficient to constitute the genuine participation needed to satisfy the targets of the Convention's rhetoric is dubious: as will be shown below, consultation is regarded as one of the weaker forms of public participation, and there is an absence of any examination of the various methods which might be considered under such circumstances. The Convention's proposed petitioning function also falls short of being impressive on anything more than a superficial level: the possibility of petitioning parliament at Westminster has existed for almost 200 years, even if the impotence and unreliability of the system are notorious (Lynch and Birrell, 2001: 3).

### **2.2.3 1997 – The General Election and White Paper**

However, *Scotland's Parliament, Scotland's Right* was endorsed by the main pro-devolution parties (the Labour Party and the Liberal Democrats), and following the Labour Party's general election victory in 1997, they quickly published their devolution proposals. In July 1997, *Scotland's Parliament*, the White Paper which set out their broad intentions with regard to a devolved Scottish legislature, was published. Whilst the 1979 devolution plans had seen detailed proposals published prior to the

referendum, this ultimately weakened the devolution campaign: those unhappy with the detailed proposals had no opportunity to express their dissatisfaction other than to reject the plan outright. This led to a different approach being taken in 1997. Thus, comparatively little work was carried out on specific working practices of the new parliament prior to the 1997 referendum, with attention focussed predominantly upon marshalling support for devolution in principle, rather than upon any specific package of detailed proposals. The White Paper was therefore to serve as the basis upon which the Scottish electorate would vote in the referendum. In order to avoid a repeat of 1979, it sets out only the fundamental aspects of the framework within which the new Parliament would operate, covering such elemental issues as the parliament's areas of legislative competency, funding arrangements, electoral arrangements, and practical arrangements (such as parliamentary accommodation etc.).

With regard to the greater public participation advocated by the Constitutional Convention, the White Paper proposed little, preferring to leave the adoption of Standing Orders and detailed working arrangements to the new legislature itself. It was emphasised, however, that 'the Scottish Parliament will adopt modern methods of working; that it will be accessible, open and responsive to the needs of the public; *that participation by organisations and individuals in decision making will be encouraged*; and that views and advice from specialists will be sought as appropriate' (The Scottish Office, 1997: 9.9; emphasis mine). The result of the referendum provided the government with the mandate required to introduce the Scotland Bill. Following a lack of challenge from backbenchers and opposition, the Bill received Royal Assent in November 1998. Some months later, a Statutory Instrument (SI 1999/1095) specified Transitional Standing Orders until such time as the new Parliament developed its own (HM Government, 1999).

Following the success of the devolution referendum in 1997, the Secretary of State for Scotland established the Consultative Steering Group on the Scottish Parliament to consider the working methods of the Scottish Parliament which had intentionally gone unaddressed prior to the referendum. Due to the centrality of the CSG's recommendations, its role in the devolution process and its institutional vision for the Scottish Parliament are now considered in greater depth.

## **2.3 THE CONSULTATIVE STEERING GROUP AND FOUNDING PRINCIPLES**

### **2.3.1 The Consultative Steering Group**

As identified above, the Consultative Steering Group on the Scottish Parliament was established in the wake of the successful devolution referendum. As with the Scottish Constitutional Convention, the Group's membership was drawn from a variety of civic and political organisations. Overall, its remit was tripartite:

- To bring together views on and consider the operational needs and working methods of the Scottish Parliament;
- To develop proposals for the rules of procedure and Standing Orders which the Parliament might be invited to adopt; and
- To prepare a report to the Secretary of State by the end of 1998, to inform the preparation of the Standing Orders.

(Consultative Steering Group, 1998: 1.1)

Beyond these procedural hopes, however, and in language reminiscent of the Scottish Constitutional Convention's rhetoric, the CSG also made it clear that its aim was:

To try to capture, in the nuts and bolts of Parliamentary procedure, some of the high aspirations for a better, more responsive and more truly democratic system of government that have informed the movement for constitutional change in Scotland.

(Consultative Steering Group, 1998: 1.7)

The work of the CSG is vitally important to an understanding of the Scottish Parliament in its formative years in two key respects. Firstly, it represents the final major step in the preliminary stages of the institutional realignment of the Scottish political system, representing the culmination of the process which involved the Campaign for a Scottish Assembly, the Constitutional Steering Group, the Scottish Constitutional Convention, the referendum of 1997, and the Scotland Act of 1998. Secondly, it represents a specific perspective upon the working practices of the new legislative institution. Thus, it prescribes appropriate practices and functions in relation to the specific character of the Scottish political system, which had retained a significant

degree of autonomy both despite and as a result of almost 300 years of political union with the other constituent nations of the United Kingdom (Kellas, 1992).

The CSG report contained a number of diverse recommendations designed to put into practice the wishes not only of the Labour government as expressed in the 1997 White Paper and the 1998 Scotland Act, but also of the Scottish Constitutional Convention and a wide range of Scottish civic groups. Recognising that a more open democracy would require modern methods of working as well as innovative institutions and attitudes, its recommendations were made in an attempt to develop 'a participative approach to the development, consideration and scrutiny of policy and legislation' (Consultative Steering Group, 1998: 1.2, 2.53) which would involve groups and individuals throughout Scotland.

### **2.3.2 The Founding Principles of the Scottish Parliament**

The CSG's specific recommendations account for the 'nuts and bolts' described above, but perhaps more significant was the adoption of four guiding principles to inform the work of the CSG, for it is in these broader recommendations that the spirit with which the Parliament might work may best be seen. These principles were intended to guide and inform the work of the Group, to serve as a benchmark against which its emerging conclusions might be tested, and served as the basis for the programme of consultation which the Group would undertake. The principles – which the Parliament was urged to endorse once established – were:

1. The Scottish Parliament should embody and reflect the sharing of power between the people of Scotland, the legislators and the Scottish Executive;
2. The Scottish Executive should be accountable to the Scottish Parliament and the Parliament and the Executive should be accountable to the people of Scotland;
3. The Scottish Parliament should be accessible, open, responsive, and develop procedures which make possible a participative approach to the development, consideration and scrutiny of policy and legislation; and
4. The Scottish Parliament in its operation and its appointments should recognise the need to promote equal opportunities for all.

(Consultative Steering Group, 1998: 2.2)

In addition to its detailed recommendations, the CSG report also elaborates upon the justification and institutionalisation of each principle separately. Despite their separate treatment, it is important to view the principles as different aspects of one overall task: ‘to provide an open, accessible and, above all, participative Parliament’, which would be proactive in its dealings with civil society (Consultative Steering Group, 1998: 2.4).

How, then, did the CSG envisage these principles being put into practice? Provided below is a brief summary of each of the key principles identified by the CSG and the elaboration provided upon how they might be implemented, which might serve as indicators of the Parliament’s progress towards realisation of the overall CSG vision.

### **2.3.2.1 Power-Sharing**

The CSG’s first principle related primarily to the way in which Parliamentary business should take place, envisaging a strong role for the Parliament in the governance of Scotland. Gone is the accepted dominance of the Executive so readily associated with Westminster. Borrowing from a number of more consensual legislatures in Europe, the CSG advocates the use of a Parliamentary Business Committee (to be chaired by a politically-neutral Presiding Officer of the Parliament) to arrange – in an inclusive and transparent manner – the scheduling of business in the Parliament in a way which ought to allow ‘reasonable time’ for non-Executive business, Committee work, debates and scrutiny of the Executive’s work (Consultative Steering Group, 1998: 2.6-2.8). In addition, a strong role was recommended for all-purpose committees which would combine the select and standing functions of Westminster committees (Consultative Steering Group, 1998: 2.9-2.13). The CSG was also keen to put in place measures which would allow individuals and groups throughout Scottish society to share in the balance of power. Committee reporters were recommended as a convenient point of access for interested groups or individuals wishing to find out more about the role or work of a given committee. Arguing that the traditional Westminster approach of reactive consultation left interested individuals and groups with insufficient opportunity to influence the overall shape of legislative proposal, the CSG recommended that Scottish Parliament committees should ensure that sufficient participation and consultation in

the policy process has taken place before a Bill may be presented to Parliament. Indeed, both Parliament and Executive were encouraged to ‘take full account of those most likely to be affected in their consideration of policy or legislative proposals’ (Consultative Steering Group, 1998: 2.18), with such an approach ensuring that problematic or contentious legislation could be addressed at an earlier and more fundamental stage than previously had been possible.

These broad recommendations in themselves highlight the concern felt by many respondents during the CSG’s consultation that under the Westminster policy formation framework, it was difficult for the aforementioned individuals and groups to influence the policy process in any substantive way (Consultative Steering Group, 1998: 2.18). In particular, consultation on legislative proposals prior to their introduction was often insufficient and allowed people little chance to influence the initial shape of the legislation. In an effort to redress this, the CSG recommended a process whereby ‘genuine participation and consultation [...] with the potential for further evidence-taking by Committees of the Parliament’ should take place with regard to policy and legislative proposals. In so doing, the Parliament and Executive were to be encouraged ‘to take full account of the views of those most likely to be affected’, with the approach of the Parliament expected ‘to enhance the opportunities for any perceived difficulties to be addressed at an early stage’ (Consultative Steering Group, 1998: 2.18).

### **2.3.2.2 Accountability**

With regard to the CSG’s proposals for accountability, it is firstly important to note that whilst the CSG hoped that the Scottish Parliament would bring pressure to bear on the Executive to reflect the spirit of the key principles in its work, the remit of the Steering Group was the operation of the Scottish Parliament alone (Consultative Steering Group, 1998: 2.28). The CSG report is clear in relation to the structure of accountability within the democratic process: the Executive accountable to the Parliament, and both accountable to the people of Scotland. The establishment of a Public Petitions Committee and the early involvement of civic society in the policy process testify to the search for accountability between institutions and people, whilst the all-party

scheduling of business and ability of individual MSPs to directly question Executive Ministers on a regular basis demonstrate the search for accountability between the legislative and executive bodies of the new, devolved Scottish governance arrangement (Consultative Steering Group, 1998: 2.25).

### **2.3.2.3 Accessibility and Participation**

The joint principle of access and participation is singled out as particularly important by the CSG, who describe it as ‘a cornerstone of our recommendations’ which ‘has implications for all of the issues we considered and has influenced all of our recommendations’ (Consultative Steering Group, 1998: 2.28). Indeed, the need for a culture of openness and accessibility to permeate the new institution was specifically highlighted as crucial if the Scottish Parliament was to deliver a legislature to meet the expectations of the Scottish people (Consultative Steering Group, 1998: 2.28). Thus, the influence of this third principle is apparent in ‘the way Committees operate, to the provision of information through a professional public information service, the use of IT, the passage of legislation [and] the planning of the business of the Parliament’ (Consultative Steering Group, 1998: 2.28).

The amount of space and elaboration dedicated to this principle bears this message out, with a greater number of explanatory paragraphs and recommendations than any of the remaining principles. Indeed, the twinned concepts of access and participation are posited as the hub around which the other CSG principles are focussed: without a degree of public involvement through effective institutional mechanisms (achieving this is, in itself, entirely contingent upon a sense of accessibility), the potential for holding the Parliament and Executive to account, sharing in their power, or contributing towards their encouragement of equal opportunities is – put simply – unachievable.

The CSG identified eight issues as particularly important in their consideration of the principle of access and participation:

- How the Parliament and the Executive might consult on issues;
- How to encourage wide participation in the work of the Parliament;
- How to facilitate participation in the work of Committees;
- How to facilitate transparency;
- How to use information and communication technologies to achieve an accessible Parliament;
- How the Parliament might provide information;
- How the physical accommodation might be made accessible; and
- Pastoral issues.

(Consultative Steering Group, 1998: 2.29)

Within these, it is possible to distinguish between separate recommendations on accessibility and participation. Thus, the first three relate to methods of participation, the following three to the provision of information to enhance public accessibility to and understanding of the Parliament's work, and the final two to a sense of public physical accessibility and inclusion in the work of the Parliament.

With regard to participatory methodology, the recommendations of the CSG shy away from specifying particular methods to be adopted by the Parliament. Rather, a flexible and adaptive approach is endorsed, with a need for judgement as to the appropriateness of a particular method in a given situation, and the provision of a variety of methods for consultation (Consultative Steering Group, 1998: 2.30), although the CSG outlines a number of different mechanisms for encouraging general participation (including social partnerships, consensus conferences, citizens' juries, deliberative polling and citizens' panels) and facilitating participation in the work of committees (including the use of the committee reporter system, expert panels, advisory and consultative councils, co-opting non-MSPs and officially recognising particular forums) (Consultative Steering Group, 1998: Annex G).

In relation to participation, the CSG also emphasises the importance of the committees in enforcing the responsibility of the Executive to carry out adequate consultation (Consultative Steering Group, 1998: 2.31). In addition to the more traditional Westminster approach of consulting upon specific policy or legislative proposals, the inclusion of a pre-legislative, policy development stage was seen as crucial to the access of wider society to the policy formation process. This was to be further



enhanced by passing draft Executive Bills to the relevant parliamentary committee for scrutiny at an early stage. In addition to the role played by the committees, however, the CSG recognised the need for a 'properly developed and resourced system for making issues accessible to non-experts' as well as the possibility of civic education as to how groups and individuals can participate in this process (in particular, those who do not currently engage in the political process) and a guarantee of feedback for consultation respondents (Consultative Steering Group, 1998: 2.31-2.33). Building upon the earlier recommendations in relation to the role of committees, the CSG recommends a strong role not only in the policy process, but also with regard to outreach activity: in addition to specifying the need for committees to take evidence outside of Edinburgh, the possibility of basing certain committees outside Edinburgh permanently is also endorsed. The role of formal consultation structures is covered again, with the CSG recommending that formal consultative structures be developed in association with the relevant committee (e.g. Transport Forum, Youth Forum). The potential for genuine, longitudinal civic involvement in the work of committees was also mooted in the shape of establishing Expert Panels or co-opting non-MSPs as (non-voting) committee members whenever appropriate (Consultative Steering Group, 1998: 2.38-2.41).

Finally, it would be essential for people in Scotland to make efforts to take advantage of such participation opportunities, although again, the CSG saw this as something of a shared responsibility and one which might be achieved through the correct combination of civic education and institutional mechanisms (Consultative Steering Group, 1998: 2.30-2.33). However, it is interesting to note the CSG's choice of language throughout: despite the rhetoric emphasising the importance of active participation, the report's recommendations focus primarily upon consultation, a reactive process which will later be shown to be among the lowest possible forms of active participation.

The role of the Parliament's committee system again features heavily in the CSG's elaboration upon the principle of accessibility. Of particular importance for the CSG was the need for the Parliament to be seen as belonging to the whole of Scotland, and not simply the nation's capital. As a result, the roving committee system was again

endorsed, whereby committees should meet, take evidence and, in a number of cases, have their permanent bases outside of Edinburgh. Earlier recommendations on consultative structures and non-parliamentarians' involvement in committee business also allow for greater access to the machinations of the Parliament (Consultative Steering Group, 1998: 2.37-2.40).

Widespread access to, and easily-digestible information on, the workings of the new legislature was also highlighted as being of importance. In order to ensure that people across Scotland could gain access to and information on the workings of the new legislature, the CSG showed much enthusiasm in relation to the role which might be played by information and communications technologies (ICTs). As such, the CSG recommended the production of regular information bulletins in plain English, the provision of information through modern and innovative technologies and the establishment of a Parliamentary Information Centre as part of a larger information strategy (Consultative Steering Group, 1998: 2.42-2.45).

In relation to the final two key issues considered, the CSG devotes little page space, other than to endorse the somewhat insubstantial recommendation that 'a physical form' might provide for a sense of 'public access to and ownership of the Parliament' and that regular time for pastoral input and support might also be provided in the business of the legislature.

#### **2.3.2.4 Equal Opportunities**

The need to mainstream equal opportunities into every aspect of the work of the Parliament – and, by extension, the Executive – was recognised and endorsed by the CSG. An important aspect of this would be the establishment of both an Equal Opportunities Committee to 'act as a catalyst to ensure that, for instance, equality plans and targets are outlined for each Committee and effective monitoring systems are put in place by Committees' and an Equality Unit, to provide a focus for these efforts (Consultative Steering Group, 1998: 2.48). Moreover, the Parliament was to sit according to a 'family-friendly' pattern during normal business hours in order to ensure that participation in the work of the Parliament would be 'equally attractive to

men and women'. Again, training for MSPs was seen as vital to the success of any such moves (Consultative Steering Group, 1998: 2.47-2.49).

### **2.3.3 The Key Principles and Marginalised / Disenfranchised Groups**

The CSG was also keen to specify that the new Parliament was one for the whole of Scotland. As such, it should aim to overcome existing biases of participation and engagement, including socio-economic, geographical and age-related biases (Consultative Steering Group, 1998: 2.4, 2.19, 2.32-2.34, Annex D). In this respect, the CSG was particularly keen for the Parliament to take a proactive approach to political inclusion, reaching out to groups and people who historically had been excluded from the political process.

Our recommendations [...] aim to provide an open, accessible and, above all, participative Parliament, which will take a proactive approach to engaging with the Scottish people – *in particular those groups traditionally excluded from the democratic process.*

(Consultative Steering Group, 1998: 2.4; emphasis mine)

One suggestion for doing this was through the establishment of a Scottish Civic Forum, although the Group also recognises 'a plurality of voices and groups' and the need for alternative social partnership ventures to accommodate the needs of groups for whom a mainstream Civic Forum may not be appropriate or conducive to facilitating their participation (Consultative Steering Group, 1998: 2.20). In this respect, groups identified by the CSG Report include the elderly, disabled people, the BME community and young people (Consultative Steering Group, 1998: 2.34, Annex D.7.1-D.7.6). However, of these groups only children and young people are the subject of specific discussion within the body of the CSG report. In discussing the implementation of its key principles, the CSG considers the way in which its work relates to younger people:

Young people should be given every encouragement and opportunity to make their voices heard. We would strongly encourage schools to make full use of educational materials to inform the young people of Scotland about the democratic structures in Scotland, their relevance and their relationship to them [...] Thought should also be given to the development of consultative

structures both locally and nationally. One of the most exciting aspects of our consultation process was the workshops which we held with young people from around Scotland [...] The suggestions that they made included proposals for a Youth Parliament; a Scottish Parliament which addresses young people's concerns; and the hope that information on the Scottish Parliament would be disseminated through a more imaginative use of media [...] *We endorse these views, and very much hope that the Parliament will take heed of them.*

(Consultative Steering Group, 1998: 2.34; emphasis mine)

However, to identify this passage as the only mention of children and young people in the main body of the CSG report is somewhat misleading. It is certainly not the case that this is the sole occasion on which the recommendations of the CSG have direct implications for children and young people. Inasmuch as *Shaping Scotland's Parliament* specifically advocates the role of those 'traditionally excluded from the democratic process', it should be assumed that – unless otherwise specified – the recommendations of the CSG apply as equally to BME groups, disabled people, elderly citizens and children and young people as they do to any other group of citizens in Scotland.

It can thus be seen that through the CSG principles and recommendations, the Scottish Parliament has been established with an explicit commitment to greater engagement of – and levels of participation from – previously disenfranchised groups of society. As outlined in Chapter One, children and young people form the focus of this study due to the fact that the circumstances of their exclusion are sufficiently distinct from those of other groups to constitute obstacles which provide a particularly stiff test of the possibility of the CSG's envisioned 'new politics' developing. However, prior to considering delivery of the CSG vision for younger people, the question must be posed as to why children and young people in particular are considered to be disenfranchised, why greater levels of engagement and participation might be seen to be desirable for this particular group, and – based on the assumption that this requires the creation of new practices – how this should be done.

## **2.4 YOUNG PEOPLE'S PARTICIPATION IN POLITICS**

### **2.4.1 Overview**

This section has two principal aims. Firstly, the arguments used to justify children and young people's participation will be outlined, focussing upon children and young people as a distinct social group. Three broad categories of argument will be examined. Firstly, politically-focussed arguments for greater youth participation see participation as an instrument for better policy-making or, more recently, for achieving a degree of reengagement between young people and the formal political process. Secondly, there is a strong – albeit disputed – legal argument for youth participation which sees the right to participate as normatively desirable. Finally, there is also a social argument, which combines both normative and instrumental dimensions, arguing that as well as being a democratic end in itself, youth participation acts as a means for developing a sense of civic duty and citizenship.

Secondly, this section aims to provide an introductory overview to the ways in which children and young people can – and should – be involved in decision-making. In doing so, the section will draw upon both theoretical and practical literature on procedures for involving children and young people, and the type of requirements inherent in effective participation. Through scrutiny of this literature, a number of key indicators of good practice are established, which are then used when considering the work of the Parliament in its delivery of access and participation for children and young people.

### **2.4.2 Introduction**

Roche (1999) and Prout (2003) are typical of a number of authors who point out that traditionally, children and young people have occupied a peculiar – and often contradictory – space in the policy process. When not altogether invisible, they have been portrayed either as vulnerable and in danger, or as impulsive, threatening and dangerous. Prout and Hallet (2004) explain that whilst the former case portrays children and young people as dependent and idealistically innocent, the latter sees them as a threat to themselves, others or society as a whole. In each case, the suggested solution is inevitably an attempt to extend controlling or protecting

mechanisms over children, further compounding their lack of standing as independent social actors in the public or civic sphere. Qvortrup (1994) further explores this, stating that in such cases, policies affecting children and young people have routinely been subjected to a ‘familialisation’ process, whereby such issues are treated as *family* issues, resulting in a predominance of adult perspectives over those of young people in such matters – a phenomenon which Dalrymple and Burke (1995) have termed ‘adulthood’: although this is strongly linked to ideas of ageism, it revolves not around stereotyping but rather the subjugation or oppression of children by adults and the power differential inherent in their relationships (Dalrymple and Burke, 1995: xi; see also Barford and Wattam, 1991). Similarly, much of the debate around children’s involvement has typically couched their rights in terms of ‘futures’ or ‘potential’: for example, T H Marshall claims when setting out his definition of citizenship that ‘it is not the child’s right to *be* educated, but rather the adult’s right to *have been* educated’ (cited in Roche, 1999: 480).

What, then, has changed, if anything? Why is it now the case that ‘today it is up to adults to justify intervention which denies the child’s autonomy rather than the onus being on children needing to demonstrate competence’ (Foley et al, 2003: 114-115)? A number of key arguments exist as to why children and young people should now be seen as important contributors to decision-making processes.

Lansdown (2001) highlights a number of claims underpinning the growth of the case for young people’s involvement: from a normative point of view, it is seen as a basic human right and is an essential element of a commitment to democracy. On the instrumental side, young people’s participation (as with adults) is seen as leading to better informed decisions, whilst also contributing to an understanding of democracy and ensuring that young people’s interests are defended. Wade et al (2001: 2-3) elaborate upon this by providing five main rationales for involving children and young people in political decision-making:

- It is a basic right to be involved;
- Legislative compulsion;
- Better design and provision of services;

- It is beneficial for participants; and
- It is beneficial for health of democracy as a whole.

Similarly, McNeish and Newman (2002: 188) highlight alternative parallel developments which support claims for a participative role for younger people:

- The growth of power of the 'consumer' in politics;
- Pressure from young people's user groups;
- International legislation requirements (i.e. the UNCRC);
- National legislation requirements (e.g. national Children Acts); and
- The growth of citizenship as a policy issue.

Whilst these are in no way an inaccurate representation of some of the main bases from which young people's participation is argued and defended, the various classifications appear somewhat clumsy, in some cases incomplete, and have a tendency to overlap at times. For this reason, the classification used by Willow (1997) and Fahmy (2006) is preferred, whereby a thematic structure is provided, distinguishing between three separate but related *dimensions* to the arguments for young people's participation, as opposed to focussing on specific arguments themselves. These dimensions are the political; the legal; and the social. An overview of each is now provided.

## **2.5 WHY INVOLVE CHILDREN AND YOUNG PEOPLE?**

### **2.5.1 The Political Argument**

The political case made for children and young people to be involved in political decision-making is perhaps the most readily recognisable of the three approaches highlighted above. This approach has particular salience given the blanket disenfranchisement – in electoral terms – of all children and a large number of young people, and has served to reinforce the contradictory views of children and young people outlined above (Matthews and Limb, 1998). In the UK, the argument for involving children and young people in the political process has taken place within a

prominent discourse around a perceived crisis of political participation, as evinced by extremely low levels of electoral participation amongst younger voters. This has resulted in a number of instrumentalist arguments for young people's participation being advanced (e.g. Wilkinson and Mulgan, 1995; POWER, 2006), in an attempt to revitalise democracy and re-engage children and young people with traditional political processes and institutions. In addition, there is a large body of work advocating children's participation in terms of the resultant policy benefits (e.g. Williamson, 2003; Sinclair, 2004; Tisdall and Davis, 2004).

Recent elections – for national, UK, European and local authorities – have seen a national decline in popular participation. However, the drop in electoral participation for most of these elections has been most marked amongst younger age cohorts. Although Fahmy (2006: 50) highlights the 1992 general election as being the point at which the scale of the decline was first noted, there is evidence to suggest that a lack of satisfaction with the political process amongst younger voters has been evident since the 1970s (e.g. Royal Commission, 1973; Marsh, 1977; Hart, 1978): thus, at UK level, we have witnessed reported turnout amongst the 18-24 age cohort dropping from 89% in 1964 to just 37% in 2005 (Phelps, 2005). This figure, although worthy of concern in itself, is made even more worrying when one considers that the youngest electoral cohort – with a non-registration rate of around 20% – was four times more likely not to be registered as voters than the adult population overall (British Youth Council, 1995). On the basis of these figures, it is not unreasonable to surmise that as few as one in four 18-24 year olds in the UK may have cast a vote in the most recent general election. However, the case that the Scottish Parliament might change young people's relationship with politics may be seen to be strengthened by the reversal of turnout trends at the 1999 Scottish Parliament election, at which turnout among 18-24 year-olds (61%) was actually *higher* than among 25-34 year-olds (55%), although it is worth noting that both turnout figures showed a net decrease compared to the UK election of 1997 (Park and Hinds, 2003: 168).

However, this is perhaps overly optimistic: research from the Electoral Commission shows that there is a far lower propensity among young people to see themselves as certain to vote as among older age groups: only 24% of those aged 18-24 declare



themselves 'certain to vote' in an immediate general election, in comparison with 69% of those aged 55 and over. In addition, they are far less likely to discuss politics than any other age cohort (Electoral Commission, 2007). It therefore comes as no surprise to discover that the generation turnout gap in the UK – 32% – between the youngest (18-24) and oldest (65+) voting cohorts is larger in the UK than in most other advanced industrialised democracies (Electoral Commission, 2004). As Fahmy concludes: 'age remains the single most powerful predictor of electoral registration and also exerts a major influence upon the likelihood of electoral turnout, with young citizens being considerably less likely to register, or to vote, compared to older citizens' (2006: 69).

However, it would be misleading to cite electoral turnout as the only relevant evidence when discussing young people's overall disengagement from the political process. Further evidence shows that this decline in electoral participation is accompanied by a drop in conventional forms of political participation and markers of political satisfaction amongst young people. Traditionally, the most conventional routes through which young people became politically active were political parties and trade unions. Again, such modes of participation have borne witness to a significant decline, with young people now far less likely to join trade unions than previously (Bryson, 2002). The limited literature available on the subject of young people's party membership in the UK shows that youth wings of the established political parties have also experienced a decline in popularity amongst younger members of society, confirming the findings of other studies showing a far smaller propensity among younger voters to indicate a strong party allegiance (e.g. Heath and Park, 1997). Thus, the Labour Party has seen youth membership (under 21) fall to just 2% of its total membership in 1992 (Seyd and Whiteley, 1992); the Conservative Party (under 25) to under 1% in 1994 (Whiteley et al, 1994); and the Liberal Democrats to 3% in 1995 (Rudig et al, 1995). Overall, only one out of every twenty members of political parties within the UK is younger than 25 (British Youth Council, 1996).

As such, there appears little dissent within the literature that young people's relationship with traditional modes of political participation is changing, with Wilkinson and Mulgan showing evidence of a 'historic political disconnection' whereby 'an entire generation has opted out of party politics' (Wilkinson and Mulgan, 1995: 85).

However, within studies which have examined this phenomenon in greater detail, there is a broad consensus that this disconnection from party politics has been accompanied by a surge in support for alternative means of expressing their views: in what resembles a zero-sum game, young people are seen as turning away from party politics and towards a single-issue-driven politics of protest. Referring again to Wilkinson and Mulgan, it becomes clear that 'given the right issue, young people do become active... [they] seem far more predisposed to single issues, to issues where they can have an immediate effect, and perhaps to 'life' issues rather than social or economic ones' (Wilkinson and Mulgan, 1995: 89). This finding broadly echoes those found elsewhere in wider social considerations of the apparent decline in participation (e.g. Parry et al, 1992; Jordan, 1998; Whiteley, 2003; Pattie et al, 2004).

Nowhere is this trend more evident than in the rise of new social movements and direct action politics. Several studies have shown large increases in unconventional methods of participation among young people, characterised by the growth in popularity of organisations with a more fluid structure and direct methods of political action such as consumer boycotts, striking and protesting (e.g. Dalton et al, 1990; Della Porta and Diani, 1990; Parry et al, 1992), some of which contend that when considered alongside *mainstream* political participation, the inclusion of such modes means that young people actually participate *more* than other age groups (e.g. Roker et al, 1999).

As such, the key question in this regard is just *why* such a shift is taking place. Arguments abound as to why this is the case, but scrutiny of the literature identifies three recurring arguments holding sway over the others. Firstly, there has been a social shift towards what Prout (2000; 2003) labels 'individualisation'. This label refers to the tendency whereby people of all ages – but far more noticeably children and young people – have moved their concerns away from the traditional political issues of class and the (re)distribution of wealth towards a more issue-driven, post-materialist agenda as a result of greater material affluence. As such, new forms and modes of participation are used in preference to party politics. Secondly, there has been a fundamental shift in young people's attitudes towards politics, politicians and political institutions. Thirdly, children and young people show signs of suffering from a greater degree of political exclusion/alienation than was previously the case. As a result,

engagement with and participation in the formal political process has been relegated in young people's consciousness, as they seek to cast their influence upon different issues (which they do not necessarily perceive to be political) via different mechanisms.

#### **2.5.1.1 Individualisation**

Prout's concept of individualisation is one which has been explored in depth under a variety of guises and names in both the sociological and political fields of study. However, the key identifying attributes remain the same despite the different labels: a change in the types of issues which motivate people to become active; and a shift in preference for the way in which they give voice to their opinions on these issues.

Parry et al (1992) provide the most comprehensive study of the changing nature of democratic participation within the UK to date, highlighting the shift towards post-materialist concerns and direct methods of expressing these concerns among society more generally. This move towards new forms of 'doing politics' is particularly evident with children and young people, for whom party politics has become 'a dirty word' (Wilkinson and Mulgan, 1995: 84). There is a far greater tendency now to focus upon less materialistic issues (Bennie and Rudig, 1993) and become involved in single issue politics than in the youth wing of an established political party; as well as a far greater tolerance for going beyond the limits of the law when trying to make a point (Wilkinson and Mulgan, 1995: 89-90; Park and Hinds, 2003; Pattie et al, 2003).

#### **2.5.1.2 Attitudes Towards Politics**

Additionally, large-scale studies of children and young people have revealed a striking disconnection from organised politics, with findings revealing that more than half of 16 year-olds believed that that politicians 'don't care what ordinary people think', that the real centre of decision-making power lay not with elected representatives but with other 'powerful forces which control [governments]' and that politics was 'a dirty business' (Cochrane and Billig, 1982 cited in Fahmy, 2006: 76; see also Wring et al, 1999).

Such findings beg further questions, although until recently, these have gone largely unaddressed by analysts of young people's politics (Henn et al, 2005). Most of the studies which have taken place have studied young people's participation within a framework equating 'politics' with the institutions and processes of electoral and party politics using survey-based methods (O'Toole et al, 2003). Such studies assume a common understanding of the term 'politics'. As has been shown above, however, young people are turning increasingly towards new modes of participation whilst turning their backs upon voting and party politics. As a result, a number of more recent studies (Roker et al, 1999; White et al, 2000; Henn et al, 2005) have investigated in a more qualitative manner young people's volunteering and campaigning activity. These have revealed a deep-rooted commitment to issues which are essentially political in nature, but which are not connected directly by young people to the *formal* political process.

### **2.5.1.3 Political Exclusion / Alienation**

It is generally accepted that political alienation is a multi-dimensional process, with Bynner and Ashford (1994) identifying four main strands therein: political trust, political interest, political efficacy, and political knowledge. In broad terms, the concept of political trust is based around levels of support for the political system as a whole (rather than simply for one individual, party or government). Similarly, political efficacy draws upon individuals' sense of ability to influence the political process and perceptions of the degree to which citizen-initiated change is possible. Political interest relates to levels of attention paid by citizens to the political processes affecting them, whilst political knowledge is connected to awareness and understanding of how to contribute to and involve oneself in such processes (Fahmy, 2006: 72-73).

With regard to political trust, survey data stretching back three decades highlights a significant lack of trust amongst children and young people in the UK in the political system generally, and in politicians more specifically (e.g. Stradling, 1977; Cochrane and Billig, 1982; Wring et al, 1998), whilst similar data shows that levels of political efficacy are similarly low (e.g. Stradling, 1977; Furnham and Gunter, 1989; State of the Young Nation, 1998). Additionally, the literature also shows that children and young

people declare low levels of political interest. Cross-comparison of a number of surveys of children and young people between the late 1970s and late 1990s show consistent (low) levels of interest in politics (Fahmy, 2006: 75). UK survey data from 1998, however, shows a marked increase in interest and decrease in disinterest, at 23% and 40% accordingly. Whilst this may be due to the temporary change in tone of British politics following the election of New Labour in 1997, the evidence also shows that when mainstream politics acquires a greater degree of salience for children and young people, their interest is capable of being piqued (Wilkinson and Mulgan, 1995: 89; Wring et al, 1998), and it may also account for the comparatively higher turnout among 18-24 year-olds in the first Scottish Parliament election. However, in general, young people in the UK remain far less likely than their older counterparts to discuss politics or political news (Electoral Commission, 2007) and to report an interest in politics (Electoral Commission, 2004).

Finally, with regard to political knowledge, the evidence available suggests that there is a lack of fundamental knowledge critical to political decision-making among children and young people. Despite a study examining levels of recognition of both the Prime Minister and First Minister in Scotland showing that there is widespread recognition of key political figures (Robertson et al, 2004), recognition of a number of other political figures (including leader of the opposition and local representative) halved between 1977 and 1998 (Fahmy, 2006), whilst political knowledge other than that based upon recognition of key figures (for example, parliamentary system knowledge) emerged as the largest area of ignorance in terms of young people's political knowledge in both the late 1970s and 1980s (cf. Stradling, 1977; Furnham and Gunter, 1983, 1987, 1989). Furnham and Stacey (1991) suggest that this trend remains stable over time, with young people showing greatest levels of knowledge in relation to the levels of government of which they have had direct experience or to which they have been exposed: typically, locally-based services or consumption of politics via the media. Stradling also highlights a similar tendency, with his distinction between levels of knowledge in relation to *propositions* and *procedures* highlighting a far higher degree of awareness in relation to political personalities (i.e. the former) than in relation to the operation of representative parliamentary democracy (the latter), describing what knowledge they did possess as 'inert and voyeuristic [...] of little use to them either as

consumers or as political actors' (1977: 57; see also Fahmy, 2006). Furnham and Stacey further argue for action to reverse the trend of political ignorance on the basis that a failure to recognise or understand political institutions which evolved to protect the rights of the individual could have implications for the protection of their rights (Furnham and Stacey, 1991: 186), as well as on the basis that an uninformed electorate is more likely to make unreasonable and ill-conceived demands of its governing institutions (Furnham and Stacey, 1991: 26; see also Blumler, 1974).

We thus see that in terms of both electoral participation and political alienation, there is cause for concern in relation to children and young people's position. Such figures have given rise to fears of a dispassionate and politically apathetic generation which is disinterested in collective concerns. These fears have in turn led to mixed reactions: from one of scorn and contempt in some quarters, to a fear for the future of collective responsibility in others. There is talk of a political crisis, and much wringing of hands – predominantly within the media – about 'what is to be done'. If such a crisis were to exist – if young people were genuinely unconcerned with all issues facing society – the implications could indeed be serious. However, the exploration of young people's participation in activities and issues which they deem *not* to be explicitly political, even though they may be (see O'Toole et al, 2003a, 2003b; White et al, 2000) refutes this suggestion. This, however, is perhaps insufficient. Despite declining enthusiasm for electoral participation and growth in support for alternative modes of participation, elections remain 'a unique and distinctive form of political participation' (Phelps, 2005), and voting continues to play a key role within the democratic process, holding to account and legitimising the work of government. Any lack of democratic legitimacy and accountability will therefore have significant implications for the mandate on which a government may claim to rule (Blumler, 1974; Stoker, 2006).

#### **2.5.1.4 Apathy / Cynicism**

The media response to the political behaviour of this 'scapegoat generation' (London Youth Matters, 1997) has been to present a vision of them as lazy, apathetic, apolitical and unmotivated. However, not only does the evidence on political participation and exclusion presented above refute this argument, but also by focussing upon young

people as the source of the problem carries with it the inherent danger of failing to recognise factors which play a far greater role in the process of alienating young people from political institutions; factors which must be addressed more urgently than young people themselves when it comes to re-establishing a meaningful link between children and young people and traditional democratic institutions.

The argument that young people are politically apathetic is borne out neither by the evidence on political exclusion nor by recent qualitative findings (see Section 2.5.1.3) which highlight the extent to which children and young people are politically active outside the sphere of formal, organised party politics. The media commentary alluded to in the paragraph above serves only to reinforce the notion that democratic participation must be based around a system of representative parliamentary government. Whilst such sentiments may resonate with the type of elite-driven democracy envisaged by Schumpeter (1994), it is clear that in recent decades, the nature of 'doing politics' has changed significantly, such that citizen action outwith the formal parliamentary sphere has assumed a far more prominent and important role in modern democracies. Theorists of young people's participation have been keen to challenge the lazy generalisation of young people as selfish and apathetic, with the growing number of qualitative studies (outlined above) of young people's political participation suggesting that rather than being demonstrative of outright political apathy, what we are witnessing is a preference for new forms of politics based upon a profound cynicism *vis-à-vis* the ability and willingness of traditional political institutions not only to hear young people's voices, but also to place on the agenda the issues which appear to have more of a bearing upon young people's lives in the modern era (Hodgkin and Newell, 1996; White et al, 2000). Such arguments lend themselves to a number of solutions. Firstly, for policy actors, a reformulation of what is meant by 'the political'. Secondly, an adaptation of current institutional structures in order to allow for young people's voices to be heard; to break the chain of familialisation and adultism identified by Qvortrup (1994) and Dalrymple and Burke (1995) respectively, and shown by Hodgkin and Newell (1996) to be endemic within the Westminster approach to policy-making.

In addition, consideration of the nature of the shift towards individualisation also has implications for the way in which this disconnection might be addressed. Again, two main theories take prominence. On the one hand, it is argued that the problem is one of a normal life-cycle which has for generations seen young people showing little interest in formal politics. According to the life-cycle argument, interest in politics steadily increases with age and responsibility, peaking in mid-life before tailing off once more in early old-age (Verba et al, 1971; Nie et al, 1974; Heath and Park, 1997; Denver, 1998). This theory holds that young people today are no less disengaged from formal politics than previous generations, and low levels of formal political activity among younger societal cohorts is actually nothing novel. Other commentators, however, claim to have identified a clear generational dimension to young people's engagement with the formal political process: for some reason, recent cohorts of young voters have failed to conform to the life-cycle theory of political socialisation, remaining relatively inactive and disengaged in a political sense. Given that these arguments have implications for the remedial action required by political institutions in order to reengage with young people, these conflicting perspectives will now be addressed in more detail.

#### **2.5.1.5 Life-Cycle / Generational Effects**

Age is regularly ranked as one of the most reliable single predictors of likely political activity, particularly when conceptions of politics rely on traditional interpretations (Crewe et al, 1992; Parry et al, 1992; Blais et al, 2004). As highlighted above, it had previously been assumed that political socialisation followed a relatively predictable life-cycle, with low levels of engagement at a young age giving way to greater levels in mid-life before falling away in early old age. As such, a relatively lower turnout amongst younger cohorts of the electorate was expected according to this predictive theory of mainstream political participation.

Recent studies by O'Toole et al (2003a; 2003b) highlight the life-cycle model as a potent explanation for young people's involvement in the formal policy process. In recent years, however, a number of studies have begun to challenge the previously widely-held belief that participation followed a life-cycle, suggesting rather that a



distinct generational effect underlies political engagement levels of current and recent generations of new voters (e.g. Wilkinson and Mulgan, 1995; Jowell and Park, 1998; Pirie and Worcester, 1998; Blais et al, 2004; Phelps, 2004, 2005), with the predictive life-cycle model being replaced by a more descriptive generational model. Under such theses, age alone is unable to account fully for the difference between the behavioural trends of differently-aged electoral cohorts, with particular events or societal circumstances impacting permanently upon preferences as regards the extent and modes of participation. Longitudinal studies (e.g. Phelps, 2004, 2005) examining young people's participation trends have lent increasing credence to the generational thesis.

In relation to current trends, rather than replacing the traditional life-cycle model of political socialisation, the generational model appears to complement it, refining current understanding of young people's exclusion from and disinterest in formal political processes. As a result of this, a combination of life-cycle and generational explanations for political participation has gained salience (Kimberlee, 2002). Heath and Park (1998), for example, assert that life-cycle and generational effects can never be disentangled. Such a hypothesis also finds favour with Parry et al (1992) who refuse to rule out either a generational or a life-cycle effect. Indeed, it is perhaps sensible – rather than relying on only theory – to support Henn et al in their claim that:

[T]hese processes and changes might indicate evidence of a 'period effect', in that they are societal, and are thus experienced universally across the generations. However, due to young people's position in society, they experience these changes somewhat differently from older generations. This may help to explain any generational differences in terms of political engagement and orientation that have been observed in recent years.

(Henn et al, 2002: 172).

Fahmy and Phelps further reinforce this point separately, particularly in relation to traditional modes of political participation:

The apparent long-term decline in young people's party political involvement clearly cannot be explained by life-cycle factors alone, but reflects also the influence of generational and/or period effects in patterns of participation.

(Fahmy, 2006: 26)

The answer to the question 'Are today's young citizens politically distinct?' would have to be a resounding 'yes'. They are unique in the sense that we have not witnessed their participatory characteristics in any previous generation. But more information on their uniqueness is needed before we can make any solid conclusions about the extent of a generational effect on voter turnout.

(Phelps, 2005: 487)

The literature examined thus far therefore suggests that whilst the life-cycle interpretation may still have salience (particularly when accounting for the low levels of participation among young people), it is only when used alongside consideration of the generational or period effect that a more accurate explanation for young people's interest may be formulated. This again confirms Wilkinson and Mulgan's (1995) assertion of a 'historic political disconnection'. As such, rather than simply expecting children and young people to eventually decide to begin participating in formal politics, it suggests that action is needed on the part of the political system to overcome the generational/period effect.

This therefore has implications for any focus upon citizenship education or provision of information as a panacea. This type of focus has dominated approaches to 'the youth problem' in recent years, most notably expressed in the promotion of citizenship education at Westminster level as a corrective to young people's disinterest in traditional political institutions in the UK (e.g. the Crick Report) (Qualifications and Curriculum Authority, 1998). However, this approach can at best only represent one aspect of a possible solution, as it fails to address *all* of the key dimensions of political exclusion and alienation, focussing rather upon an attempt to boost young people's political knowledge alone. There is, however, no immediate evidence available which suggests that increased levels of political trust, interest and efficacy follow automatically from an increased level of political knowledge. Indeed, a focus purely on knowledge may actually be more damaging than it is constructive. As it is based upon the implicit assumption that current institutional structures are adequate and that the problem lies more in young people's political ignorance than in any recurring systemic failings, it runs the risk of alienating young people even further by offering tokenistic, knowledge-based solutions with young people seen as representing the problem, when it appears that the principal problem with regard to young people's political

exclusion is one of a lack of trust and political efficacy in political institutions (Fahmy, 1996). Indeed, the fact that Scotland has seen the unique subject of Modern Studies (which includes teachings on UK and international politics, voting systems and behaviour, and consideration of social obligations) on its compulsory secondary curriculum for decades and yet still bears witness to worrying signs of political exclusion amongst young people would suggest that education alone is not the panacea which the Westminster government might hope. Fahmy summarises the case thus:

Reconnecting politics for young people therefore requires the development of new avenues of public participation [...] However, if such innovations are to be widely viewed as vehicles for genuine participation in policy formulation, rather than simply as essentially tokenistic consultative mechanisms, then far-reaching institutional changes in the political organisation of contemporary democracies are required [...] Whilst more democracy may not always be better democracy, without fundamental institutional changes, the prospects for the development of a genuinely participatory political culture will remain remote.

(Fahmy, 2006: 160-163)

### **2.5.2 The Legal Argument**

In addition to the political argument laid out above, examining children and young people's right to participate from a legal perspective reveals unprecedented advances in recent decades. Whereas the preceding political argument applied predominantly (although not exclusively) to older children and young adults, the legal argument is more restricted to those defined as children by virtue of not yet having attained the age of majority (and therefore also not yet having attained full citizenship: this will be further discussed below).

The argument that children (and – depending upon the exact context in which the term is used – many young people) have an *entitlement* to participate in decision-making processes affecting them derives from a body of (predominantly international) rights-based work conducted over the past 25 years, most notably embodied in the form of the United Nations' Convention on the Rights of the Child (UNCRC). There is, additionally, a growing body of work at both UK and Scottish levels which has sought

to institutionalise the normative element to young people's participation in policy work in Scotland (e.g. the Children (Scotland) Act 1995; the Human Rights Act 1998). Despite progress on the domestic front, however, the UN's Convention on the Rights of the Child remains by a long distance the framework with greatest currency in terms of advocating for children and young people's participation, and represents 'the touchstone for proponents of children's rights' in the UK (Hill and Tisdall, 1997: 30).

The UNCRC challenges previous notions of children and young people. As highlighted above, traditional approaches to children and young people treated them as a policy problem in one of two ways: either they were seen as problematic and in need of adult intervention; or they were excessively vulnerable and requiring of paternalistic state protection (Hill and Tisdall, 1997). Emerging from the radical children's liberation agenda of the 1970s (which demanded for children and young people absolute parity with adults in terms of their political, civil and social rights), the contemporary movement assumed a more reserved tone, claiming that whilst children have equal value to adults, their position of 'physical and mental immaturity' relative to adults requires that certain safeguards and standards of legal protection of their rights are necessary (United Nations, 1989). It is this legal protection of rights which the UNCRC aimed to address.

Prior to elaboration upon the specific content of the UNCRC, it is worth clarifying the nature of the UK's commitment. Although the weaknesses of the Convention will be covered in more detail below, possibly the greatest weakness of the UNCRC is that it is not legally enforceable unless explicitly incorporated in national statute (Hill and Tisdall, 1997: 33). This has not happened in the UK and as such, the UNCRC does not share the same status as, for example, the European Convention on Human Rights which was incorporated into UK law through the aforementioned Human Rights Act (1998), although the Scottish Executive *claims* to reflect the UNCRC ('where possible') when considering policy that impacts upon young people (Scottish Executive, 2005: 5). As such, whilst signatories have a *moral* duty to operationalise the Convention, there is no means of enforcing this *legally*. Despite this lack of enforceability, progress towards implementation of the Convention's provisions is monitored by the Committee on the Rights of the Child at the Office of the UN's High Commissioner for Human Rights, to

whom signatory states are required to submit quinquennial progress reports. Signatory states are required to defend their progress and reports; a requirement which saw the UK government's first report to the Committee in 1994 receiving a large amount of criticism on the basis of its accuracy and omissions (John, 2003: 213).

With regard to the contents of the UNCRC, Hill and Tisdall (1997: 28-29) distinguish between three main areas covered by the Convention's articles (known informally as 'the three Ps'): those focussing on participation; those focussing on provision; and those focussing on protection. For the purposes of this work, the focus is upon the participation articles, for it is in these that children and young people's right to play a role in decisions affecting them is enshrined. In this regard, the key Articles to be considered here set out children's participation rights thus:

**Figure 2.1:** Participation Articles in the UN Convention on the Rights of the Child

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others; or
- (b) For the protection of national security or of public order, or of public health or morals.

Source: United Nations (1989)

Thus, the right of children and young people to be involved in any decision affecting them and to have their views represented in administrative processes affecting them signals a clear commitment to facilitating young people's involvement in the design and implementation of policies directly affecting them (Fahmy, 2006: 22), moving children and young people – in theory – from a position of passive receipt of policies to a position of active contribution. As a devolved legislature of a signatory state, the Scottish Parliament (and, additionally, the Scottish Executive) shares in the UK's commitment to work towards the realisation of the Convention's 54 articles.

There is a broad recognition in the literature that the UNCRC marked an important turning point (e.g. Willow, 1997) for the status of children, not only in legal terms, but – crucially – in social terms as well. Prout (2004: 13) highlights the fact that, in addition to the legal implications, the UNCRC represents 'the seed of [...] a more adequate way of representing childhood'. Thus, it attempts to redress the view of children as *pre-citizens*, by defining in international statute their various civil, political, economic and social rights.

The wording of Article 12 of the Convention allows for certain aspects to be interpreted somewhat broadly (Fahmy, 2006). It establishes the right for children and young people to have their voice heard – either directly or through a representative – on any matter which is deemed to 'affect' them. In addition, Article 13 sets out the right to 'impart information' in a manner appropriate to the child, whilst also establishing the rights of the child to obtain such information as may be appropriate. Whilst such provisions may be somewhat 'fuzzy', ratification of the Convention is intended to enshrine and institutionalise the right of children and young people to be involved in the design and delivery of policy, restricted only by such exceptional factors as national security and public order. Thus, on ratifying the UNCRC in 1991, the UK made a commitment to the implementation of structures or processes by which the participation of children and young people could be institutionalised (Article 12), and to the provision of appropriate information for children and young people (Article 13).

There are a number of important criticisms of the UNCRC which are not directly relevant to this study, and as such, will not be treated in great detail here. Thus,

criticisms of the Convention as perpetuating an ethnocentric and gender-centric view of children's rights (e.g. Ennew, 1995; Olsen, 1992, respectively) hold little relevance to an examination of the Convention in relation to young people's participation in the work of the Scottish Parliament, and will not be considered. However, other more general criticisms – such as the limits of young people's participation – are examined briefly below. Overall though, much of the Convention has been treated as uncontroversial: by and large, those Articles which help to reinforce an adultist view of the child as an entity in need of protection have caused little consternation. It is, however, when the UNCRC attempts to redefine participation rights for young people – thereby also challenging traditional notions of children as *pre-citizens* – that it attracts controversy (Prout, 2003). As Richard Reid, Director of Public Affairs at UNICEF (the United Nations Children's Fund), explains:

The law on children's rights has three parts: provision (food, medical care, education etc.), protection (from child labour, adult abuse, under the law etc.) and participation by children. *Few governments have any philosophic problem with the first two. It's the third part that worries them.*

(Reid, quoted in John, 2003: 201; emphasis mine).

Although it is asserted (e.g. Woollcombe, 2004) that at the outset, the main focus of the drafters of the UNCRC was the role of children in divorce and family separation proceedings, it came to be understood later during the drafting process that this should also extend to political matters, something for which policy-makers may not previously have felt the need where the issue was not likely to have a direct effect upon children and young people. A further criticism of the Convention derives from its failure to push for greater recognition of children's rights to participate in formal electoral politics. Crucially, the Convention is silent upon children's voting rights, with John (2003: 210) stating that 'if the highest form of political expression is seen as the right to elect a government through the ballot box [the UNCRC] is admittedly not very helpful as far as children are concerned'. As such, the implicit assumption appears to be that children by their very nature are expected to be disenfranchised, and thereby denied *full* citizenship.

Despite these criticisms, the UNCRC has nevertheless represented a valuable tool in changing policy-makers' views of children and young people (John, 2003: 202), promoting a children's rights agenda and requiring state signatories to give greater weight to children's rights in legislation, policy and practice. However, whether or not the UNCRC 'is just a 'hurrah' idea or whether the policy makers' rhetoric can change the political realities in children's lives' is a question which remains to be answered by signatory states (Hill and Tisdall, 1997: 33).

### **2.5.3 The Social Argument**

Changes in legal and political approaches to children and young people's involvement in the political process have also prompted reconsideration of their role as citizens more generally, resulting in a growing recognition of children and young people as social actors in their own right (Prout and Hallet, 2003). Although Fahmy (2006) includes the concept of citizenship within the political dimension of the overall debate, I would argue that it merits separate treatment within the *social* dimension, given that citizenship (of any cohort of society) derives directly from social constructions of particular groups within a particular society at a particular time.

As stated above, for most of the 20<sup>th</sup> century, children were seen as in need of intervention, either for their protection or the protection of society. Such a model is based upon the assumption that adults have traditionally been best placed to speak for and on behalf of children and young people themselves. This assumption has been challenged towards the end of the 20<sup>th</sup> century, most prominently by Prout (2000, 2001, 2003) and Fahmy (2006). Whilst some of Fahmy's suggestions relating to the changes in the conditions of childhood were set out above, Prout identifies that the conditions of childhood have undergone five radical changes from the 1970s onwards.

Firstly, the declining birth rate and increase in life expectancy – and the resultant ageing populations – across much of the industrialised world has meant a greater diversion of political and social resources away from children and young people towards older age groups. Such a move has prompted concern as to the justice of resource distribution between generations and, more specifically, the way in which



children and young people as a social grouping are able to influence this shift (see also Sgritta, 1994). Secondly, Prout highlights the growing difference in life circumstances between groups of children. Within this, he identifies changes in family circumstances and standards of living as having increased from the 1970s onwards, with a greater proportion of children in most industrialised countries growing up in non-nuclear families and in poverty. Again, this has prompted questions relating to children's right to have a say in matters of resource distribution. Thirdly, he identifies childhood mobility and 'transnational childhoods' (2003: 15) as a result of greater geographical mobility in the late 20<sup>th</sup> century. In addition to the implications which this may have for a child's sense of place and belonging, it raises important questions about the process of socialisation. In turn, this has led to interest in the ways in which children attempt to make sense of their world both collectively and individually.

Increasing levels of institutional control over children during the course of the 20<sup>th</sup> century have also prompted reconsideration of children's role in society; Prout's fourth identified change in childhood. Through the introduction of such institutionalised forms of socialisation as compulsory schooling, it is claimed that there is growing evidence of a drive to 'control' the future through children. This, however, is offset by Prout's fifth change in the way in which childhood is conceptualised, and which forms the next part of this section: the emergence of the belief that children and young people are entitled to a voice in decision-making at all levels, born in response to the growing institutionalisation of childhood, the debate around basic rights and the earlier-mentioned tendency whereby public service delivery gradually assumed a more reflexive and consumer-focussed form. He goes on to identify individualisation – the process whereby individuals define themselves in terms of 'lifestyle' choices (particularly consumption focussed choices) as opposed to objective gender, race or class belonging – as the natural product of the participation discourse (2003: 17-18; see also Beck, 1998).

The last of the changes identified by Prout highlights the reciprocity which exists between social constructions of children and young people and their right to have a say in decisions affecting them, or – as Prout puts it – between their political representation and their social / cultural representations. The result of these changes

has been a critical reappraisal not only of children and young people's right to have a say on issues affecting them, but also on the broader issue of citizenship, of which this right is a key component. Although careful to respect the differences between the movements, Roche likens this transition to the one experienced by women's liberationists and feminists in the mid to late 20<sup>th</sup> century, stating that women and children are 'caught in identical histories' (1999: 481). At this point, the concept of citizenship is capable of shedding some light upon the status of children and young people and the basis from which their right to participate is argued.

The widely-accepted definition of citizenship provided by T H Marshall holds that the concept equates to the 'status bestowed on those who are full members of a community [...] [who] are equal with respect to the rights and duties with which the status is endowed' (1950: 14). Deconstructing the definition of citizenship yet further, Marshall distinguishes between the types of rights which come with being an equal member of society: political, social and civil (legal). Developments in the way in which society views children and young people below legal voting age suggests that the notion of childhood citizenship is growing. Where previously children were seen as insufficiently capable or mature (as with women, Roche argues) to be recognised as social actors in their own right, perceptions have shifted within the three key dimensions of citizenship as identified above, challenging the presupposition that children are incapable of participating in the operation of society in a meaningful way (De Winter, 1997). As such, there has developed a notion of 'incremental citizenship' or 'partial citizenship' for children and young people (e.g. Bulmer and Rees, 1996; Cockburn, 1998; Roche, 1999). Thus, whilst children and young people are still not accepted as full citizens – thus also not enjoying the full gamut of rights which accompany this status – some rights have been implicitly granted. However, it is erroneous to expect that full citizenship is desired for and by children: few authors have argued for absolute parity between adults and children and young people. What is desired is a more suitable role for children and young people; a role which takes into account their maturity and capacity to contribute to decision-making processes as experts on their lived lives.

However, as seen above, the political argument underlying the movement to bring children and young people into decision-making processes derives less from consideration of their rights than it does from their potential to reinvigorate democracy. This treatment of children as ‘the future’ has come under sustained attack from theorists of children’s rights and citizenship (e.g. Freeman, 2000; Prout, 2000), being denounced as belittling the contribution which children and young people are able to make in the here and now. Furthermore, it provides further evidence of a tension identified by Giddens (1990, 1991) between self-realisation for and societal control of children and young people in modernist thought.

#### **2.5.4 Criticisms of Youth Participation**

It has been shown over the course of this section that there are powerful arguments underpinning children and young people’s right to participate in the political process, deriving from legal, normative and instrumental bases. It would be wrong, however, to assume that even within the fields of children and young people’s politics, rights and citizenship, there is consensus over the right to participation. Whilst they represent a very small minority relative to the body of work advocating *for* young people’s participation, a number of authors have criticised the involvement of children and young people in decision-making, or have at least argued for limits to be placed upon their influence. This typically derives from one of two concerns: firstly, that children and young people are not morally equal with adults; or secondly, that they are not as capable as adults of contributing to decision-making processes.<sup>1</sup>

Pupavac (1998, 2001) has been the most strident critic of rights-based arguments for young people’s participation. She argues that the traditional concept of civil rights as applied to young people is erroneous, in that previous civil rights struggles have been centred around autonomous, rational individuals being denied the opportunity to exercise their rights in accordance with their will. In such cases, the granting of legal recognition was effectively recognition of a community’s capacity to determine its own best interests and act accordingly. However, she asserts that because many children

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<sup>1</sup> Whilst the age-range of this thesis is 0-25, these critiques tend to apply to children as opposed to young people.

are incapable of determining their own best interests, they have no will upon which to base such a claim of rights.

This construction of rights is seen as problematic, however, in that human and civil rights are routinely extended to other humans who are indisputably incapable of expressing their will: patients in a coma, or profoundly mentally handicapped people, for example. In the case of the latter, recent research (e.g. Cavet and Sloper, 2004; Franklin and Sloper, 2006) has shown that not only are disabled children capable of contributing to service decisions but also that it significantly improves outcomes for them and their parents / guardians. Other criticisms have also emerged in relation to the claim that children and young people are incapable of making successful contributions, although in many instances very often this is more readily attributable to poor participatory practice: for example, research in relation to school councils (Alderson, 2002) and youth councils (Matthews and Limb, 2003) suggests that they often lead to undemocratic outcomes *despite* the efforts of the young people involved.

Whilst there is clearly debate to be had in relation to the normative value of children and young people's participation, this debate is beyond the remit of this thesis. Rather, it takes as its departure point firstly the fact that children and young people have a legal basis on which to stake a claim for participation, and also secondly that there exists a significant body of literature stating the benefits of participating when they do so in a meaningful way. As such, it is prudent at this point to consider exactly what is meant when considering how participation can be meaningful, by turning to consider *how* to involve children and young people.

## **2.6 HOW TO INVOLVE CHILDREN AND YOUNG PEOPLE**

### **2.6.1 Overview**

Questions of *why* youth participation should be promoted are strongly tied to questions of *how* it should be pursued in practice (Ackermann et al, 2003). The literature reviewed thus far indicates that a twin approach is needed, involving the provision of information and the creation of more appropriate participatory structures

(e.g. Hodgkin and Newell, 1996). McNeish and Newman agree that both information and participatory structures are necessary, but where the former is posited as unproblematic, the latter remains subject to considerable adultist attitudinal barriers (McNeish and Newman, 2002: 195-197), and the relative difficulty inherent in operationalising youth participation is testified to by the size of and debate within the relevant literature. Moreover, they – along with Kirby and Bryson (2002) – argue that there has often been too much emphasis upon telling people how to involve children and young people without sufficient attention paid to how this works in practice. This section aims to provide a brief overview of both aspects: what the literature says on how to involve young people, and what evidence there is of young people’s participation making a meaningful contribution to decision-making processes.

However, before doing so, it is worth clarifying the use of the term ‘participation’. In contemporary political discourse, its use is associated overwhelmingly with voting (Parry et al, 1992). However, its usage in the literature which has grown up around ideas of civic involvement in public decision-making processes arguably better reflects the concept’s multi-dimensional nature (Sinclair, 2004): Creighton, for example, provides a satisfactorily broad yet workable definition:

Public participation is the process by which public concerns, needs, and values are incorporated into governmental and corporate decision-making. It is two-way communication and interaction, with the overall goal of better decisions that are supported by the public.

(Creighton, 2005: 7)

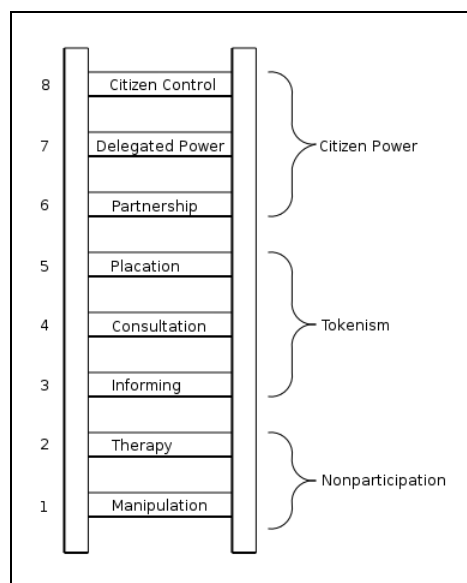
This definition encompasses much of what has already been discussed as important ingredients and outcomes of ‘participation’: the legitimisation of decisions; the need for information and processes to be opened up to the public; and the surrender of at least some degree of influence over decisions and the way in which they are made.

### **2.6.2 Theorising Young People’s Participation**

Whilst participation in decision-making has long been central to democratic debates, this has traditionally taken place at the level of defining the degree of democracy

inherent in a given polity's balance between representation and participation. However, the 1970s saw this debate diversify into organisational and decision-making literature. In particular, literature on community planning saw significant thought given to the way in which participatory decision-making processes helped to legitimise planning decisions and increase confidence in community governance. An early but extremely influential example is that of Arnstein (1969), who devised a 'ladder of citizen participation' with a view to modelling the degree of empowerment participants had in the decision-making process (see Figure 2.2).

**Figure 2.2:** The Ladder of Citizen Participation (Arnstein, 1969)

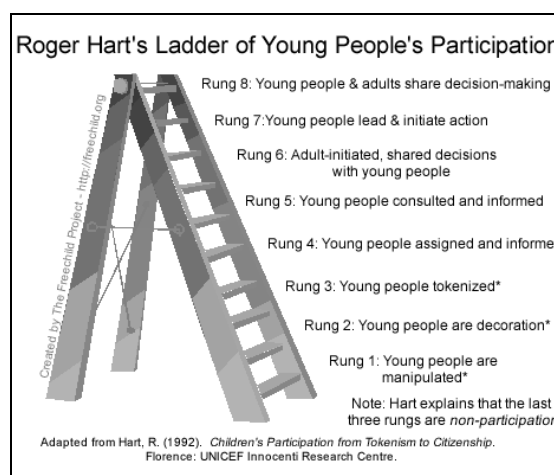


The eight rungs denote increasing degrees of empowerment, ranging from rungs representing non-participatory approaches (at the bottom) to rungs representing citizen empowerment (at the top). Thus, the lowest bracket of rungs (non-participation) denotes approaches which masquerade as participation but in reality involve no genuine participation and may better be thought of as therapy or outright manipulation. The next bracket of rungs (tokenism) covers approaches which offer tokenistic forms of involvement. These are principally passive in nature, with decision-makers placating, informing or consulting with participants. Thus, those involved may be given the opportunity to make their voices heard, but ultimately have no power whatsoever to ensure that their opinions are considered, far less acted upon. Only in the top bracket of rungs (citizen empowerment) when participants have some control over the agenda and decision-making does involvement become genuine participation,

with power devolved partially, in equal measure with other decision-makers, or entirely (Arnstein, 1969).

In the early 1990s, authors with a specific focus upon the marginalisation of children and young people from decision-making processes began to revisit Arnstein's model with a view to refining it to reflect young people's specific circumstances. Of these, Hart (1992, 1997) has been most influential, continuing Arnstein's concept of a ladder but considering its impact in relation to children and young people (see Figure 2.3). In doing so, the concepts underpinning the different rungs are adapted to reflect the adultist tendencies of policy-makers towards children. Thus, unlike Arnstein, Hart denotes the bottom three rungs of his ladder as non-participative and adultist, taking a more hard-line stance in relation to manipulation: for Hart, 'another example of manipulation is a situation where children are consulted but given no feedback at all' (1992: 8). Whilst Arnstein also recognises the importance of feedback, her categorisation is not so stringent as to insist that its total absence necessarily qualifies involvement as manipulation. Debate also exists as to whether rung seven or eight represents a higher aspiration, in the sense that many within the youth sector see youth initiation and direction of a process as being more participative than simply sharing responsibility for decision-making.

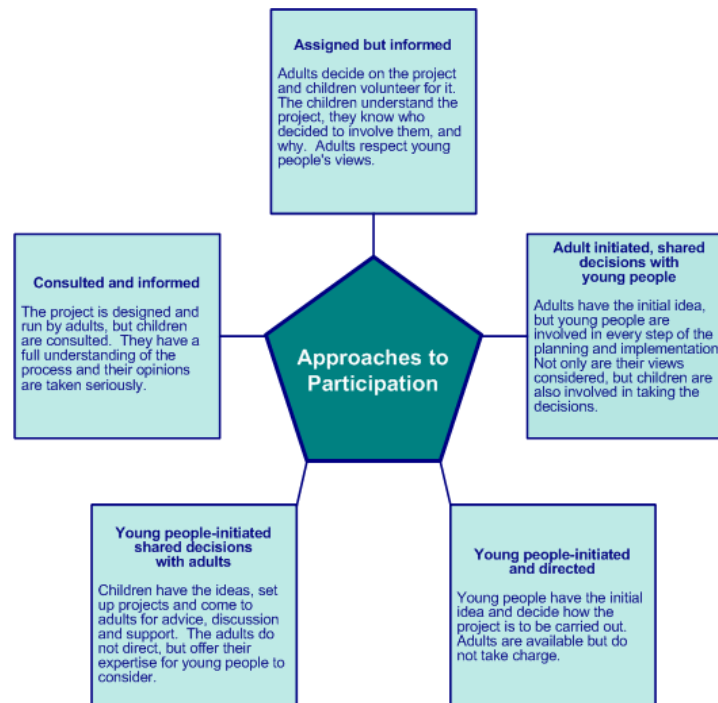
**Figure 2.3:** The Ladder of Young People's Participation (Hart, 1992)



Alongside the educational theories of Paulo Freire, Hart's remains the model which most organisations cite as being most helpful in the operationalising of youth

participation, although it has also catalysed a number of other authors to consider theoretical models for young people’s participation (Shier, 2001: 108).

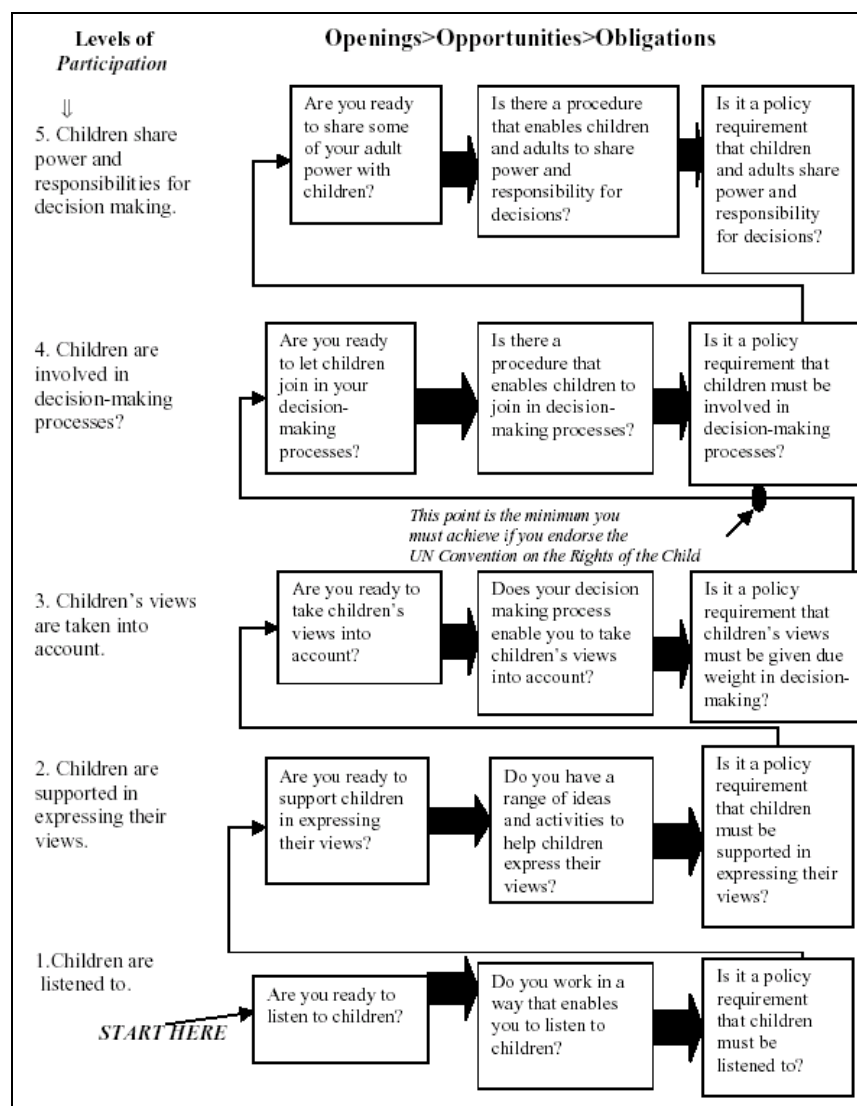
**Figure 2.4:** The Wheel of Participation (Treseder, 1997)



The first of these is Treseder’s (1997) ‘Wheel of Participation’ (see Figure 2.4), which aims to address the criticism that Arnstein and Hart’s models conceive of the progress from one form of participation to another as linear and sequential, whereas in reality, one level does not necessarily lead to the next (Wilcox, 1994; Reddy and Ratna, 2002). In addition, it counters criticism that one rung is not inherently superior to the one below it, due to the differing requirements of participants and projects: for example, with zero adult input, very young children may be unlikely to be able to participate effectively in the management of a decision-making process (see Willow, 1997; Green, 1999; Dorrian et al, 2000). Finally, Treseder also removes from consideration any ideas of tokenism, and instead focuses upon the positive ways in which children and young people can be involved with differing degrees of agenda control and assistance, although some authors (e.g. Shier, 2001) argue that the identification of tokenism was often the most useful aspect of Arnstein and Hart’s models when implementing a participatory ethos among decision-makers. Perhaps as a result, more recent incarnations of the wheel (e.g. Fajerman et al, 2004: 10) have included a sixth ‘spoke’ relating to non-involvement or tokenistic involvement.



**Figure 2.5: Pathways to Participation (Shier, 2001)**



Shier (2001) aims to build upon these models by linking participation to a benchmarking of decision-makers' conformity with Article 12 of the UNCRC. Like Treseder, the model omits non-participatory types of involvement. Unlike Arnstein, Hart and Treseder, Shier attempts to focus upon the practical and operational differences between varying degrees of participation, rather than conceiving of them abstractly (see Figure 2.5). Thus, in ascending hierarchical order, he identifies listening to children, supporting them in expressing their views, taking these views into account, involving them in decision-making and finally, giving them actual decision-making authority as being the different degrees of involving young people. At each stage, three degrees of commitment are examined: openings (relating to the stated willingness of policy-makers to engage with children and young people at a given level); opportunities (relating to the capacity of policy-makers or other staff to

operationalise the commitment) and obligations (the degree to which such this commitment is non-discretionary).

Whilst other models have been developed as alternatives to these models (e.g. Lardner, 2001), it is these models which are typically found in analyses of youth participation (Shier, 2001: 108). Each of them in isolation contributes towards greater rigour in terms of the way in which young people should be involved, but together, the commonality of their message is concise and consistent: an emphasis of the existence of differing levels of participation, with meaningful participation distinguished from mere consultation. This, however, is also consistently seen to be dependent upon the need for adults to cede some degree of decision-making authority if young people's participation is to be legitimate, with Arnstein and Hart's models in particular exposing the tokenism and manipulation inherent in many attempts at youth participation (albeit many of which may be ostensibly benevolent).

With this in mind, the final visualisation used here to demonstrate differing approaches to young people's participation is less of a model and more of a schema deriving from Scottish Parliament-commissioned research into methods of obtaining children and young people's views (Borland et al, 2001). The categorisation used here has been adapted from the original in order to better demonstrate its relevance to the concept of participation<sup>2</sup> and is particularly relevant because in addition to the consideration given by previous models to levels of power given to children and young people, the authors make it clear that different approaches to involving children and young people derive from differing understandings of children and young people and their perceived ability to contribute meaningfully to decision-making processes. As the existence of specific mindsets relating to children and young people will be shown to be important to the methodological framework for the research, the adapted outline overview of approaches to involving younger people (and their correspondence with different constructions of young people's abilities) is provided in Table 2.1.

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<sup>2</sup> The original table focuses upon approaches to research and consultation, although the categorisation transfers to participation in a straightforward way.

**Table 2.1:** Degrees of Participation and Associated Capabilities of Young People

Type of Involvement	Degree of Participation	Typical View of Children	Corresponding Model of Democracy
Consultation <i>about</i> Children	Adults determine agenda and decisions	Adultist; Familialist Reductivist	Representative Democracy
Consultation <i>with</i> Children	Children contribute to agenda and decisions	Progressive; Aware	Advocacy Democracy
Participation <i>of</i> Children	Children are central to agenda and decisions	Respectful; Egalitarian; Capacity-Centred	Participatory Democracy

Source: Author's own (adapted from Borland et al, 2001)

Thus, consultation *about* children and young people – in which they are given little say over the agenda or their involvement – is commonly linked to a familialist or adultist mindset which conceives of children and young people as a community which – despite possible acknowledgement of internal heterogeneity – is seen as homogeneously incapable of contributing meaningfully. Consulting *with* children demonstrates greater awareness of young people's abilities and suggests a more progressive attitude towards their capacity to participate. However, it is only when processes recognise and make allowances for the fact that whilst children and young people may have lesser abilities in terms of contributing on adult terms but are capable of contributing using age-appropriate methods, that involvement can be deemed truly participatory.

However, despite the utility of establishing methods for analysing the degree of participation of young people, the use of such models in isolation is unhelpful in determining *how* youth participation should take place, as they provide an insight only into the structure of power relationships between different actors. Whilst the ability to make a difference is absolutely central to the concept of meaningful participation, there are other factors which must also be considered in determining the degree of meaningfulness or effectiveness of participation. It is to these more practical concerns that the chapter now turns.

### **2.6.3 Operationalising Young People's Participation**

Reflecting the increased prominence of the concept in policy-making, recent years have seen a number of guides published in relation to the practice and evaluation of public participation for young people in decision-making processes. There is a certain irony to this proliferation, in that a key recommendation of each is invariably that participation should not depend upon adherence to external guidance, but rather should be developed such as to be appropriate for each occasion on which it is used. Whilst the sheer volume of guides to participation precludes a full overview of their individual recommendations, there is sufficient commonality across most of them to allow this chapter to draw out a number of general themes and principles which relate to the practice of public participation in general, and for younger people more specifically.

Wilcox (1994) provides an overview of the requirements of effective participation across age-groups, suggesting that in addition to the power dynamic outlined above, meaningful participatory techniques should be related to participants' capabilities, which will be seen to vary at different points (he identifies initiation, preparation, participation and continuation as distinct phases) during the overall process of participatory interaction (Wilcox, 1994: 8-9). As such, planners should be aware that participation rarely involves quick fixes, and that preparation is essential throughout (Wilcox, 1994: 16-18). Hodgson's (1990) approach is similar, advocating for three key dimensions to be considered if participation is to be successful: information, consultation and choice. Dalrymple and Burke (1995: 140-142) support this typology, arguing that access to information, access to decision-makers and access to the responsibility involved in decision making provides young people with participation which goes beyond tokenism.

The themes of preparation and participant capacity are also common to guides aimed specifically at the practice of participation for children and young people: indeed, for some authors, they are particularly important due to the traditional vulnerability of younger people. Borland et al (2001) argue that both preparation and feedback are stages of the involvement process which require as much thought as the actual period of involvement itself when dealing with younger people. Fajerman et al (2004) echo

Wilcox's concerns (above), but also advocate more explicitly for methodological diversity, arguing that the correct type of approach is also dependent upon the type of issue at stake, with the opportunity for participants to opt out at any point also a prerequisite of genuine participation. On this basis, they claim that the correct method will allow even very young children to be able to contribute in a meaningful way (Fajerman et al, 2004: 9). Hart is also a strong proponent of this argument, distinguishing between *situations* and *techniques* for participation, and arguing that the combination of the correct technique in the correct situation can allow for children as young as three to participate meaningfully, claiming also that such theories have a solid grounding in psychosocial and developmental psychology (Hart, 1992: 37-40; see also Hart, 1997: 27-33).

Lansdown (2001) emphasises that whilst particular methodological requirements may be specified, a more fundamental cultural change is also crucial due to unease – even among sympathetic adults – to the notion of young people being empowered to make decisions (Lansdown, 2001: v). Rather than prescribing specific approaches, she identifies characteristics common to successful participation exercises with children of all ages, distinguishing between characteristics relating to projects, values and methodology. These are outlined in Figure 2.6, and represent a checklist of commonly-asserted requirements of legitimate participation with children and young people.

In addition, Lansdown emphasises the need to recognise that young people's voices should be heard in relation to issues which are not typically seen as 'youth issues': housing, transport and health care all have an impact upon children and young people, for example. In this respect, Hill et al (2004: 77) agree strongly, arguing that despite their relative exclusion from political decision-making, children and young people are among the highest users of state services and one of the most governed communities by the state and civil society. However, the evidence to suggest that their participation has had much influence on such policy areas is not encouraging: in their meta-analysis of evaluation and other research evidence relating to young people's participation in the UK, Kirby and Bryson conclude that: 'where young people do influence strategic decisions they appear to have most impact on youth-related services, such as leisure

facilities [...] There is limited evidence of young people influencing areas that are not traditionally youth areas, such as health and transport' (Kirby and Bryson, 2002: 16).

**Figure 2.6:** Characteristics of Effective and Genuine Participation

### **The Project**

- Issue is of real relevance to children themselves
- Capacity to make a difference (where possible, long-term or institutional change)
- Linked to children's direct day-to-day experience
- Adequate time and resources made available
- Realistic expectations of children
- Clear goals and targets agreed with children
- Addresses the promotion or protection of children's rights

### **Values**

- Honesty from adults about the project and the process
- Inclusive (equal opportunity for participation by all groups of interested children)
- Equal respect for children of all ages, abilities, ethnicity, social background
- Information is shared with the children to enable them to make real choices
- Children's views are taken seriously
- Voluntary nature of children's involvement
- Decision-making is shared

### **Methodology**

- Clarity of purpose
- Child-friendly meeting places, language and structures
- Involvement of children from the earliest possible stages
- Training provided to help children acquire necessary skills
- Methods of involvement developed in collaboration with children
- Adult support provided where needed
- Strategies developed for sustainability

Source: Lansdown (2001: 11)

Overall, whilst there appear to be few apparent problems in supporting young people to express their views, there is little evidence available to suggest that decision-makers are clear as to how those voices are acted upon to effect change (Kirby and Bryson,

2002: 63). An implied criticism on the part of the authors is that whilst much attention has been paid to the production of toolkits and participation guides, too few resources and too little interest have been devoted to *evaluating* the way in which these toolkits work in reality and under different circumstances: this view is also articulated by McNeish and Newman (2002: 187).

Ceding control to anyone – let alone a group usually conceived of as belonging outwith the public sphere of decision-making like young people – is recognised as being daunting for many adults, even those sympathetic to overcoming the idea that children should be seen and not heard (Lansdown, 2001: v). However, it is argued by all of the authors considered above that unless attention is paid to ensuring that opportunities are appropriate to young people's abilities, that the demands of the situation in which they are placed are reasonable, and that they have some degree of empowerment, participation will produce unreliable evidence and will be (at best) meaningless for the young people involved, with the potential to inflict damage upon their self-esteem and political engagement.

#### **2.6.4 Examples of Children and Young People's Participation**

Whilst the lack of rigorous and cross-comparative evaluation of children and young people's participation has been lamented (e.g. McNeish and Newman, 2002; Kirby and Bryson, 2002), there is nonetheless an ever-growing body of descriptive literature detailing examples of young people participating and making a difference, with recent years witnessing greater attention paid to the 'putting into practice' of such principles as outlined above. Several high-profile assessments of specific methods for involving people of all ages have emerged, although young people's circumstances often merit particular attention within these, despite some arguing against the division of young people from older people, with the New Economics Foundation's 21 techniques of community participation argued to be capable of allowing adults and children to participate as equals (1998: 8). However, the Foundation's study does nevertheless recognise that certain methods – specifically those which involve a degree of creativity, such as Guided Visualisation and Participative Theatre – are particularly appropriate for involving young people who would not usually be involved in group

processes. Smith (2005) goes further, identifying 57 different democratic innovations aimed at securing greater public participation. Dividing them into six types (electoral innovations; consultation innovations; deliberative innovations; co-governance innovations; direct democracy innovations; and e-democracy innovations), he identifies a number as having been used effectively with young people, including a re-examination of the aforementioned Participative Theatre (Smith, 2005: 32). However, more formal methods are also considered, such as elected and unelected youth councils (Smith, 2005: 58, 59, 69-71) and study circles (Smith, 2005: 47), whilst the appeal of e-democracy innovations is also argued to be particularly strong in relation to young people (Smith, 2005: 91, 97; see also Howland and Bethnall, 2002; Coleman and Rowe, 2005).

Other authors focus upon children and young people specifically, with some considerations coming directly from young people themselves, showing strong evidence of peer-led involvement and significant impact upon decision-making (e.g. Willis et al, 2003). Although the majority are adult-led, a number of them attempt to draw in examples from around the world to show that even very young children are capable of contributing to decisions in a meaningful and influential way, provided that attention is paid to their capacity (e.g. Hart, 1992, 1997; Lansdown, 1995), with some notable examples demonstrating the ability of children and young people to organise and lead projects, and to act as representatives of their peers (Swift, 1999; Guerra, 2002; Ketel, 2003). Examples also exist of particularly marginalised young people – such as disabled children – successfully contributing to public decisions about service development (Cavet and Sloper, 2004; Franklin and Sloper, 2006).

Overall, there is no shortage of examples of young people's participation in practice, although concerns remain about consistency of reporting (Kirby and Bryson, 2002). However, what is also notable about all of these is a virtual absence of examples at the level of the national legislature. In the UK, virtually all evidence of youth participation is at local authority level or below (Cutler and Taylor, 2003; Barber and Naulty, 2005), although the existence of regional participation coordinators (as is the case with Dialogue Youth in Scotland) is seen as a possible route into a participation strategy ultimately resulting in such positions and structures being developed at the level of the



national legislature or executive (Cutler and Taylor, 2003: 5). Despite this, the national tier of government is rarely represented in such analyses, lending further weight to the earlier concerns of impenetrability and resistance to procedural innovation, and also to a need for greater commitment at national level (Carnegie Young People Initiative, 2001; Children in Scotland, 2001).

Having thus established the alternative arguments for and methods of involving young people in decision-making processes, the analysis returns to the Scottish dimension to consider evidence of the way in which the Parliament has delivered upon this aspect – and others – of new politics, particularly with regard to accessibility and participation for children and young people.

## **2.7 DELIVERING NEW POLITICS IN SCOTLAND**

### **2.7.1 Overview**

It is one thing to design an institution, but as the introductory quotation to this chapter argues, it is another thing altogether to deliver that design in the way intended. Such appears to have been the case with the Scottish Parliament. The aspirational literature prior to devolution has given way to literature which is often noticeably more critical (albeit constructively so, for the most part). Numerous analyses of the work of the Parliament have emerged since 1999, which focus on different areas of its work. Some have focused upon policy-making and policy outputs (e.g. Parry, 2002; Keating et al, 2003; Cairney and Keating, 2004; Mitchell and Bradbury, 2004; Mooney and Poole, 2004; Shephard and Cairney, 2005; Keating, 2005; Cairney, 2006), others upon specific mechanisms or functions of its work (e.g. Cavanagh et al, 2000; Lynch, 2000; Howarth, 2002; Ascherson, 2003a; Arter, 2004; Carman, 2006); a number upon its use of ICTs to support its work (e.g. Smith and Gray, 1999; MacIntosh et al, 2002; Ascherson, 2003a; Holligan, 2003; Anderson and Seaton, 2005; Seaton, 2005); some upon parties, elections or turnout (e.g. Bennie, 2000; Brown, 2000c; Clark, 2000; Denver, 2003, 2005; Bort and Harvie, 2005; Bromley, 2006; Curtice, 2006a, 2006b, 2006c, Paterson, 2006); relationships with other legislatures (e.g. Murray, 2000; Salmon, 2000; Wright, 2000b); relationships with Westminster and England (e.g. Fairley, 2000; Hazell, 2000;

Kellas, 2000; Midwinter, 2000; Roberts, 2000; Bradbury and McGarvey, 2003; Ascherson, 2003b; Hussain and Miller, 2006; Sturridge, 2006); others upon its cultural impact (e.g. Henderson Scott, 2000; MacWhirter, 2000; Schlesinger, 2000; Di Domenico et al, 2001); yet others upon its progress towards certain aspects of the CSG vision (e.g. Arshad, 2000; Hassan and Warhurst, 2000a; McTernan, 2000; Paterson, 2000; Borland et al, 2001; Hughes et al, 2001; Sheehy and Sevetson, 2001; Bonney, 2003; Leonard, 2003; McLaverty and Morris, 2007) and others still upon its overall adherence to the CSG vision and delivery of 'new politics' (Brown, 2000a, 2000c; Jordan and Stevenson, 2000; Lloyd, 2000; Millar, 2000; Mitchell, 2000; Bradbury and Mitchell, 2001; Winetrobe, 2001; Bonney, 2002; Scottish Civic Forum, 2002; Procedures Committee, 2003; Ezzamel et al, 2004; People and Parliament Trust, 2004).

The focus of this thesis lies upon the delivery of one particular CSG principle. As such, it is on the literature on accessibility to and public participation in the Parliament's work that this analysis predominantly focuses. It does not consider literature on issues which might generally be thought to be more peripheral to this study, such as the role of parties or the Parliament's impact upon popular culture; nor does it focus upon the activities of the Executive. However, this nevertheless leaves a number of key documents which provide an early insight into the progress of the Parliament towards achieving its goal of a participative legislature, thus also providing a contextual anchor for the analysis which follows in this thesis.

### **2.7.2 The Westminster Dimension**

The term 'new politics' is, by definition, a differentiation of post-devolution politics from pre-devolution politics. As such, much of the literature relevant to this research focuses upon the degree to which the Scottish Parliament has 'moved on' from its Westminster forebear. However, prior to considering differences, a point of comparison must be established. In what does the 'Westminster model' actually consist? Elaborating upon this concept is in itself a challenge. McGarvey and Cairney (2008) typify the consensus within the literature over the lack of a 'single accepted definition of the Westminster model'. That there is no unified definition does not,

however, preclude the identification of a number of defining factors, which is given in Figure 2.7.

**Figure 2.7:** Characteristics of ‘the Westminster Model’

- Reliance on representative democracy
- Reliance on parliamentary sovereignty, as opposed to popular sovereignty
- Centralised and elitist concentration of power
- Top-down governance
- Doctrine of parliamentary sovereignty and the unitary state
- Majority party control of the Executive
- Exaggerated majorities and governing power
- Important constitutional ‘conventions’
- Accountability through elections and ministerial responsibility
- Strong centralised control
- Little room for discussion of power on periphery

Source: McGarvey and Cairney (2008: 23)

Of course, in some respects, the Scottish Parliament is *clearly* different: in that it is unicameral and uses the Additional Member System with a subsequent (more) proportionate representation of political parties and overlapping representative electoral claims, it has some very obvious differences from Westminster. However, change was also intended to be ingrained in the entire *modus operandi* of the Parliament. Thus, the Scottish Constitutional Convention makes it clear that the Scottish Parliament would be different from Westminster in that it would be ‘more participative, more creative, [and] less needlessly confrontational’ (1995: 5). The CSG implicitly endorsed this analysis by aiming to put in place ‘a new sort of democracy’ (necessarily in contrast to an ‘old sort’ of democracy) where ‘power is shared with the people, where people are encouraged to participate in the policy-making process which affects all our lives; [with] an accountable, visible Parliament; and a Parliament which promotes equal opportunities for all’ (1998: Foreword). This posits the Westminster Parliament as an unparticipative, confrontational institution in which people have been unable to have their say. Establishing this provides a point of

comparison for the remainder of the literature to be considered. In terms of the accessibility and participation principle, how then have other studies considered the progress of the Scottish Parliament in terms of delivering a type of legislature which is significantly more accessible and participative than Westminster?

### **2.7.3 Delivery of Accessibility, Participation and 'New Politics'**

As part of the commitment to monitoring implementation of the CSG vision, the Procedures Committee of the Scottish Parliament undertook an investigation into the application of the CSG principles during Session One (Procedures Committee, 2003). They conclude that whilst progress has been made in some directions – most notably in the provision of information, general openness and petitioning (Procedures Committee, 2003: 72-105) – there remains a need to provide greater opportunities for participation in the Parliament's work, and that this needs to be formally prescribed (Procedures Committee, 2003: 128). In particular, both the internal and external evidence provided to the Committee identified a need to make particular efforts to reach out to disengaged and marginalised groups (Procedures Committee, 2003: 133, 140), including the use of Outreach and Education services, whilst the existing Participation Services Unit within the Parliament should be provided with greater levels of resources in order to facilitate this (Procedures Committee, 2003: 144).

Winetrobe (2001) also considers the early work of the Parliament and draws conclusions similar to those of the Procedures Committee. In considering the Parliament's first year of operation, he offers a comprehensive and perceptive external evaluation of the way in which the Parliament's work related to the goal of new politics. He argues that in terms of public participation, there remains an 'us' and 'them' culture, which demonstrates a conflict between participatory and representative forms of democracy (Winetrobe, 2001: 161), although he identifies the commitment to provision of information as one dimension in which the Parliament has overcome 'the Westminsterish ideas of a parliament being an essentially private exercise' (Winetrobe, 2001: 173). Despite this success, the overall operation of the Parliament in terms of 'new politics' is heavily criticised, with Winetrobe asserting that

the CSG vision 'betrays a confused, contradictory variety of approaches to the Parliament's role' in 'new politics' (Winetrobe, 2001: 2).

Other in-depth studies of parliamentary procedure also reveal similar findings. The Scottish Civic Forum (2002) raises concerns that much of the early momentum raised by the Parliament in relation to the creation of 'new routes' for public participation is being lost (Scottish Civic Forum, 2002: 83), although they too identify the general provision of information as a strength: the Parliament's Partner Libraries and Education Service are both praised highly, although it is recommended that greater public awareness of the former should be cultivated, whilst the information made available to the public should be more accessible conceptually (Scottish Civic Forum, 2002: 85, 87). In relation to participation, they praise the committees for their work in involving members of the public in inquiries and committee Bills, but suggest that this involvement must also be extended to other committee activity, along with a reduction in private meetings and an increase in meetings held across Scotland (Scottish Civic Forum, 2002: 81-82). Although the Public Petitions Committee is seen as being successful in engaging individuals, the demographic distribution of petitioners is heavily skewed (Scottish Civic Forum, 2002: 82). A number of authors also express concern at the perceived continuation of a 'usual suspects' culture within other committees' consultation (e.g. Brown, 2000b), including the development of 'clientelistic' relationships between committees and pressure groups (Lynch, 2000). Bonney (2003) similarly identifies an over-representation in committee work of groups who were previously involved in the devolution movement, whilst the voice of service users is heard far less often (Bonney, 2003: 462-463), leading to the development of a 'participative democracy of organised interests' (Bonney, 2003: 465). He uses this to reiterate the claim that widespread participation can *enhance* rather than *overcome* patterns of unequal access and participation (Bonney, 2003: 467). Despite these criticisms, a small number of prominent exceptions exist to the 'usual suspects' culture within committee work, including the Enterprise and Lifelong Learning Committee's Inquiry into Lifelong Learning (Enterprise and Lifelong Learning Committee, 2002). Other prominent examples of this aspect of 'new politics' at work include the independent Cubie Report into university funding, which attracted praise for its widespread consultation and consensus-building (e.g. MacWhirter, 2000: 20).

The People and Parliament Trust (2004) also investigates experiences of the first session of the Parliament, concluding that participation and power-sharing have not been operationalised in the way intended. Despite many suggestions for change and improvement, the central message is that the *proactive* approach to *participation* envisaged by the CSG has emerged in reality as a reliance upon *reactive consultation*, thus prompting recommendations that a clear participation strategy between Parliament and people be developed (The People and Parliament Trust, 2004: 11). The Trust's work finds that on many occasions when the Parliament aimed to involve non-parliamentarians in its work, the opportunities labelled as 'participation' often entailed little more than going to a meeting or submitting a consultation response, despite there being a clear appetite for more innovative forms of involvement (The People and Parliament Trust, 2004: 21). The Trust therefore expands on further suggestions, arguing that the process of and support for participation in the work of the Parliament should be improved with a view to allowing non-parliamentarians to have access to information on and opportunities for participating in the Parliament's work at an earlier stage and in a more meaningful way (The People and Parliament Trust, 2004: 48). Procedural processes are also criticised, with the provision of feedback and information on what has happened with participants' views being a further key recommendation (The People and Parliament Trust, 2004: 49).

Millar (2000) also relies upon early evidence of the Parliament's work to conclude that aspects of Westminster practice persist in the Scottish Parliament, arguing that the Parliament is leaning towards being a 'mini-Westminster'. He contends that Westminster practice remains commonplace in a number of aspects of parliamentary practice, most notably in committees, where the formation of party groups and party whipping is commonplace (Millar, 2000: 23). As will be shown below, tensions have also arisen between constituency and regional MSPs (Millar, 2000: 24-25). Most damning in respect of the sedimentation of Westminster practice, however, is thought to be found in the attitudes of Executive officials. Millar goes so far as to identify the attitude of former Scottish Office civil servants working in the Scottish Executive as 'the principal challenge to the success of the Parliament' (Millar, 2000: 25). Bradbury and McGarvey (2003: 220) reinforce this last point, also arguing that Westminster practice remains embedded at Holyrood in the shape of practice such as First

Minister's Questions, planted questions linked to announcements about Executive policy, and the adoption at Holyrood of a Scottish Ministerial Code, the introduction of Ministerial Parliamentary Aides, as well as general patterns of behaviour among political parties and the media. Despite this, they credit the Parliament with re-establishing the transparency, accountability and legitimacy of government in Scotland (2003: 223). Brown (2000b) also identifies elements of continuity and change relative to Westminster: in terms of the former, much of the latent political culture is still seen as deriving from Westminster practice; however, in terms of the latter, it is hoped that the procedural differences at Holyrood will result in this culture eventually being replaced (2000b: 57).

Millar (2000) also identifies as a barrier the apparent lack of financial support from the Parliament for delivery of the CSG principles, particularly that of accessibility and participation. The principal example of this is found in the funding provided to committees to support committee travel and meetings outside the Parliament campus (Millar, 2000: 23). This conclusion is drawn despite the Parliament having previously announced an annual budget of £50,000 to deliver a 'partnership for the people' with committees (Scottish Parliament, 1999d). Despite this, Arshad also argues that the equalities agenda within the Parliament remains restricted, typically appearing only within the Equal Opportunities Committee, whilst the majority of male parliamentarians are claimed not to be engaged with the debate (Arshad, 2000: 158).

The general tone of the literature covered thus far – that the Parliament has performed more strongly in relation to accessibility than participation – is reinforced by McLaverty and Morris (2007), who argue that the Scottish Parliament is very much grounded in a representative – as opposed to a participatory – democratic framework. Thus, rather than seeking to involve members of the public in decision-making processes, the predominant approach has been to obtain a wide range of views upon policy proposals at an early stage, whilst also seeking to obtain a more representative body of elected representatives (McLaverty and Morris, 2007). As such, there is no suggestion that citizens should be encouraged to participate at the kind of level envisaged by the CSG.

In addition to the general overviews of parliamentary activity, a number of studies have considered in depth the specific dimensions of the Parliament's work, or particular institutional mechanisms. For example, Arter (2004) offers the most in-depth and comprehensive overview of the work of the Parliament's committee system thus far. Despite taking a positive stance overall to the progress made by the committees, he concludes that whilst there is little opposition to certain aspects of the CSG vision in relation to public participation – such as the public's ability to influence committees to legislate independently of the Executive on the basis of perceived public interest – nor is there any particular *enthusiasm* for the idea. In this respect, he quotes one MSP as claiming that: 'because of its inheritance perhaps, this is still quite a Westminsterish Parliament', with most committees not giving serious consideration to initiating committee legislation (Arter, 2004: 110-111). This is further emphasised by the former Chair of the Scottish Constitutional Convention, who recounts that; 'sometimes, but not always, the Scottish Parliament almost looks like a mini-Westminster' (Wright, quoted in Arter, 2004: 257). Arter uncovers significant obstacles to the development of a participative ethos within committees, arguing that an over-burdening of the system and the ongoing importance of party politics (despite the CSG ideal of consensus politics) has prevented committees from engaging in facilitating a broader dialogue with civic Scotland (Arter, 2004: 265). However, in other respects, Arter uncovers a significant commitment to the CSG principle in question. In particular, he praises the Parliament for having achieved a 'remarkable' degree of transparency in their work, holding the majority of their meetings in public and publishing verbatim proceedings of their non-private activities (Arter, 2004: 112).

Arter finds common ground with Lynch (2000) with regard to the inquiry function of committees, suggesting restrictions upon committees' ability to engage in such work (Lynch, 2000: 70). However, Lynch questions the accessibility of committees to the general public in terms of *awareness* rather than *access*, highlighting a continuing interest in and emphasis upon 'set-piece debates' and the 'drama of First Minister's Question Time' rather than 'in-depth and rather dull' committee meetings (Lynch, 2000: 68), although he also goes on to raise concerns about geographical accessibility (Lynch, 2000: 71-72). He also argues that the goal of public participation in the work of committees has not been delivered, with groups who were already traditionally



included being given *further* access (Lynch, 2000: 72-73). Regardless of the interpretation of accessibility and participation, an apparent differential in parliamentary performance between the two components of the principle at the heart of this research – as reported by both Arter and Lynch – is one which must be borne in mind when considering the findings of the primary research outlined in later chapters.

One specific committee has also been the focus of attention. Cavanagh et al (2000) consider the work of the Public Petitions Committee (PPC) during its first year, arguing that in its operation it represents a significant departure from Westminster practice (Cavanagh et al, 2000: 70-71), claiming that although interpretation of its responsibilities have been 'fluid', it has adopted an approach broadly in line with the CSG's aspirations. However, the system's openness was restricted somewhat following the appearance of one particular 'serial petitioner' (who submitted 30 petitions during the first year of the PPC's operation), resulting in the adoption of a more 'minimalist' response by the PPC to some petitions (Cavanagh et al, 2000: 77). Despite this, they conclude that the PPC is 'integral to the development of the Scottish Parliament as a critique to Westminster', delivering 'an increased pluralism and an extension of the boundaries of democratic participation' and ostensibly providing clear evidence of new politics in action and a closing of the democratic deficit associated with Westminster politics. Thus, it is seen as a 'vivid example' of bottom-up democracy (in contrast with top-down Westminster practice) (Cavanagh et al, 2000: 79-80). That it has been used so frequently by individuals and so infrequently by business organisations or interests suggests that it *is* being used by those for whom it was intended (Lynch and Birrell, 2001: 8).

However, Carman's (2006) more in-depth and longitudinal analysis is markedly more critical of the approach taken by the PPC. Adopting a more multi-methodological approach, he considers the Parliament's first 964 petitions with a view to discerning how the system has been used and the degree of petitioner satisfaction as a result. His study concludes that only a small and well-defined segment of the public typically uses the petition system (Carman, 2006: 4). Thus, petitioners are disproportionately likely to be middle-class, late middle-aged and male (2006: 49), and are also likely to already be active in civic networks (Carman, 2006: 52). Although only 30% of petitioners

consider their petition to have been successful (Carman, 2006: 56-57), the qualitative dimension of Carman's study reveals that the Public Petitions process is seen by petitioners as one of the most important aspects of the Parliament's work in terms of public participation since 1999 (Carman, 2006: 65-66).

Similar to Cavanagh et al (2000), Carman also argues that the PPC 'did not have a clear understanding of its remit' at the start of the first parliamentary session in 1999. This lack of clear guidance on how to discharge the functions and responsibilities of the new institutional design is another issue which takes on particular salience in light of the theoretical framework outlined in Chapter Three. As such – and on the basis of the type of opportunities available to members of the public through the Public Petitions process – Carman differs from Cavanagh et al (2000) in arguing that far from introducing the system of participatory or direct democracy favoured by the CSG, the type of democratic settlement offered in post-devolution Scotland is one of advocacy democracy (see Dalton et al, 2003; Sokolova, 2006) in which members of the public are able to raise issues and – to some degree – participate in policy formulation, although ultimate decision-making responsibility is retained by elected representatives (Carman, 2006: 7; see also Dalton, 2004). Indeed, if democracy is conceived of as a spectrum along which views on the relative value of participation and representation are found (McLaverty and Morris, 2007), the PPC's apparently increasing tendency to exercise more independent control over petitions suggests that it is moving further *away* from being a truly direct, participatory democratic device comparable with innovations such as the Swiss Citizen's Initiative (*Volksinitiative*), and actually entrenching itself as an example of advocacy democracy within a representative context (Carman, 2006: 80). Indeed, the comments from MSPs which Carman cites in relation to the Parliament's responsibilities under the terms of the CSG reveal an apparent commitment to 'engagement' and 'accessibility' rather than the more challenging aspiration of 'participation' (Carman, 2006: 10). As a result – and in common with Arter (2004) – a distinction is drawn between public *accessibility to decision-makers* and public *participation in decision-making*, along with a tendency among MSPs to interpret 'participation' as the less challenging concept of 'engagement': again, this is important to bear in mind in the reporting of findings in Chapters Five and Seven of this thesis.

The contribution of ICTs to this work is also covered by a number of authors who see it as pertinent to the delivery of accessibility. Ascherson (2003) makes it clear that whilst there exists an 'invisible frontier' beyond which greater online engagement can lead to the usurping of the role of elected representatives, the Scottish Parliament appears to have no intention of crossing that line, apparently preferring to supplement existing patterns of representative democracy with greater accessibility rather than turning to direct democracy (Ascherson, 2003: 6-7). However, such approaches nevertheless still attract all of the disadvantages of direct democracy, such as the potential for dominance by minorities and the accountability of decision-makers (see also Smith and Gray, 2001).

However, with regard to accessibility rather than participation, there is more evidence of ICTs having played a positive role. Anderson and Seaton (2005) describe how the Scottish Parliament was the first in the world to offer comprehensive webcasting of all proceedings (Anderson and Seaton, 2005: 91) and how the Parliament has been a world leader in terms of e-petitioning (Anderson and Seaton, 2005: 93; see also MacIntosh et al, 2002), whilst its use of video-conferencing has also allowed for 'more democratic and innovative governance' involving members of the public who may otherwise have been unable to contribute (Anderson and Seaton, 2005: 97-98).

#### **2.7.4 Criticisms of Accessibility, Participation and 'New Politics'**

However, these assessments must be considered within a broader context. Despite concerns about a lack of progress towards the CSG vision, a small number of authors have sought either to defend the Parliament's record or to attempt to rein in the expectations of the Parliament's critics. These analyses have been based around two principal arguments. Firstly, authors such as Jordan and Stevenson (2000) argue that the Westminster model rejected by the pro-devolution campaign represented a 'straw man' which was entirely different from the reality. As such, the expectations of the pro-devolution campaign were based upon rhetoric which was not grounded in reality: given the foundations upon which the campaign was built, the supporters of this view argue that the reality of the devolution settlement would *never* be capable of matching the participative aspirations of its designers. Thus, Jordan and Stevenson

argue that advocates of greater civic participation based their case upon a view that the parliament at Westminster revolved around 'adversarial extremism' in which policies were 'imposed' upon Scotland and that the remedy was greater civic involvement as a corrective to partisan policy-making (Jordan and Stevenson, 2000: 173). They show that despite the myth, policy-making at Whitehall depends upon extensive consultation, taking into account distinctly Scottish as well as British interests (Jordan and Stevenson, 2000: 182-183). They go on to argue that there is nothing inherently undemocratic about minority interests being heard but also ultimately being disappointed. As 'usual suspects' tend to earn the title for a reason (subject expertise, for example), the idea that it is fair or even practicable for policy to be made by offering greater participatory opportunities to and greater influence for a wider range of small organisations or individuals necessarily leads to raised expectations and thus also (ultimately) to confusion and disappointment (Jordan and Stevenson, 2000: 183).

As such, Jordan and Stevenson argue that the CSG discourse about new politics – and more specifically about participation and consultation – is based upon an overly simplistic understanding of the Westminster model as deficient (particularly, although not exclusively, in the sense that it failed to include minority views). For them, the major weakness was simply a parliamentary majority which did not reflect prevailing political views in Scotland. In that this has now been established in the shape of the Parliament and Executive, greater accountability exists through elections rather than through direct participation. Paterson (2000) supports this view, arguing for an injection of perspective to the castigation of Westminster and showing that the Thatcher and Major Conservative governments presented a unique 'caricature' of the Westminster approach, which until then had allowed for a distinctive approach to be taken by the Scottish Office, including extremely wide-ranging consultation and even instances of significant policy divergence (2000: 46-49), a point also made by Mooney and Poole (2004: 460-461; see also Paterson et al, 2001) who argue that Thatcherism bred a distinct 'culture of resistance' to perceived Westminster diktats. Paterson concludes that the new Scottish Parliament is:

A great change from the days when Tory Secretaries of State [...] would announce a specious consultation on their proposed fundamental reform of local government and then ignore or distort majority opinion on almost all significant aspects of it. *But it's not much of a change from the days of the old and functioning Union* [...] If a return to the old pluralism of the old Union is the best that the Parliament can achieve, then that is certainly not insignificant. Renewing Scottish pluralism would be no mean achievement.

(Paterson, 2000: 52, 55; emphasis mine)

Thus, the disappointment which has accompanied other analyses of the Parliament's progress towards the CSG vision should not be discounted, but rather should be placed in context: a new form of democratic accountability *does* exist in Scotland, and this should not be written off as a failure simply because it has failed to meet expectations based upon unrealistic expectations and a flawed analysis of the failings of the Westminster system (Jordan and Stevenson, 2000: 183-184; Paterson, 2000: 60-61).

The second body of criticism differs from the first in that it does not necessarily consider the 'Westminster model' propounded by the pro-devolution campaign to be mythical, but rather asserts that the way in which the CSG went about its task was naïvely based upon a *tabula rasa* assumption which failed to take into account the realities of politics and the inevitable legacy of Westminster politics. In this regard, authors such as Mitchell (2000) have proposed this argument most forcefully. Mitchell proposes four key criticisms of advocates of 'new politics' in Scotland (Mitchell, 2000: 620-621): the first is their understanding of 'new politics', which covers too many hopes and aspirations to be internally consistent (Mitchell, 2000: 621; see also Ascherson, 2003: 12-13). More relevant to this research are the other three: firstly, that the relationship between institutions and outcomes was crudely understood (see also Bradbury and Mitchell, 2004) and secondly, that their attention was misguided as to the focus of accessibility and participation. As such, the CSG's appraisal of foreign parliamentary models as an alternative to the 'negative template' of Westminster is seen as erratic, involving no experts on legislatures or constitutions; whilst – more significantly – the Group's focus upon the Parliament at the expense of the Executive means that its focus in terms of accessibility and participation is related more to a token form of access to and participation in a specific institution, rather than access to and participation in the exercise of genuine power (Mitchell, 2000: 606-607). As even

one of the most ardent supporters of the CSG vision admits, 'a new Parliament does not guarantee new politics' (Brown, 2000a: 554).

As such, the notion of public participation within the CSG Report is ill-informed and poorly understood. Similar to McLaverty and Morris (2007), Mitchell identifies unaddressed potential tensions between participation and accountability when it comes to the involvement of non-parliamentarians in important decisions; and also argues that the intentions of the CSG were likely to result in the perpetuation of a 'usual suspects' culture, albeit one featuring different organised interests from those at Westminster (Mitchell, 2000: 612-613). Brown (2000a), one of the members of the CSG, also admits that post-devolution, it is possible to identify a number of factors working against the CSG aspirations, including unresolved tensions between the Executive and committees, between the Parliament and the civil service, and between the Parliament and a civil society which expects to have a greater say on the basis of the CSG's endorsement of participatory democracy (2000a: 554-555).

Thirdly, there was a failure to appreciate the realities of politics: no attention was paid to the inevitability of Executive dominance and the importance of political parties (Mitchell, 2000: 610). Mitchell demonstrates that from the outset, Labour support for the CSG was contingent upon an electoral system which would minimise the chances of an SNP majority, whilst early emergent tensions between constituency and regional MSPs represented an attempt by Labour and the Liberal Democrats to deprive the SNP and Conservatives of valuable resources such as allowances and constituency offices (Mitchell, 2000: 608-609; see also Bradbury and Mitchell, 2001: 261-262), a point also strongly emphasised by Millar (2000: 24-25) in his argument that the Parliament represents a mini-Westminster. Lynch also offers a 'sceptical' interpretation of the Scottish Constitutional Convention's legacy as 'an exercise in agenda management' by some parties and as 'a trap' for other parties (Lynch, 1996: 3-4). Furthermore, the formation of party groups in committees similarly frustrates the drive towards 'new politics' (Mitchell, 2000: 611). Hassan and Warhurst similarly state that the expectation that a new wave of party politicians fully committed to the CSG vision would emerge in 1999 was as commonly-held as it was problematic and misguided in nature (Hassan and Warhurst, 2000a: 3). The result is a 'Jekyll and Hyde Parliament' based upon

'constitutional schizophrenia' (MacWhirter, 2000: 16-17), in which – as Bonney (2003: 460) shows – ostensibly new forms of democracy can in reality become 'new forms of domination' for a rising political elite. On this basis, the novelty of the Scottish Parliament actually conceals significant continuity, meaning that only 'limited success can be claimed' in achieving the CSG vision (Mitchell, 2000: 606). However, in many respects, Mitchell appears to believe that the new politics delivered by the Parliament could only ever have been 'a new way of indulging in old politics' (Mitchell, 2000: 618), resulting in 'the maintenance of business as usual' (Mitchell and Bradbury, 2004: 334). Winetrobe offers a similarly fatalistic appraisal, stating that 'the influence of UK politicians and officials ensured that the Parliament, as established, was firmly within the Westminster model family' (Winetrobe, 2001: 2).

On the basis of these critiques, it becomes clear that in addition to questioning the implementation of the CSG vision, there are also questions to ask at a more fundamental level, with a number of authors calling into question the degree to which the CSG vision is realistic and ultimately attainable. However, in that the Parliament explicitly endorsed the CSG agenda in its first few weeks of operation, this thesis is based upon an understanding that whatever the merits or realism of the CSG vision, the Parliament has made a clear commitment to it. On this basis, questions about the achievability or realism of the CSG are beyond the focus of this research. Nevertheless, they remain within its consideration, and should be borne in mind particularly when considering the findings of Chapters Five through Seven. However, the focus of the thesis remains the role of children and young people in the Parliament's delivery of the CSG vision, and it is to the existing literature on this aspect of the Parliament's work that this contextualisation now turns.

### **2.7.5 New Politics and Young People in Scotland**

Overall, there has been little focus upon children and young people in the literature upon the Scottish Parliament's performance, despite an apparently 'unprecedented level of activity in this area' in the work of the new Parliament (Cohen, 2003: 237). The literature which does exist tends to focus upon policy *delivery* for children and young people (e.g. Hughes et al, 2001; Allan, 2003; Cohen, 2003) and less upon the processes

by which they are delivered, or tends to mention young people only in passing, such as Bonney's (2003: 461) claim that the Parliament has 'given great encouragement to young people to take an interest in its work, through both physical and virtual access and special activities'. However, from this limited literature, it is nonetheless possible to derive a number of contextual conclusions in relation to children and young people's involvement.

Hughes et al (2001) provide a snapshot of Executive and parliamentary activity in relation to children and young people, highlighting a number of strengths and weaknesses. In terms of the former, the Cross-Party Group (CPG) on Children and Young People is seen as having been a strong means by which to articulate the concerns of young people across parliamentary committees, having conducted two regional consultations with young people, for example (Hughes et al, 2001: 7). The contributions of CPG members to debates in plenary and committees are seen as indicative of the existence of a spirit of consensus (Hughes et al, 2001: 5). In addition, they report the Education, Culture and Sport Committee as stating a commitment to the development of ways of consulting with children and young people systematically. However, the activity is overwhelmingly confined to a very narrow range of issues, with the authors arguing that the lack of meaningful and routine involvement of young people across committees is a major weakness. In addition to involving young people more on issues determined by the Parliament, more also needs to be done to put issues important to young people on the political agenda (Hughes et al, 2001: 5). Despite the Executive commissioning Save the Children to develop a participation toolkit, its use has been far from evident throughout the work of the Parliament and Executive (Hughes et al, 2001: 26). Overall, they conclude that whilst there has been 'immense policy activity' in relation to children's services, a great deal remains to be done in terms of improving political support and opportunities for participation (Hughes et al, 2001: 51).

The role of committees is also considered by Allan (2003), who argues that the inquiry function of the Parliament's unitary committees creates a space for politicians to engage in 'a more sophisticated form of policymaking' than has previously been the case (Allan, 2003: 299). Overall, she provides a more positive view of the Parliament's



work, although her experience is confined to the Education, Culture and Sport's Inquiry into Special Educational Needs Provision (Education, Culture and Sport Committee, 2001). Despite a lack of breadth, the depth of coverage testifies to the degree of consensus reached in relation to an important issue for young people, with Allan claiming that the needs of children were placed firmly ahead of party politics (Allan, 2003: 294-295) and that the Committee sought to involve young people directly, subsequently earning praise from participants on the basis that their views had been taken into account (Allan, 2003: 299-300). Committees are similarly praised by the Scottish Civic Forum, although particular praise is reserved for the Parliament's Education Service, which is judged a great success (Scottish Civic Forum, 2002: 21).

A similar inquiry by the same committee (Inquiry into the Need for a Children's Commissioner, 2002) forms part of Cohen's (2003) assessment of the role of children in the work of the Parliament. Again, she refers to the direct participation of children and young people having a profound influence upon MSPs, on this occasion resulting in the decision to establish the post of Children's Commissioner (Cohen, 2003: 240-241). However, this instance of participation is unique among the other initiatives which she discusses, arguing that rather than the way in which issues are dealt with by the Parliament, it is rather the volume of legislation which can now be considered which is paramount (Cohen, 2003: 237).

Despite not considering involvement in the work of the Scottish Parliament, Park and Hinds (2003) consider young people's attachment to the Scottish Parliament relative to other political institutions. Whilst younger people (age 18-24) show little difference from older age cohorts in relation to trusting Westminster to work in the interests of Scotland, they are noticeably more likely to trust the Scottish Parliament than other age-groups, and they are also more favourably disposed towards giving the Parliament more powers (Park and Hinds, 2003: 168-169). Robertson et al (2004) similarly show that among adolescents, there is an encouraging awareness of and familiarity with decision-making processes and key decision-makers within Scotland, as well as a particularly positive view of the Scottish Parliament's powers. In addition, although the Parliament does not appear to have *automatically* increased young people's political engagement, Park and Hinds show that they are considerably more likely to want

greater public involvement in decision-making processes than are older age-groups, although a clear majority across *all* age-groups supports this (Park and Hinds, 2003: 179).

Of course, there also exists a significant amount of information produced directly by the Parliament on young people's involvement. This literature, however, informs more directly the analysis conducted in Chapters Five through Seven, and is consequently not discussed here. There is, however, one exception to this: in 2000, the Parliament's Education, Culture and Sport Committee commissioned the University of Glasgow and Children 1<sup>st</sup> to produce guidance for the Parliament on how to involve children and young people in the work of parliamentary committees (Borland et al, 2001). In so doing, the researchers considered the existence and efficacy of different mechanisms for engaging with young people, as well as providing guidelines for committees to follow when involving younger people. They argue for methodological pluralism when involving children and young people in the work of committees and provide an overview of methods which might be used by committees to this end (Borland et al, 2001: 2.40-2.97).

However, what emerges as the most important aspect of Borland et al's work (in the context of this thesis, at least) is the degree to which their remit is geared towards *consultation* rather than *participation*, lending further weight to the assertion emanating from literature above that the Parliament has settled into a model of advocacy democracy rather than participatory democracy. However, the authors also provide several other notable observations. In particular, they argue that preparation and feedback must *not* be considered as optional extras, but rather as essential stages of involving younger people. They conclude by providing the Parliament with some cautionary advice:

Too many young people have experienced consultation as tokenistic, dominating or useless. *It is valuable to consult well, but consulting poorly is worse than not consulting at all.*

(Borland et al, 2001: 5.42; emphasis mine)

Such an epilogue issues a clear challenge to the committees of the Parliament and the way in which younger people's involvement should be viewed within the Parliament's work. That such research was commissioned in the first instance is testament to an awareness within the Parliament that children and young people constitute a social community (albeit an extremely heterogeneous one) which is entitled to have its voice heard. However, Borland et al's remit raises immediate questions as to the degree to which this involvement should be restricted to information and consultation, or should take a more participatory form. In exploring the Parliament's work in relation to accessibility and participation in Chapters Five through Seven, this thesis aims to shed light upon this issue, asking whether the Parliament's work is grounded within a representative democratic framework and adultist mindset, and if so, how firmly.

## **2.8 SUMMARY**

This chapter has provided a context for the remainder of the research by considering the way in which developments in the devolution process and institutional design of the Scottish Parliament have become interwoven with contemporary discourse on youth participation.

It was shown firstly that the Scottish Parliament was explicitly designed to be different, with the Westminster style of policy-making serving as a 'negative template' for the Consultative Steering Group. In turn, the Group's work was also seen to have been guided by pre-devolution campaigns which drew much of their strength from civil society, thus nourishing the belief that 'public' or 'civic' participation in political decision-making processes was feasible and desirable. It is on this basis that the Group's design featured a Parliament which was intended to break away from the well-established UK tradition of representative democracy and move further towards participatory democracy. Coupled with the principle of power-sharing, the CSG's endorsement of a participative Parliament was identified as being extremely ambitious. This attempt to break with some 300 years of Westminster tradition in Scottish politics was further compounded by the CSG's apparent wish to ensure that children and young people were able to make their voice heard directly in the new Parliament's work, dispensing with the adultist tendencies which have long dominated

approaches to children's role in policy-making and are seen as endemic in the Westminster approach to youth issues. Overall – although as only one part of the development of 'new politics' – the Parliament was charged with a mission of breaking with tradition in three particular ways: the introduction of greater accessibility; the development of a participatory democratic framework; and the development of a non-adultist approach which views children and young people as valued political actors.

The chapter then considered why involving younger people in this way and challenging prevailing normative and social constructions of 'children' and 'young people' might be seen as desirable. After establishing that three main bodies of discourse exist to support younger people's participation, the chapter showed that due to children and young people's low levels of a) political knowledge and interest and b) political trust and efficacy, a twofold approach to securing meaningful participation is necessary. Firstly, it is recommended that (traditional) institutional structures be adapted to allow for modern modes of participation (which appear to have a symbiotic relationship with political distrust and inefficacy) to be better accommodated within formal political bodies. Secondly, there is also a need for greater provision of information in order to overcome the poor political literacy evinced by low levels of political interest and knowledge. Although serendipitous, this twofold approach is echoed in the CSG's recommendations of providing accessibility (defined primarily in terms of information) and participation (the institutional adjustment required to facilitate this). Thus, working towards the realisation of the CSG principle (and subsidiary recommendations) chimes synchronously with the major recommendations emanating from political theories on re-engaging with children and young people.

However, consideration of post-devolution literature suggests significant tensions within the Parliament's work towards the CSG vision of 'new politics'. Initial impressions suggest that participation has been a more problematic issue than accessibility, although few authors have drawn this distinction directly. In that meaningful participation for children and young people represents an even greater disruption of political tradition than does the adult participation considered by most authors thus far, the chapter also establishes that implementation of accessibility and participation for children and young people is unlikely to have been unproblematic.

Yet rather than condemning the Parliament, much of the literature has questioned the very basis upon which the CSG vision was built, arguing that its fundamental premises were misguided and its recommendations naïve. As such, rather than simply considering progress towards the CSG vision in isolation, consideration must also be given to the barriers faced by actors in doing so. As such, whilst Chapter Five considers participation and Chapter Six accessibility, Chapter Seven attempts to understand the findings of these two chapters by considering the barriers faced by key actors involved in delivering accessibility and participation. Thus, the Parliament's work is considered not 'in a vacuum', as it were, but rather with a view to understanding the way in which the CSG principles fit into the wider social and political context.

However, prior to considering the research findings, it is important to establish the conceptual and practical frameworks underpinning the approach to Chapters Five through Seven. Thus, the thesis now proceeds to consideration firstly of the theoretical framework in Chapter Three, before considering the methodological approach in Chapter Four.

## **Chapter Three**

### **Theoretical Perspective**

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*Even in the best of circumstances, constitutional provisions will only with difficulty change patterns of behaviour, with the corollary that they tend to be most effective if they do not depart markedly from existing practice.*

– Jean Blondel

#### **3.1 OVERVIEW**

This chapter sets out the theoretical perspective which informs the thesis. Due to the importance of the theoretical propositions underpinning this work, this chapter clarifies their role in shaping not only the perspective through which results can ultimately be understood, but also the way in which the underlying theoretical assumptions and beliefs have shaped the thesis' methodology, evidence collection and analysis.

The chapter therefore sets out the normative / sociological institutionalist perspective which guides the remainder of the thesis. As normative institutionalism derives strongly from the 'original' new institutionalism which emerged in the 1980s, an introduction to both new institutionalism and the normative variant thereof are provided, before clarifying the way in which normative institutionalism contributes to a framework which theorises the previously-problematic issue of institutional change. It shows that institutional design and change are at the heart of the CSG project, and uses recent theoretical developments and empirical evidence from normative institutionalist writers to support the approach adopted. Ultimately, this approach relies heavily upon both the neoinstitutionalist conception of rules (as being formal and informal) and the role of norms in institutions. The result is a theoretical framework which asserts that delivery of the CSG vision is reliant primarily upon a high degree of coercion of actors, whether through formal rules or stable, recurring

patterns of behaviour. Where this is not present, the institutional vision is at risk of being subverted in favour of more familiar institutional templates.

### **3.2 WHY NEW INSTITUTIONALISM?**

As will be shown in Chapter Four, this research is essentially a case-study of the Scottish Parliament and its role in attempting to implement a new style of politics in Scotland; a style based upon consensus, participation and power-sharing, and one which treats children and young people as policy actors and not policy objects or problems. This is derived from the organisational blueprint developed prior to devolution by the Consultative Steering Group, whose institutional design detailed the way in which this ‘new politics’ was to be delivered through a combination of formal structures and a new political culture. The founding vision of the Scottish Parliament was thus constructed around a normative ‘myth’<sup>1</sup>, some of whose origins are ultimately to be found in the campaign for a Scottish Parliament in the 1980s and 1990s, and which ultimately came to be embodied within the founding principles of the Parliament; namely, that Scotland represented a different type of polity from the rest of the UK; one which had a distinctive tradition of popular sovereignty nourishing a desire for greater public participation. In addition, the CSG was clear that the Parliament was to be an institution for the whole of Scotland, with particular efforts recommended in order to facilitate the participation of minority ethnic communities and children and young people. The report made it clear that achieving this was contingent upon a combination of appropriate formal structures and the development of an ethos which would embody the spirit of the CSG’s vision.

To this end, the CSG report contained recommendations relating both to the Parliament’s formal structures and to instilling the appropriate (informal<sup>2</sup>) working

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<sup>1</sup> ‘Myth’ here is not used in a pejorative or fictionalised sense, but rather the sense of ‘a story [...] explaining a natural or social phenomenon’ (Oxford University Press, 2008).

<sup>2</sup> ‘Informal’ here does not mean unstructured or unimportant; but rather that where prescriptive guidelines were set out in relation to the Parliament’s formal structures, the CSG also emphasised the need for the ethos of the founding principles to permeate all aspects of the Parliament’s work. The exact way in which this ethos was intended to inform the work conducted by the Parliament (both alone and in conjunction with its social partners) was not specified.

culture. As such, any attempt to determine the ways in which the Scottish Parliament has succeeded in terms of implementing its founding principles therefore also necessitates an investigation of both formal structures and the behaviour of participants in its work. This need to examine both structural and individualist aspects lends weight to the use of a new institutionalist theoretical framework. New institutionalism (and particularly the variant according to which this research is conducted) is well-placed in this respect, particularly when compared to other prevailing paradigms within political science, such as classical institutionalist, behaviouralist or rational choice theories, all of which are seen as exhibiting theoretical and analytic deficiencies when considering either the formal structures governing behaviour or the role of individual agents and groups in shaping political behaviour and outcomes (Peters, 2005).

As shall be explained below, this research therefore adopts a new institutionalist approach in its attempts to understand and explain the degree of success of the Scottish Parliament in its efforts to attain the founding vision of the CSG. This is achieved predominantly through a normative / sociological<sup>3</sup> neoinstitutionalist perspective. It is therefore important to address a number of issues prior to consideration of the data gathered. Firstly, it is important to set out the specifics of the approach adopted. As such, this chapter provides a discussion of normative / sociological neoinstitutionalism. It is not possible to cover *every* aspect of this branch of new institutionalism and the focus will therefore be upon key characteristics of the approach which are relevant to this research. Thus, consideration will be given to such issues as the approach's definitional understanding of 'an institution', the way in which such institutions are able to be studied (in other words, how institutions manifest themselves empirically) and the way in which institutions are understood to contribute to the explanation of political behaviour and outcomes. Secondly, attention will be paid to the theories, processes and results of institutional design and change. Finally, these threads will be drawn together in order to demonstrate the way in which they inform the remainder of the thesis.

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<sup>3</sup> Whilst some authors (eg. Hall and Taylor, 1996) consider normative and sociological institutionalism to be one and the same, others (eg. Peters, 1999, 2005) addresses them as distinct variants within the neoinstitutionalist paradigm. This issue is considered in further detail below.



However, prior to addressing these issues, it is also important to contextualise and defend the claims made above: namely, that new institutionalism provides a more appropriate framework for the study of this question than other dominant paradigms within political analysis. At a more epistemological level, this claim of suitability also derives from the way in which the new institutionalist paradigm evolved: its origins have important implications for the claims which it makes, and the way in which it contributes to an understanding of political phenomena. Prior to moving to a discussion of the neoinstitutionalist paradigm, it is therefore important to consider its origins.

### **3.3 ORIGINS: CLASSICAL INSTITUTIONALISM & BEHAVIOURALISM**

'New' institutionalism emerged as a distinct theoretical construct in the 1980s as part of a concerted response to the perceived shortcomings of prevailing paradigms in political science. In general, previous paradigms had tended to congregate at either end of a spectrum based upon the extent to which either structure or agency was held to be the most accurate and empirically-supported explanatory tool in the analysis of political behaviour and / or outcomes. Thus, whilst the institutional approach prevalent at the turn of the 20<sup>th</sup> century represented the structure end of the spectrum, so the behaviouralist and rational choice theories emerging in the mid-20<sup>th</sup> century were to be found at the agency pole.

However, the mutual exclusivity of structure and agency fostered by these approaches is widely held by neoinstitutionalist scholars to represent a false dichotomy. Increasingly, authors recognise the need to consider the role of more malleable structures on patterns of apparently rational and utility-maximising activity, and the role of individuals in shaping structures in a complementary manner as opposed to a conflicting one. As such, political action and outcomes are understood through reference to both structure *and* agency, considering the role of rational agents acting within a given structural context. It is in the recognition of this fact and in the subsequent attempts to synthesise the previously irreconcilable concepts of structure and agency that new institutionalism has its roots.

Although some (e.g. Rhodes, 1995) caution against over-stating the case, classical institutionalism has its origins in the descriptive-inductive, structuralist, organisation-focussed tradition stretching back centuries, with its core paradigmatic assumptions remaining unquestioned well into the 20th century (Lowndes, 2002). By studying the formal organisation of society, it was believed that conclusions could be drawn as to the efficacy of particular institutions or constitutional arrangements. However, this was often done in something of an analytical vacuum, with little reflection vis-à-vis theory, methodology and approaches (Eckstein, 1979). Thus, numerous authors have characterised 'old' institutionalism as being legalist, holistic, historicist, structuralist, lacking in socio-cultural and normative context, and theoretically static (e.g. Peters, 2005; Lowndes, 2002). Many of these tendencies were explicitly rejected by the behavioural shift during the middle decades of the 20th century, resulting in a paradigm shift from an 'unpalatably formalistic and old-fashioned' approach towards an approach based upon agency and methodological individualism (Drewry, 1996: 191). Structures and institutions were conceptually reduced to functionalist constructs whose only role was to aggregate preferences, with rational, utility-maximising agents becoming the focus of investigations (Peters, 2005: 14).

Ultimately, neither the classical institutionalist nor the behaviouralist approach in isolation is capable of providing an acceptable perspective for the analysis and understanding of political behaviour and outcomes (Goodin, 1996b: 12-14). Whilst human agency is crucial to any understanding of political behaviour, patterns of social and political life are produced not only by the aggregation of individual behaviour, but also by the formal and informal institutions which structure this behaviour (March and Olsen, 1989, 2006; Thelen and Steinmo, 1992: 7; Weingast, 1996: 168; Clemens and Cook, 1999: 442). Thus, the ability to act 'rationally' is shaped and constrained by the 'organisational technology' available:

The basic logic of action is rule following – prescriptions based on a logic of appropriateness and a sense of rights and obligations derived from an identity and membership of a political community and the ethos, practices, and expectations of its institutions.

(March and Olsen, 2006: 7)

Rationality itself is thus seen as subjective to an institutional context, and as a result, political preferences are typically seen as endogenous to the institutional framework.<sup>4</sup> Puritanical belief in rational choice and game theoretic approaches ultimately collapses into a need for institutions<sup>5</sup>: where behaviouralists rely upon 'bringing the state back in', so game theorists find it emerging from their models (Goodin, 1996b: 15).

The emergence of the new institutionalist model in the 1980s allows for these elements of structure and agency to be used in understanding political behaviour and outcomes, building upon the explanatory strengths of both structuralist and individualist approaches but attempting to mitigate their common weakness (i.e. rejecting their theoretical and methodological purism). Whilst Rhodes (1995) may attract some support in his defence of classical institutionalism, it is undeniable that a more theorised brand of institutionalist thought now predominates. By rejecting the dichotomous tendencies of classical institutionalism and behaviouralist approaches, the neoinstitutionalist thesis holds that whilst individual agency remains a key driving force in organisational life, the way in which actors perform their roles is strongly influenced – and in many cases, constrained – by the institutional environment in which interaction occurs and interests compete.

### **3.4 THE 'NEW' INSTITUTIONALISM**

The reconciling of structural and individualist factors in political analysis can therefore be seen to be the primary defining characteristic of new institutionalism. Classical institutionalism fails to account for the role of individual agency or strategic rationality, and struggles to find explanations for institutional transitions or emergence within its heavily structuralist approach. Behaviouralism, on the other hand, is seen as overly-individualistic and under-socialised in its failure to recognise the crucial role which both formal and informal structures play in the aggregation of preferences and the formation of behavioural patterns according to which actors behave strategically. New

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<sup>4</sup> This is the case for *most* new institutionalists. Exceptions include the rational choice and economic institutionalist perspectives: both are based upon a more individualist, aggregative view of institutions than other variants.

<sup>5</sup> For example, when considering the origin and development of co-operative norms. See Goodin (1996b).

institutionalism attempts to reconcile these positions with a view to providing more satisfactory and enlightened understandings of political behaviour.

This is done by moving the focus of analysis away from rational, calculating individuals back towards *collective* action, with a bi-directional understanding of the structure-agency debate (Peters, 2005: 17-18). Rather than privileging one over the other (or even neglecting one entirely, as the case may be), the original proponents of the new institutionalism argued for a more considered examination of the relationship *between* structures and agents (March and Olsen, 1989). This consideration should not be restricted solely to the direct, formal constraints or modification imposed by one upon the other, but rather should focus upon the more implicit and informal ways in which institutions and agents are seen to shape political behaviour and outcomes. Goodin (1996b) expands upon this, accounting for the constitutive propositions which 'capture the moving spirit of the new institutionalism as a whole' thus:

1. Individual agents and groups pursue their respective projects in a context that is collectively constrained;
2. These constraints take the form of institutions – organised patterns of socially constructed norms and roles, and socially prescribed behaviours expected of occupants of those roles, which are created and re-created over time;
3. Constraining though they are, those constraints nonetheless are in various other respects advantageous to individuals and groups in the pursuit of their own more particular projects;
4. The same contextual factors that constrain individual and group actions also shape the desires, preferences, and motives of those individual and group agents;
5. Those constraints characteristically have historical roots, as artifactual residuals of past actions and choices;
6. Those constraints embody, preserve and impart differential power resources with respect to different individuals and groups; and
7. Individual and group action, contextually constrained and socially shaped though it may be, is the engine that drives social life.

(Goodin, 1996b: 19-20)

As such, new institutionalist theory holds that whilst individual agency remains a key driving force in the operation of organisations, the way in which actors perform their roles is strongly influenced by the institutional environment in which interaction occurs and interests compete, although such institutions are dynamic human constructs which are – in some cases – open to revision. Nevertheless, the influence of institutions is such that they are seen as playing a key role in the shaping of individual and group preferences.

### **3.4.1 What Is An Institution?**

How do institutions shape preferences in such ways? Prior to understanding the way in which institutions shape political outcomes, it is important to expand upon the neoinstitutionalist definition of ‘an institution’.

An institution is a relatively enduring collection of rules and organized practices, embedded in structures of meaning and resources that are relatively invariant in the face of turnover of individuals and relatively resilient to the idiosyncratic preferences and expectations of individuals and changing external circumstances.

(March and Olsen, 1989, 1995, 2006)

[An] institution is, in its most general characterisation, nothing more than a ‘stable, valued, recurring pattern of behaviour’ [...] An institution is necessarily a social phenomenon.

(Goodin, 1996b: 21)

As these quotes from three authors central to the new institutionalist paradigm show, the neoinstitutionalist understanding of institutions is far removed from that of classical institutionalism. Where classical institutionalism sees institutions in formal-legal and structuralist terms (e.g. a legislature or a constitution; some type of legal or structural construct), as static (institutional persistence being a key assumption within classical institutionalism) and independent of any socio-cultural context, the neoinstitutionalist perspective borrows heavily from the field of sociology in its attempts to define the type of structures which are responsible for the ordering of political life. Whilst not denying that formal structures play a key role, the sociological

influence sees more of a focus upon the *informal* structures and conventions which also govern political behaviour and outcomes. As such, rather than studying the organisational structures of a particular government department in order to understand the political processes taking place within it, new institutionalism would advocate the study of the specific, repeated patterns of action occurring within such a department with a view to determining the informal structures which guide and mould political action (e.g. Arter, 2004). Formalised structures are no longer seen as paramount in shaping the behaviour of political actors: now, established and accepted patterns of behaviour – including understanding of ‘the way in which things are done around here’ and of the role of different actors within the process – are seen as being of great utility in understanding the way in which political activity is played out. In providing an established and legitimised framework for action, institutions not only cast influence over the way in which individual actors behave, but they also provide them with information and expectations on how *other* actors will behave within such a system (Lowndes, 2002: 98).

This is not to state that formal organisations are no longer important. On the contrary: formal organisational structures still provide clear and identifiable frameworks of meaning for actors. However, the new institutionalist contention is that equally important – if not more so, in many cases – are the patterns of behaviour of the type outlined above. Although untidy to critics, the neoinstitutionalist paradigm sees institutions existing within, between, under, over and around formal organisations (Fox and Miller, 1995: 92). These institutionalised patterns of behaviour ultimately derive from the informal constraints or rules (which may be informally or formally constituted) which underpin a given organisation. It is crucial to bear this in mind, as although many critics would be comfortable with the constraining and behaviour-shaping role of formal rules, new institutionalism holds that there may exist parallel formal and informal institutional frameworks, in which informal rules and behavioural norms may reinforce – or, indeed, conflict with – formally-constituted procedures (Lowndes, 1996: 192-193). This point in particular will prove to be of particular salience in this research.

The key idea emerging is therefore one of rules and constraints. Indeed, Rothstein (1996) highlights the idea of the 'rules of the game' as the concept which unites the various different strands of new institutionalist thinking. Ultimately, political organisations may be thought of as the totality of formal institutional structures and the informal 'rules of the game' which exist *within* formal organisational structures. Such an interpretation therefore introduces a behaviouralist strand by highlighting the importance not only of structures, but also of individual and group responses and adherence to such structures: what types of behaviour are (and are not) perceived to be rational, legitimate and utility-maximising? An additional result of this is a decoupling of the concept of 'an institution' from that of 'an organisation'. However, as Judge (2005: 6) explains, discussion of rules and constraints necessitates deeper interrogation. In this respect, two important questions need to be answered: what constitutes a rule, and how do they actually shape and explain behaviour?

#### **3.4.1.1 What Constitutes a Rule?**

With regard to the first question, Rothstein (1996: 145) clarifies the already established distinction between formal and informal rules. Formal rules are usually codified within the organisational structures of political organisations (for example, the stages to be followed within the policy process of a given legislature). Such rules fit comfortably with classical institutionalism or structural-functionalist accounts of political institutions. However, new institutionalism goes beyond purely formal rules to consider the role of informal rules in governing political interchanges. Examples of such rules include routines, tradition, customs, culture, habit and social norms (March and Olsen, 1989; Scharpf, 1989; North, 1990a). Such interpretations are problematic, however: if we accept as a political institution any type of repetitive or habitual social occurrence which influences decision-making within political organisational structures, a degree of uncertainty emerges when attempting to distinguish political institutions from other social givens (North, 1990a). Whilst culture is enormously important to the emergence and influence of rules in new institutionalism, limits must be applied to the concept of culture as an institution if we hope to distinguish between those aspects of culture which do constitute genuine political institutions and those which ultimately have little bearing upon the process of politics. Politics is not coterminous with culture,

and an unrestrained view of institutions as cultural tendencies runs the risk of obscuring the division (North, 1990a).

Hall (1986) provides the most widely accepted solution to this quandary in the shape of a third category of rule: the 'standard operating procedure'. This type of rule (which may be formal, informal, or both) represents those rules which actors agree upon and follow (whether implicitly or explicitly) in their political interactions. This is not to suggest that they are the *only* rules which actors follow – persistent cultural institutions such as manners (e.g. the shaking of hands) also exist – but it allows for a clearer delineation of *political* institutions (which may themselves initially derive from cultural norms) and *cultural* institutions. Lowndes (2002: 103-104), for example, cites the *style* of questioning within a Select Committee: this is not formally prescribed in writing, and yet there is a clear and unambiguous 'standard operating procedure' in terms of the way in which the exchange is structured.

A logical extension of mutually-recognised rules, constraints and standard operating procedures identified by Powell and DiMaggio (1991) is the 'logic of appropriate behaviour'. Again, this is a crucial concept: Powell and DiMaggio explain that institutions may be composed of manifold standard operating procedures and multiple logics of appropriateness, some of which may be in competition with each other and some of which may reinforce each other. The values from which institutions derive are typically reinforced by the standard operating procedures and give rise to the logic of appropriateness. However, as values may be in conflict within the wider societal context, so it is possible for multiple institutions to be present within a single organisation in the shape of competing logics of appropriateness or standard operating procedures. These can emerge as a result of different interpretations of an institution's normative foundations or obligations. Without prejudging the primary data collection, a relevant hypothetical example might be differing levels of support for participatory democracy among MSPs: whilst some may recognise and support a more participatory political process, others may derive their sense of appropriateness from other sources, such as well-established practice at Westminster. However, as shall be shown in Section 3.5.3 (below), the inherent tendency of institutions towards relative stability



means that weaker actors' logic(s) of appropriateness are usually marginalised in favour of the stronger actors' logic(s).

#### **3.4.1.2 How Do Rules Shape Political Behaviour?**

With regard to the second key question above, Thelen and Steinmo (1992) identify four main ways in which institutional rules shape strategic political behaviour: by determining which actors are legitimate; by determining the number of actors; by ordering political action; and by dictating what information actors have on the behaviour of others within an organisation. Rothstein agrees that such an assessment is self-evident, but argues that setting out such claims does not solve the fundamental problem relating to institutions and action, which is: 'what institutions *do* with preferences' (1996: 146; emphasis mine). In other words, *how* do they order political action, and what type of order do they bring to political action?

Hall and Taylor (1996) provide an insightful consideration of such a problem, arguing that the way in which institutions are perceived to deal with preferences – thereby directing political behaviour – is what separates the various strands of new institutionalism. They argue for a classification of neoinstitutionalist approaches to the impact of institutions upon behaviour according to a 'calculus' / 'culture' dichotomy.<sup>6</sup> Similarly, Rothstein (1996) also argues for a classification of neoinstitutionalist approaches according to 'economic' and 'sociological' tendencies in interpreting the impact of institutions on actors and action. Despite differences in terminology, these approaches are broadly similar. Under such classifications, those favouring a calculus / economic approach tend to focus on the behavioural dimension of political action, taking into account strategic calculation and rational consideration within an institutional framework. Such an approach sees actors' values as exogenously determined and views the role of institutions as providing information about the likely behaviour of other actors, whilst also providing such collective action resolution devices as enforcement mechanisms. This model sees institutions as *aggregative* of

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<sup>6</sup> Here, the term 'culture' is perhaps something of a misnomer: in this context, it is not taken to mean culture in its broadest sociological sense, but rather the degree to which behaviour is seen to be affected by an individual's 'worldview', imposed by cultural norms or values. See Hall and Taylor (1996: 939) for elaboration.

actors' preferences (March and Olsen, 1989: 119), and sustains a 'logic of exchange' which determines the way in which actors behave.

Culture-based / sociologically-based approaches, on the other hand, emphasise the endogeneity of preferences: thus, institutions create a worldview which not only affects actors' preferences, but actively shapes the range within which preferences are held. Here, institutions are seen as providing the 'moral templates' or 'familiar patterns of behaviour' which are crucial in allowing actors to interpret a situation and act strategically (Hall and Taylor, 1996: 939): they 'create or socially construct the actors' identities, belongings, definitions of reality and shared meanings' (Rothstein, 1996: 146-148). Thus, the notion of an actor's role becomes important, which in turn has important implications for the legitimacy and power resources of actors. In March and Olsen's (1989: 119) terms, such institutions are seen as *integrative* of preferences (in the sense of integrating appropriate preferences into the given institutional context), developing – to echo Powell and DiMaggio's term – a 'logic of appropriateness' which guides and shapes actors' preferences and behaviour.

### **3.4.2 Variants of New Institutionalism**

Whilst it appears convenient to equate the labels of rational choice institutionalism with the calculus approach and normative institutionalism with the culture approach, the dichotomous models employed by Hall and Taylor and Rothstein are perhaps less instructive when dealing with other forms of institutionalism, such as historical institutionalism or network institutionalism, in which the origins of preferences may be slightly less clear. As such, it is more useful to think less in dichotomous terms and more in terms of an agency / structure (or calculus / culture, behaviourist / sociological or economic / sociological) continuum and its utility in identifying the endogeneity (or otherwise) of actors' preferences.

Indeed, the growing body of literature upon new institutionalism is testament to the idea that the two approaches are neither mutually exclusive nor entirely fixed. Thus, whilst Hall and Taylor (1996) identify three strains of new institutionalist thinking (historical, rational choice and normative), Judge (2005) identifies five variants of new

institutionalism (rational choice, sociological, historical, normative and empirical), and Peters (1999) identifies seven (normative, rational choice, historical, empirical, international, sociological and network). All of these are differentiated by their position with regard to the role played by agency (calculus) and structure (culture), and therefore also by the degree to which they see 'standard operating procedures' and 'the rules of the game' as influencing actors' behaviour. This proliferation of approaches suggests that new institutional theorists are developing increasingly diverse understandings of the degree to which structure and agency are interlinking explanatory factors when attempting to analyse political behaviour and outcomes. Some authors believe that such cross-fertilisation has now spread beyond the field of new institutionalism alone: Pierson and Skocpol, for example, suggest that 'we are all institutionalists now' (2002: 706).

### **3.4.3 Normative Institutionalism**

Until now, reference to the strain of new institutionalist thought employed in this research has typically been made using *both* 'normative' *and* 'sociological' labels. This is not an arbitrary choice: there exist genuine differences of opinion between neoinstitutionalist theorists over the differences between sociological and normative institutionalism. Thus, whilst Hall and Taylor (1996) discuss normative institutionalism's self-stated founding work (March and Olsen, 1989) as an example of sociological institutionalism, Lowndes (2002) and Peters (1999, 2005) argue that the two terms should not be used interchangeably, as aspects of one are accorded less prominence in the other.<sup>7</sup> However, in relation to the two principal questions asked by different variants<sup>8</sup>, the responses provided are virtually identical and draw upon similar theoretical origins; namely, the importance of norms and values in shaping institutions and thereby also shaping political behaviour and outcomes. Whilst for the purposes of this research the answers provided to the essential questions are identical, there remains disagreement between proponents and critics in terms of the

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<sup>7</sup> For example, Peters (2005: 121) cites the treatment of political behaviour in the two as being different, with the normative variant giving greater weight to purposive behaviour (eg. political entrepreneurship) than the sociological variant does.

<sup>8</sup> Firstly, what is an institution? Secondly, how do they affect political behaviour and outcomes?

similarities and differences between the two at a more advanced level of theoretical debate. For the purposes of this research, the variant of new institutionalism being used will henceforth be referred to as normative institutionalism, although in practice the research follows Scott's (1995) recommendation that the two approaches should be 'synthesised' if any meaningful conclusions are to be drawn.

Hall and Taylor (1996: 946) trace the origins of normative institutionalism to social constructivism and the organisation theory of the 1970s, and its proponents' attempts to challenge the long-held belief within sociology that a clear line may be drawn between the informal, cultural elements of the social world and the formal, rational elements of the same world. Arguing against the assumption that formal social life (or political life) was organised purely according to rationality, the organisation theorists – and latterly the sociological institutionalists – proposed that many aspects of formally-organised life were not structured the way they were as a result of rationality or efficiency, but rather as a result of embedded cultural practices. Thus, not all institutional organisation can be explained simply through reference to formal, means-end efficiency. Whilst not rejecting this as an elucidatory factor, the new institutionalists insisted that this was only one among numerous factors, some of which may be informal and inefficient in nature, deriving their legitimacy through their cultural value or symbolism (Hall and Taylor, 1996: 946-947).

Whilst recognising that structural factors remain important in the organisation of political life, the first proponents of normative institutionalism, March and Olsen (1989), were also keen to stress the role of norms and values in determining the way in which organisations should and would function. These norms, traditions and cultural patterns form the institutions which are seen to constrain and shape political preferences and action. Thus, 'the most important element defining an institution is the collection of values by which decisions and behaviour of members is shaped' (Peters, 1996: 208). In addition to providing informal guidance to actors, Meyer and Rowan (1977) demonstrate the influence of such institutionalised rules upon emergent formal organisational structures. As such, values shape institutions (either formal structures or informal constraints) which then shape political behaviour and outcomes. Such values are typically most readily manifested in particular logics of appropriate

behaviour, or standard operating procedures (as outlined above): namely, the way in which things are seen (and implicitly expected and encouraged) to be done by actors within a specific organisational context.

In line with the attempts to break down the divide between formal organisations and cultural practices, normative institutionalism defines institutions far more broadly than do classical institutionalists. Again, the classical, formal-legal definition is acknowledged as one possible manifestation of an institution. However, attention is also paid to more informal types of institution which provide 'routines' and 'frames of meaning' for actors, usually more normative in essence than cognitive (Peters, 2005: 31): thus, such elements as 'values, norms, interests, identities and beliefs' (March and Olsen, 1989: 17) and 'symbol systems, cognitive scripts and moral templates' (Hall and Taylor, 1996: 947) are also considered as having a significant impact upon the way actors behave and organisations evolve, breaking down the barrier between organisation and culture. However, this risks accusations of conceptual stretching, and again proponents adopt an approach based upon appropriate patterns of behaviour and rules in order to delimit institutions and prevailing social behaviour. Thus, 'institutionalised rules are classifications built into society as reciprocated typifications or interpretations' whose institutionalisation 'involves the processes by which the processes, obligations or actualities come to take on a rulelike status in social thought and action' (Berger and Luckmann, 1964: 54; Meyer and Rowan, 1977: 341). Through reference to the broader new institutionalist concept of standard operating procedures, the normative approach separates social institutions from political ones. As identified above, this also prompts a decoupling of the concept of 'organisation' from that of 'institution'. Normative institutionalism therefore sees institutions as 'rather amorphous virtual entities' which may nonetheless have 'more tangible embodiments' in formal structures (Peters, 2005: 29-30).

Under such a perspective, the relationship between organisations and actors is a crucial point of study: the way in which institutionalised cultural practices or behaviour are embedded in organisations and shape actors' preferences, systemic interpretation and ultimately actions provides a crucial understanding of the way in which the polity functions as a whole. Thus, even the most rational of decision-making processes is

ultimately shaped by societal norms (Hall and Taylor, 1996: 949). Rather than emphasising an entirely rational calculation on the part of individuals, it is believed that the prevailing logic(s) of appropriateness and standard operating procedures are derived from values which narrow the field of options available for action: this is in contrast with the logic of exchange, of consequentiality or of instrumentality which is commonly assumed to exist by economic or rational choice institutionalists (Powell and DiMaggio, 1991; Peters, 2005; Campbell, 1995).

### **3.5 INSTITUTIONAL DESIGN AND CHANGE**

It has already been shown that the Scottish Parliament's blueprint was based around a 'mythic' collection of values, which the CSG intended to be embodied both formally and informally in the work of the Parliament. In this respect, the CSG Report represents an ambitious piece of institutional design. Based upon the normative institutionalist perspective, attainment of the CSG vision would thus be reflected in an institutional framework and ethos which deviate significantly from Westminster structures and conceptions of 'appropriateness' in terms of public participation and the role of children and young people.

However, the CSG's implicit assumption that institutions can be created at will finds little support in reality. Pierson, for example, argues that 'there are strong grounds for challenging any assumption that institutional effects will reflect the expectations and desires of institutional designers' (Pierson, 2000b); whilst Olsen agrees that 'decisions to change often do not lead to change, *or they lead to further unanticipated or unintended change*', meaning that very often, 'institutional reforms breed new demands for reforms rather than making reforms redundant' (Olsen, 1997: 206; emphasis mine; see also March and Olsen, 1989). As empirical work on new theories of institutional change emerge, so more of them confirm suspicions about the limits of institutional design. For example, Elster et al (1998) and Jones Luong (2000) describe from different perspectives the way in which attempts at democratic design in post-Soviet states have resulted in unintended – and in some cases entirely undesirable – consequences. Thus, the degree to which institutional design can deliver the intended *type* of organisational ethos merits further consideration here. Particularly in cases

where ambitious institutional design is attempted as a 'rupture' from previous institutional templates, prospects for success tend not to be viewed optimistically. Olsen typifies this tendency in voicing criticism of institutional (re)design based around 'one-shot, grand decisions that change an institutional arrangement at once' (1997: 203). Recent work within neoinstitutionalist thought has addressed such concerns, which were previously part of the 'under-theorised' aspect of new institutionalism as a whole (Harty, 2005). Given that any evidence of problems within institutional implementation has implications for the CSG's use of explicit institutional design in the Scottish case (thereby raising immediate concerns as to the likely consolidation of the style of politics to which the new Scottish Parliament was expected to adhere from the outset), the chapter now turns to issues of design and change within a well-established institutional template.

### **3.5.1 Theories of Change**

Prior to considering change as a result of institutional design, it is worth considering theories of change within new institutionalism more generally. Traditionally, change within new institutionalism has been problematic for two principal reasons: firstly, one of the foundation stones of *all* institutionalist belief is that institutions possess an inherent degree of stability: without such persistence, it would be impossible to conceive of them as important factors in explaining political behaviour and outcomes. Secondly, another key contention relating to institutions is that preferences – and therefore behaviour – are endogenously determined.<sup>9</sup> Again, without such a belief – if institutions were unable to exercise *some* degree of control over the preferences and behaviour of actors – there would be little reason to see them as important subjects of analysis.

Two problems arise as a result of this. Firstly, the idea of institutions as inherently stable does *not* match the empirical reality. Institutions *do* change. The values and shared cognitive scripts within society which make up institutions are demonstrably mutable, as are the formal organisations governed by such institutions. Secondly, if

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<sup>9</sup> However, strongly behaviourally-inclined new institutionalist thought holds this to be the case to a far lesser degree than do its sociological counterparts.

preferences are endogenous, is it *ever* possible to theorise institutional change? Change does not simply appear, and if institutions restrict actors to behaving in accordance with an internal logic of appropriate behaviour, the very notion of an institution with a 'suicidal' logic which encourages actors to revise and / or replace the very institutional framework which shapes their behaviour appears problematic (although some determinist theories, such as Marxism, argue that such characteristics can be found).

Until recently, institutionalists (both classical and new) dealt with such problems by picturing change taking place as a result solely of overwhelming exogenous factors beyond the control of those 'within' a given institution. Under such a view, institutions are still stable entities which shape actors' preferences, but are also seen on occasion to be subject to pervasive external forces such as war, natural disaster, or military coup. Drawing upon a concept from evolutionary biology, this position adopts the idea of institutions existing in a state of equilibrium which is occasionally punctuated by abrupt disruption (e.g. Krasner, 1984, 1989; adapted from the work of Eldredge and Gould, 1972; Eldredge, 1985). Institutions are thus thought to follow path-dependent routes of action until exogenous forces create a critical juncture which risks altering the institution's path (North, 1990b).

To return to the rebuttals of the two key components of neoinstitutionalist thought identified above (that institutions are stable and are capable of influencing preferences), such an explanation is clearly unsatisfactory. Institutions and formal organisations *do* change outwith 'critical junctures' and in the absence of disruptive external forces; whilst it has also been observed that institutions are sometimes changed as a result of endogenous action. One of the key aims of recent neoinstitutionalist writing has therefore been to revisit the traditional problem of change *within* institutions, which may take place even when no significant exogenous disruption occurs. A new wave of neoinstitutionalist theorising (e.g. Clemens and Cook, 1999; Burch et al, 2003; Thelen, 2003; Przeworski, 2004; Harty, 2005; Lecours, 2005) has addressed this issue, considering how change and stability are determined endogenously, and the conditions arising within institutions which facilitate or mitigate chances of institutional change.



### 3.5.2 Processes of Change

Within empirical accounts of institutional design, a common recurrent feature is the regularity with which a tendency towards 'breakdown' occurs within attempts to purposively design new political institutions (and new organisations to embody them). Within the converging literature streams on new institutionalism and institutional design, the 'breakdown' tendency within institutions is widely thought to be the result of a lack of stability, legitimacy and acceptability for any institution, old or new. In the case of institutional design, either the new institutional template or the previous one is seen to prevail over the other in such terms (Olsen, 1997). Evidence shows that institutional design is inherently unreliable, with both empirical and theoretical literature suggesting that institutional designers aiming to create entirely new institutions often face insurmountable difficulties due to the prevailing structural-historical context in which their design is grounded (Goodin, 1996a; Pierson, 2000a, 2000b). Weir (1992), for example, talks of the 'bounded innovation' of institutional design, preventing designers from assuming an entirely free reign in their endeavours.

To make sense of this, Clemens and Cook (1999) further the evolutionary biological metaphor of Krasner (1984), arguing that institutional persistence or survival depends upon an institution's ability to 'reliably reproduce'. Reliable reproduction involves institutional models being reinforced through socialisation, interaction or legitimation in a way which typically excludes heterogeneous or alternative institutional interpretation (Clemens and Cook, 1999: 445-446). In other words, it is the process through which some form or set of prescribed actions gradually becomes taken for granted (Meyer and Rowan, 1977; Powell and DiMaggio, 1991); in which 'the moral becomes factual' (Zucker, 1977: 726; Clemens and Cook, 1999). From the perspective of normative institutional design, this relates to the absolute and ongoing acceptance of one normative template over another.

Clemens and Cook (1999) demonstrate the way in which such processes (i.e. the embedding of a new institution or consolidation of an existing institution) can explain institutional change: thus, change takes place when a new institution reproduces at least as reliably as the previous one. On the other hand, change is far less likely in cases where a previous institutional schema reproduces more reliably than the newer

schema(s). As such, the relative strength or normative pervasiveness of institutions is crucial, with the type of change emerging as the result of competing institutional templates therefore dependent upon the relative degree of reliable reproduction of the templates. As such, although exogenous forces *can* still be a source of institutional change, *most* change occurs not as the result of such *deus ex machina* scenarios, but rather as a result of one institutional schema failing to reproduce or imprint itself upon actors as reliably as another does. In cases of institutional design, a combination of the two is often most appropriate: thus, the process of explicit design can be seen as the imposition of exogenous forces which must immediately begin reliable reproduction or face the prospect of breakdown. Breakdown is thought to arise from one or more of three weaknesses within institutions, whether 'organic' or designed: as the result of mutability (i.e. a lack of non-discretionary institutional statements, resulting in the emergence of hybrid institutional forms), internal contradictions (i.e. dysfunctional institutional scripts) and / or multiplicity (i.e. competing scripts or models, meaning that an institution may not 'fit' its intended context) (Clemens and Cook, 1999: 447-450). However, breakdown need not imply outright rejection of a purposively-designed institution (see below). Regardless of the outcome of breakdown, the central message is that ambiguous institutional statements, the presence of alternative models / scripts, internal contradictions, and the ongoing validity of previous institutional schemas *all* contribute to heterogeneous interpretation of the initial design, which in turn undermines reliable reproduction attempts (Clemens and Cook, 1999: 459). In a similar vein, Lindner and Rittberger (2003) specify vagueness or 'low institutional rule specification' as a key factor in institutional failure to reproduce. Goodin and Pierson separately summarise the situation succinctly:

Much of the point of studying institutions [...] is to explore precisely those ways in which the past leaves traces in the present and constrains our present actions and future options [...] Designers of institutions, of all people, should be particularly sensitive to the ways in which past inheritances will inevitably constrain them.

(Goodin, 1996a: 30)

Actors do not inherit a blank slate that they can remake at will [...] The dead weight of previous institutional choices seriously limits their room to manoeuvre [...] Thus, even if learning and competitive mechanisms are present,

it is far from self-evident that these pressures will translate into institutional enhancement.

(Pierson, 2000b: 493)

Such conditions therefore also provide opportunities for individual agency to play a key role: in such circumstances, 'political entrepreneurs' often emerge with a view to (re)negotiating institutional expectations or embedding their own interpretation of an institutional schema as the dominant one, again resulting in the marginalisation or consolidation of the institution in question (Clemens and Cook, 1999: 459). Where departure from a particular institution is *designed*, Clemens and Cook argue that existing models of action or scripts often continue to play a key role, whereby actors (often subconsciously) revert to their conditioning at the hands of previous institutional models when trying to solve new problems, facilitate collective learning / action, maintain stability or ensure efficiency, particularly in transitional or ambiguous conditions where no clearly understood template of action exists (Clemens and Cook, 1999: 448-451). Jones Luong's empirical and theoretical work on post-Soviet democratic design also arrives at a similar conclusion: that in times of transition or when institutional prescriptions are ambiguous, the unconscious primacy of establishing organisational stability means that actors cannot help but refer to structural-historical contexts in order to frame their actions: institutional preferences are inextricably linked to previously embedded institutions. As a result, research on new institutional structures may reveal *some* degree of novelty within formal structures and outcomes, but should also expect that these are not necessarily the result of an entirely new institutional order: indeed, a great deal of continuity with the previous institutional order should be expected (Jones Luong, 2000).

As such, the growing literature on institutional change only serves to emphasise the need for institutional coherence and clarity of purpose in order to avoid uncertainty (and the subsequent lack of reliable reproduction for designed institutions) in times of transition. Such coherence and clarity are typically thought to derive from non-discretionary institutional statements which reinforce implementation of the institutional design, and rules (whether formal or informal) to support such statements. This does not mean *total* control of an actor's every move, but rather clear

and unambiguous guidance upon the way in which the institutional design should shape their behaviour in theory and in practice.

### **3.5.3 Results of Change**

Concepts similar to the 'breakdown' thesis were identified in early work on institutional competition which established the potential for institutional 'sedimentation' (Tolbert and Zucker, 1983; see also Tolbert and Zucker, 1996) whereby institutional competition can result in hybridisation of institutional templates. Since then, further work – particularly that conducted by Kathleen Thelen (Thelen and Steinmo, 1992; Thelen, 2002; Streeck and Thelen, 2005a, 2005b) – has resulted in significant advances in the neoinstitutionalist understanding of the processes and results of institutional change. Arguing that institutional stability is not necessarily synonymous with institutional stasis or inertia, Thelen repeatedly shows that even stable institutions may undergo significant change. Institutional change may manifest itself in several different ways, but ultimately, as Clemens and Cook (1999) also argue, any such change is traceable to the failure of an institution to reproduce itself, which ultimately sees 'a multitude of actors switch from one logic of action to another' (Streeck and Thelen, 2005b: 18). As institutional logics and organisational structures are not entirely coterminous, 'inherent ambiguities' and 'gaps' provide opportunities – particularly where external conditions and expectations are not completely understood – for political entrepreneurs to argue their interpretation, or to test old behaviours in new institutions (and vice versa) (Streeck and Thelen, 2005b: 18-19).

As such, whereas punctuated equilibria models tend to consider the role of agency only at critical junctures, newer perspectives on change emphasise the ongoing role of agents within the context of institutional persistence and change: institutions are subject to constant evaluation, interpretation, contestation, redirection, subversion and circumvention by active agents (Streeck and Thelen, 2005b: 19). This perspective allows for better consideration of the role of endogenous change, in terms of how actors cultivate and exploit the institutional windows of opportunity which exist not as a result of massive exogenous shock (in the shape of institutional design), but rather as

a result of failures in institutional reproduction, which in turn results from the inherent contradictions, mutability and / or multiplicity identified above.

It is here that the role of agency becomes so important to the new institutionalist paradigm. As Harty (2005) explains, all of this change (and, similarly, stability) is negotiated *among* actors, typically in accordance with the dominant group's interpretation of institutional responsibilities within the new design.

Because institutions embody power asymmetries between different political actors, institutional stasis is still likely even in cases where a weaker actor seeks change [...] The study of politics is replete with marginalised, underprivileged and minority groups who seek change but do not have the means to achieve it.

(Harty, 2005: 57)

Thus, the change which does take place as a result of actors' interpretations is often consistent with a 'might is right' doctrine: even if one group's normative interpretation accords more closely than another group's with that of the institutional designers, it is the more institutionally-empowered actors – and not necessarily the normative heirs of the institutional designers – whose interpretation is likely to prevail (Harty, 2005).

Given the aforementioned low likelihood of success of 'one-shot', grand design, it is worth considering more evolutionary and less revolutionary modes of change. To this end, Streeck and Thelen (2005b: 19) expand upon previous modes of change (e.g. Goodin, 1996b) by identifying five principal modes of *gradual* change: displacement; layering; drift, conversion; and exhaustion. Due to their potential utility in better understanding the outcomes emerging from the Scottish experience of institutional design, it is worth covering these briefly.

Displacement is characterised by shifts in the relative salience of systemic institutional arrangements, as opposed to explicit revision or amendment of such arrangements. Such processes of change typically take place when new models or scripts emerge and question the validity of practices which were previously taken for granted. As with Clemens and Cook (1999), the lower the degree of prescription within an institutional logic, the more likely it is that intra-institutional contestation takes place, often

resulting in the rediscovery or reactivation of alternative practices (Streeck and Thelen, 2005b: 19-22).

However, institutions may on occasion be subject to 'active revision': this constitutes the 'layering' mode of gradual change. Theories of increasing returns (see also Pierson, 2000a, 2000b) see certain institutional artifacts as unchangeable, and it is in the areas of an institution perceived as changeable that innovation may take place through the addition of new practices or models. Although such additions often operate according to a different institutional logic, their institutionalisation is often dependent upon not explicitly contradicting the unchangeable aspects of the institution (Streeck and Thelen, 2005b: 22-24).

The thesis of reliable reproduction holds that institutional stability is not a given, but rather that institutions require 'active maintenance'. Sometimes, actors may need to 'recalibrate' institutions in response to wider socio-political changes. Without such 'tending', the institution risks slippage, or drift, often through passive-aggressive non-adherence to certain aspects of an institution's logic: such failure to maintain institutional norms and rules may result in the decline in prominence – or ultimately even decay – of those aspects of an institutional schema (Streeck and Thelen, 2005b: 24-26).

Conversion describes how institutions can be redirected towards new goals, functions or purposes, often as a result of socio-political environmental challenges or changes in the balance of power. Such change is often associated with the redirection of resources as a result of political contestation over the functions and purpose of a given institution or organisation. Again, the emphasis is placed upon the role played by institutional gaps or ambiguities as windows of opportunity for political entrepreneurs to exploit (Streeck and Thelen, 2005b: 26-29).

Finally, gradual institutional exhaustion is also possible. This covers absolute institutional breakdown rather than change therein. In processes of exhaustion – and as with determinist theories of society, such as Marxism – the behaviour which is

promoted or invoked by the institution itself ultimately undermines its own rules and authority (Streeck and Thelen, 2005b: 29-30).

### **3.6 RELEVANCE AND APPLICATION TO THESIS**

On the basis of the foregoing sections, the neoinstitutionalist paradigm – particularly taking into account the recent developments in relation to theories of institutional design, revision and breakdown – can clearly be seen to have a relevance and elucidatory potential for the case of the Scottish Parliament, and the way in which the CSG attempted to reflect and concentrate certain political and social norms within it. In this respect, it not only provides a framework for understanding any potential breakdown which has occurred in the implementation of the CSG's design, but it also clearly sets out an expectation that as with any institutional design, success will be contingent upon the way in which non-discretionary institutional statements are translated into organisational structures and formal rules. Where these exist in such a way as to reinforce the institutional norms propounded by the CSG (i.e. by affirming in non-discretionary terms the importance of public participation and of children and young people's value to the policy process), it is expected that the institution is likely to reproduce reliably, ultimately leading to consolidation of the CSG vision at the expense of the previous institutional template(s). Alternatively, where such institutional statements are discretionary in nature and are not reinforced by organisational structures and formal rules, ambiguities may appear. Reliable reproduction then becomes dependent upon the informal rules (or standard operating procedures) followed as a result of actors' interpretations of their obligations. In such circumstances, it is customary that those holding more power within an institution are those who decide the success or failure of the institution. Thus, where their perspectives match those of the designers, institutional breakdown may still be avoided if the actions of (powerful) actors serve to contribute to reliable reproduction of the institution.

However, the pervasiveness and persistence of institutions – particularly long-standing and deeply-embedded ones – render such a scenario unlikely. Institutions do not exist in discrete vacuums. As such, attempts to introduce any newly-designed institutional

template will be affected by actors' relationship with previous institutional templates of action. Particularly in times of disruption and uncertainty, actors' interpretations of a newly-designed institution are likely to draw upon previous institutional templates and the power balances, resource distribution and standard operating procedures associated with them. In the case of the Scottish Parliament, this suggests that if institutional rule specification is low (as a result of discretionary formal statements / rules and a lack of normative support to constitute informal rules), if the CSG vision is found to have internal contradictions, or if it does not match wider societal institutional templates of action, breakdown may occur. Where this happens, key actors are likely to revert to familiar institutional templates. As seen in Chapter Two, these familiar templates are likely to include a strong reliance upon representative democracy and the persistence of an adultist and / or familialist approach to the role of children and young people in the policy process. In this respect, both political and social legacies cast long shadows in terms of the 'embeddedness' of norms relating to public participation and young people's role in politics and society.

In terms of the political legacy relevant to this thesis, Scottish political culture prior to 1999 was shaped by the representative model of Westminster democracy at both national and local level, and by an adultist approach towards the consideration of children and young people (although in this respect, it was unremarkable, as the appropriateness of these approaches is common to many legislatures). Furthermore, the most prominent parties within the campaign for devolution were born of the Westminster system, whilst many MSPs taking up position in 1999 had previously been involved in local or national governance, following templates of appropriate action akin to that outlined above.

In terms of the social legacy, the adultism and familialisation which has characterised young people's role in policy-making is not only a political phenomenon but – as was shown in Chapter Two – is also a social phenomenon which relates to contemporary understandings of 'the child'. This – coupled with a lack of societal familiarity with participatory forms of governance – means that the CSG vision arguably runs counter not only to the dominant representative democratic and adultist paradigm in *politics*, but also in wider *society*. Whether considered in terms of its rejection of Westminster-



style politics or of prevailing social attitudes towards young people, the CSG unarguably sets itself an extremely ambitious target.

However, establishing the tendencies of previous research into the success of institutional design within a strongly structural-historical template has provided an initial line of inquiry for the thesis, as well as the basis from which understanding of the inductively-generated findings can later be contextualised and brought into a wider theoretical framework. Thus, the inductive and deductive aspects of the research are complementary rather than conflicting (O'Leary, 2004). If the institution does not reproduce reliably, questions can be asked as to why this has happened, and what the final result is.

### **3.7 SUMMARY**

This chapter has served as an introduction to and justification of a new institutionalist theoretical perspective. Through an overview of its general relevance and its specific consideration of institutional design and transition, it also provides the theoretical foundations for the remainder of the thesis, establishing not only a perspective from which the results of primary data collection may be understood, but also an initial line of inquiry.

With regard to the former, the theoretical and empirical literature reviewed here has established the 'bounded innovation' available to institutional designers, and the subsequent need for reliable reproduction if the institutional design is to survive. This is particularly important in instances where there exists a deeply-embedded previous template of institutional action, or where an institution is designed as 'nested' within other pre-existing institutions.

Reliable reproduction is thus contingent upon the ability of an institution's constitutive formal and informal rules to coerce actors. Where formal codification is unclear, incomplete or simply lacking; or where prescriptions are discretionary in nature, reliable reproduction depends entirely upon the way in which political actors interpret their responsibilities vis-à-vis the institutional design: if they are sympathetic towards

the new institution, then their behaviour would be expected to lead to reliable reproduction of institutional norms. Thus, as well as formal rules, institutions are embodied within informal rules (particularly those adhered to by the most powerful actors), such as standard operating procedures. As such, in cases of institutional design, where both formal and informal rules are absent, or where their combined effect (the degree of total institutional 'rule specification') is low, the institutional design is extremely unlikely to reproduce reliably.

As such, the latter aspect above – the line of inquiry pursued – becomes apparent. Based upon an understanding that formal and informal structures are important in trying to implement a piece of institutional design, the approach to data collection firstly involved scrutiny of the Parliament's formal structures with a view to discovering how the CSG's commitment to accessibility, participation and children and young people are organisationally codified. Secondly, it involved consideration of the way in which the informal rules of the Parliament (in the shape of standard operating procedures and MSP attitudes) serve to reproduce the normative institutional basis of the CSG's design. By investigating these alongside quantitative investigation of the extent of young people's involvement and discussion with key stakeholders of their perceptions of this involvement, the thesis builds up an empirical and analytical understanding of accessibility and participation for young people in the work of the Scottish Parliament in Sessions One and Two. In addition, the use of the neoinstitutionalist perspective on institutional design and change – and the way in which the foregoing are applicable to the empirical results – also allows for an informed consideration of the future direction of such work in the Scottish Parliament.

## **Chapter Four**

### **Methodological Approach**

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*Tell me, and I may forget. Show me, and I may remember. Involve me, and I'll understand.*

– Proverb

#### **4.1 OVERVIEW**

Prior to elaborating upon the research participants and methodological approach adopted for each of the primary data collection instruments, this introduction will provide an outline of the data collection process overall, from its foundations in literature-based secondary source research to the use of the primary data collection instruments and the subsequent analysis. Further details on the exact methodological rationale and analytical approach adopted are provided in the discrete sections below.

##### **4.1.1 Research Preparation**

In outlining the impossibility of replicating a 'scientific method' in the social sciences, O'Leary (2004) is one of a number of authors to emphasise the importance of recognising and acknowledging the underlying assumptions of a researcher's position. Marsh and Stoker (2002) and Burnham et al (2004) similarly urge consideration of the fundamental knowledge claims upon which political research is based in order to ensure consistency (both theoretical and methodological) throughout. This ranges from a consideration of underlying paradigmatic assumptions such as ontology and epistemology through to a purposively selected research design and choice of methodological tools.

In ontological terms, this research is predicated upon an anti-foundationalist understanding of the nature of empirical knowledge. In rejecting the foundationalist position, the research affirms the need to understand 'the social construction of social phenomena' (Marsh and Furlong, 2002: 18). The logical epistemological extension of

this is the refutation of a scientific (positivist) approach to the study of such phenomena in favour of a hermeneutic (interpretist) approach. Thus, the primacy of *understanding* phenomena is established (as opposed to establishing positivist explanations of direct, observable causality) (Marsh and Furlong, 2002: 20). However, it should be noted that a rejection of positivist causality as an aim of the enquiry does not preclude the offering of observations and important factors in the co-existence of two phenomena. A number of authors (e.g. Geertz, 1973; Bevir, 1999; Bevir and Rhodes, 2002) argue in favour of an alternative form of interpretist explanation in political studies, termed 'narrative explanation' by Bevir and Rhodes (2002: 134). Thus, explanatory *accounts* within interpretist research are differentiated from positivist *explanations* (as foundationalist, inalienable causal truth claims) as offering 'one interpretation of the relationship between the social phenomena studied' (Marsh and Furlong, 2002: 21).

The epistemological underpinnings of a piece of research and their impact upon the specific purpose of the inquiry therefore have a significant bearing upon the particular research strategy adopted. Given the primacy of the need to explore and describe in the interpretist approach, a research design involving qualitative data is important. However, this need not necessarily result in the exclusion of quantitative data, which may still be used to inform consideration of the interpretations of phenomena. Creswell (2007) identifies five different approaches to qualitative research: the narrative, the case study, ethnography, phenomenology and grounded theory. Within the case study methodological approach adopted here, case studies may be categorised according to what constitutes 'the case'. Thus, Robson (1993: 147) distinguishes between the following types of case:

1. Individuals;
2. Sets of individuals;
3. Communities;
4. Social groups;
5. Organisations and institutions; and
6. Events, roles and relationships.

Creswell also argues for a consideration of different case studies according to the case in question, but also argues that the *intent* of case analysis may differ. Thus, case studies may be intrinsic, instrumental or collective. Where the latter two are distinguished by their focus upon one very narrowly-bounded case or multiple cases (with a view to post-positivist generalisation) respectively to investigate a phenomenon, the first is the approach adopted for this research, whereby the focus remains upon the case itself due to its status as ‘an unusual or unique situation’ although this still does not preclude the offering of ‘narrative explanations’ (Creswell, 2007: 74). To return to Robson’s list of cases above, the ‘case’ in question here corresponds most closely to cases five and six in the above list. With respect to the former (organisations and institutions), the research aims to address issues of working practices and the formal, written rules which relate to children and young people’s participation. On the other hand, the theoretical framework outlined in the previous chapter established the importance of informal rules, which relate more to issues of agency rather than structure, thus covering the events, roles and relationships described in case type six.

What, then, are the constitutive methodological characteristics of the case study approach? Whereas certain case study approaches – such as phenomenology and ethnography<sup>1</sup> – typically aim to gain as much of an understanding of the participants in a phenomenon as they do of the phenomenon itself, the classic case study retains its focus upon the phenomenon, studying it through reference to one or more cases within a bounded system or context, using multiple sources of information, and reporting results in a descriptive, thematic format (Creswell, 2007: 73). Yin (2003) and Creswell (2007) draw further differences between classic case study research and other qualitative methodological approaches within the interpretist tradition, arguing that case studies are characterised by a diversity of evidence types, including documents, archival records, observation (both participant and non-participant), and interviews.

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<sup>1</sup> Although these may be considered to be distinct approaches to qualitative research in and of themselves, their methodological components may also be used in a case study approach.

In terms of analysis, the emphasis of the classic case study approach – as with other types of qualitative research – is principally upon exploration and description. In this respect, it differs from ethnography and phenomenological approaches in that it attempts to reconcile (sometimes competing) perspectives in relation to the phenomenon being studied. In this respect, the classic case study approach is ideally suited to studies within political science, which relies heavily upon theory as an organising perspective for phenomena. As such, within classic case study analysis, the focus is upon producing a detailed description of a phenomenon with a view to aggregating the data into thematic categories, which in turn allow for a deeper understanding of multiple competing perspectives. To this end, some form of framework is required not only for the *analysis* but also for the *reporting* of the data. Ritchie and Lewis' (2003) *Framework Analysis* provides this study with its analytical structure. It aims to introduce to qualitative methods of inquiry a greater degree of rigour by prescribing a strategy for decreasing the level of specificity not only within the cases studied in relation to a single phenomenon (i.e. different interviewees' or focus group participants' perception of a phenomenon) but also within the qualitative tradition more generally, by attempting to increase the degree to which general lessons may be drawn from specific case studies (Ritchie and Lewis, 2003).

Having thus identified the nature, purpose and methodological requirements of the research, it is subsequently important to discuss the way in which specific methodological tools were employed to obtain the evidence supporting the thesis. The design adopted was a multi-method one. From a quantitative point of view, the research involved not only a questionnaire survey but also the construction of a database audit of the work of the Scottish Parliament's institutional mechanisms, whilst the qualitative aspect incorporated semi-structured interviews and focus groups, observation and documentary analysis. The specific methodological tools adopted are discussed later in this chapter.

The research process began with a thorough review of the literature relating to the devolution process in Scotland. Within this, the primary focus was on deconstructing the documentation which established the Scottish Parliament and the academic response to this. In addition to examining published and unpublished literature on the

devolution settlement in Scotland, the literature relating to children and young people's participation was scrutinised in order to contextualise primary data collection.

Following the synthesis of secondary data, the research sought to identify the dimensions of the Parliament's work which relate to accessibility and / or participation, and the formal mechanisms through which they are delivered. In this regard, scrutiny of publications of the Scottish Parliament (most importantly its Standing Orders) provided a comprehensive overview of the structural composition and working methods of the Parliament.

#### **4.1.2 Research Execution**

Once the structures and working practices of the Scottish Parliament had been identified, it was possible to move on to primary data collection. The first aspect to note is the quantitative audit of the structures identified above. Specifically, this stage focussed upon the activity of the Scottish Parliament's committees, the Public Petitions process and the Parliament's Education and Outreach Services. Although the Cross-Party Group (CPG) system also offers a potential means for engaging with MSPs, it was not considered here due to the inconsistency with which CPGs report on their activities. As CPGs are not formal organs of the Parliament, minutes of their proceedings are usually only able to be published on the Parliament's website<sup>2</sup> if the meeting in question has involved a quorate number of MSPs. Due to the inconsistency with which this takes place, CPGs were excluded from consideration.

Dealing firstly with the committee system, the first stage of the research process was to map out the workings of the committees. Firstly, the subject evolution of each committee during Sessions One and Two was established. The evolution of the Parliament's committees – which mirrors changes in ministerial portfolios – is presented in diagrammatic format at Appendix A. Secondly, the research established the exact role played by committees. For most Bills, the Scottish Parliament has a three-stage legislative process. Despite the increased prominence (e.g. the ability to

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<sup>2</sup> Further information on Cross-Party Groups in the Scottish Parliament is available at: <http://www.scottish.parliament.uk/MSP/crossPartyGroups/index.htm>.

initiate legislation) given to committees in the Scottish Parliament relative to their Westminster counterparts by the CSG, the legislative proposals considered by committees in Sessions One and Two emanated overwhelmingly from the Scottish Executive, as Table 4.1 shows.

**Table 4.1:** Bill Types, Sessions One and Two

	Session 1		Session 2		Total	
	Count	%	Count	%	Count	%
<b>Executive</b>	51	70.0	52	64.2	103	66.8
<b>Member</b>	16	21.9	18	22.2	34	22.1
<b>Private</b>	3	4.1	9	11.1	12	7.8
<b>Committee</b>	3	4.1	1	1.2	4	2.6
<b>Budget</b>	0	0.0	1	1.2	1	0.1
<b>TOTAL</b>	73	100.0	81	100.0	154	100.0

Source: Parliamentary Audit

As such, the primary legislative function of committees in Sessions One and Two was one of *scrutinising* Executive legislative proposals, rather than of *initiating* legislation themselves. With Executive Bills, the initial legislative proposal is passed to the Parliament, where it is assigned to a lead committee: this is usually the subject committee within whose remit the proposal falls. At Stage One, the lead committee issues a general call for written evidence from interested parties. On the basis of the written evidence received, committees usually invite a number of respondents to provide the committee with greater information in oral format. On the basis of the written and oral evidence, the committee produces a final Stage One report, which is debated and voted upon in plenary.

Stage Two involves more detailed consideration of the Bill by the lead committee, and may again involve additional written / oral evidence being sought. It is much rarer for this to occur at Stage Two, as the stage is typically reserved for the consideration of amendments submitted by MSPs. Following consideration of the proposed amendments, Stage Three sees the Bill and amendments voted upon in plenary. Even more than at Stage Two, non-MSPs are seldom likely to be involved.

In addition to their consideration of Bills, committees also have the power to conduct wide-ranging Inquiries at their own initiative and according to their own timetable.



When undertaking such work, the evidence-gathering process is usually very similar to that used for legislative consideration, with committees issuing a call for written evidence before proceeding to involve a smaller number of witnesses in oral evidence sessions.

Having thus established Stage One Bill consideration and Inquiries as primary points of access to committee work, the analysis scrutinised the work of each of these committees between May 1999 and May 2007. However, it should be noted that although the data covers all of the Parliament's *subject* committees between 1999 and 2007, several of the Parliament's *mandatory* committees were excluded from the audit due to their essentially internal, procedural nature. The committees excluded were: Audit; Finance; Public Petitions; Procedures; Subordinate Legislation; and Standards and Public Appointments. Two mandatory committees (European and External Relations, and Equal Opportunities) *were* included as their respective remits are more public in scope. Whilst the Public Petitions Committee is arguably the most prominent participatory mechanism of the Parliament, it is excluded from the committee audit as it is later audited as a participatory mechanism in its own right.

With the remit of the committee audit established, information on every committee meeting in Sessions One and Two was extracted from the Parliament's website<sup>3</sup> in order to establish the Inquiries and Bills considered by each committee.<sup>4</sup> The relevant report for each Bill and Inquiry was then examined to determine which individuals or organisations had contributed. Following consideration of the final reports, the data extracted were triangulated with *Minutes of Proceedings*, the *Official Report* and committee papers in order to identify and complete any gaps in the database. Although this approach has an unfortunate limitation in that it is only able to identify younger people (and other comparative groups – see below) where they are clearly identified as such in written or oral submissions (and this is unlikely to be the case in every single instance), there are no alternative approaches which *could* reliably

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<sup>3</sup> Available at: <http://www.scottish.parliament.uk>. In addition to current committee business, the Scottish Parliament website maintains a comprehensive archive of previous business.

<sup>4</sup> See <http://www.scottish.parliament.uk/business/bills/billsnotInProgress/index.htm> for a full list of Bills considered in Session One, and <http://www.scottish.parliament.uk/business/bills/billsnotInProgress-s2/index.htm>, and for those considered in Session Two.

capture this information (short of making personal contact with every single participant to verify this personally, that is).

Having thus compiled a database of participants, each entry (over 13,000 in total) was examined to determine the degree of civic participation across each committee. By examining the written submissions made to the committee in each Bill and Inquiry, it was possible to determine the degree to which non-parliamentarians took it upon themselves to proactively approach committees, whilst examination of the witnesses invited to provide oral evidence served as an indication of the committee's willingness to involve non-parliamentarians in their work, as well as the range and background of actors involved. Participants were categorised according to whether they were an individual or a group representative, and whether they could be considered to be a child or young person (or a representative thereof). To provide a comparative dimension, similar trawling and frequency tabulation was also conducted for a number of other communities who were either politically marginalised in the same way as younger people are, or entirely disenfranchised as a large proportion of younger people are. As such, the comparative cases considered were the BME community, elderly people, the disabled community, homeless people, the immigrant/refugee community<sup>5</sup>, and prisoners on remand.

In addition to simply examining the degree to which civic participation (and, more specifically, participation of the aforementioned social groupings) played a role in the work of the committees, the audit also aimed to provide an overview of how this was done. Clearly, it is at the discretion of individual respondents to decide how they wish to respond to a committee press release or call for evidence. However, the committees have significantly greater control over the way in which oral evidence is obtained. Following initial scrutiny of Stage One Bill reports and final inquiry reports (and on the basis of subsequent qualitative data obtained from interviewees), it became apparent that there was a fairly standard model used for oral evidence

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<sup>5</sup> In the absence of a more suitable term, this is a somewhat unwieldy label. In *formal* terms, this group is composed of those residents lacking the right to vote in local / regional elections under the UK's *Representation of the People Act (2000)*. In more *conceptual* terms, it is intended to capture the community of immigrants and refugees who have no formal and / or legal status within the UK's electoral system.

sessions. The committee reports were therefore revisited in order to identify the occasions on which the committee in question had deviated from 'standard' practice. Having done so, it was possible to identify on which subjects, with which participants and in what ways the committees had changed their approach.

Finally, by conducting frequency counts across different aspects of the dataset (e.g. evidence type, actor type, actor identity etc.), it is also possible to draw more general conclusions about *who* participates in the work of the Parliament. Of particular interest here is whether children and young people's views are represented by a small cartel of 'usual suspect' organisations, or by a proliferation of individuals and organisations. The CSG was clear that it did not want to see 'usual suspect' politics (e.g. Consultative Steering Group, 1998: Annex D.7.1). In this respect, differentiating between levels of activity in written and oral evidence was crucial in establishing whether any 'usual suspects' culture was a result of too few young people lobbying committees, or of committees failing to involve a diverse enough range of participants in oral evidence sessions.

Similar scrutiny was also conducted of the Public Petitions process of the Scottish Parliament in order to identify the extent of participation of children and young people in this area. Where petitions submitted by children and young people were found during the trawl of the 1,000+ petitions submitted to the Scottish Parliament during Sessions One and Two, the development of the petition through subsequent meetings of the Public Petitions Committee was monitored, in order to determine not just how many children and young people were making use of the system, but also whether they were involved in oral evidence. As with the committee audit, the dataset is only as strong as the information supplied by the petitioner. Where a petitioner specifies that they are themselves a child or young person, or are acting on behalf of younger people, the situation is straightforward. However, not every petitioner makes a point of specifying their age in the covering information provided to the Scottish Parliament (and subsequently to the public, once the information has been published on the Parliament's website) and as such, the results provided here are a reflection of the information publicly available from the Scottish Parliament, which may ultimately

differ slightly from reality. Once again though, there was no alternative approach to this problem which was thought to be better able to provide this information.

The audit then turned to consider the amount of work undertaken by the Parliament's Education Service and Outreach Service with a view to delivering for children and young people a greater degree of accessibility to the Parliament's work. This involved identification of the number of actors participating in the services offered by each of these, using parliamentary publications to establish levels of involvement, and personal correspondence to triangulate findings. In addition to this, a quantitative overview of the Parliament's Partner Library network and of committee meetings held away from Edinburgh was obtained from documentary evidence.

Following the use of secondary data to quantify levels of accessibility and participation, primary data collection was undertaken. This began with a questionnaire survey to MSPs, the *Dialogue Youth* network, the *Connect Youth* network and national charities, advocacy groups and organisations working on behalf of children and young people in Scotland. These surveys were intended to generate a broad base of predominantly quantitative data relating to respondents' experiences of and opinions on a number of issues, including the barriers to young people's access to and participation in the work of the Scottish Parliament, and the Scottish Parliament's track record and future prospects in encouraging and facilitating youth access and participation in its work. However, the rate of response and completion frustrated this intention significantly. This is discussed further in Section 4.3.1.

On the basis of a) the secondary source work previously carried out, b) the early stages of the parliamentary audit, and c) the limited data obtained from the surveys, topic guides were devised for key informant interviews and focus groups, which took place during spring and summer 2006. Interviews were conducted with MSPs, members of Parliament staff and representatives of young people's interest groups, service providers, charities and advocacy groups, whilst focus groups also took place with schoolchildren in three locations across Scotland. Between 2005 and 2007, observation was also undertaken at meetings of the Scottish Youth Parliament, at the Scottish Parliament's Festival of Politics and at two sessions of the Parliament's Outreach

programme for children and young people. The approach taken to different methods and participant groups is discussed in greater detail below.

## **4.2 RESEARCH PARTICIPANTS**

### **4.2.1 Children & Young People**

From the outset, the researcher's intention had been to involve children and young people directly in the data collection process. One of the early stages of the research was to identify ways in which this might be possible. After investigating the options for including children and / or young people with experience of participating in the Parliament's work, it was decided to approach the Scottish Youth Parliament (SYP) with a view to involving their membership. This was decided on the basis of their broad geographical coverage, their focus upon issues of a political nature, their assumed likelihood of engaging with the Scottish Parliament, and the lack of alternative youth organisations which could claim such coverage and political focus. Contact was therefore made with the National Coordinator, and the SYP subsequently agreed that permission would be granted for observation to take place at their General Meetings (of which there are usually four each year), for in-depth interviews to be conducted with a selection of Members of the SYP (MSYPs) and for a questionnaire survey to be issued to the entire membership.

These intentions were ultimately frustrated by a number of factors, including the last-minute cancellation of the SYP General Meeting at which questionnaires were due to be distributed and at which a focus group of MSYPs was due to take place. However, a decision was taken not to pursue data collection further with the SYP, other than through a small number of key informant interviews. The observation conducted had revealed a distinct lack of participative engagement between the Scottish Parliament and the Scottish Youth Parliament and as such, far from weakening the overall evidence base used in the thesis, the research was ultimately thought to stand to gain little by canvassing the membership of the Scottish Youth Parliament. This is in no way intended as a criticism of the Scottish Youth Parliament, but rather as an observation upon its *modus operandi*, which focuses far more upon the Executive than the

Parliament. As a result, surveying its members would not have provided the research with a reliable perspective on the Scottish *Parliament's* work.

In its low level of involvement in the Parliament's work, the Youth Parliament (unfortunately) proved to be unexceptional. As a result of low levels of discernible direct involvement of children and young people in the Parliament's work more generally, it became apparent that involving a selection of children and young people with direct experience of accessibility and participation presented far more of a challenge than initially anticipated. However, this regrettable deficit of direct youth involvement was compensated by increasing the number of interviews held with the types of national organisations outlined above whose remit focussed almost exclusively upon young people, and who had experience of contributing to the Parliament's work. Children and young people themselves were still directly involved in the focus groups conducted, which – although specifically focussing upon their experiences of the Parliament's Education and / or Outreach work – also probed their attitudes towards participation and the Parliament more generally.

To this end, a list of schools which had participated in the work of the Outreach Service between 2004 and 2006 was obtained by triangulating data obtained from a number of sources. On the basis of this information, four groups of schoolchildren were identified as potential focus group studies. The schools were selected purposively to ensure coverage of the geography and age range covered by the primary and secondary educational system in Scotland. As a result, two primary schools and two secondary schools were approached. The schools approached were located in Central Scotland, the Borders, the Highlands and NE Scotland. Of the primary schools selected, one aimed to involve pupils from P3-P5 and the other from P6-P7, whilst the secondary school groups approached covered early (S1-S2) and late secondary (S4-S5).

Given the sensitive nature of research with children and young people, the most appropriate and ethically responsible means of accessing these participants was to approach them only after having obtained authorisation from those adults with a primary duty of care to the children. Thus, in each case, details of the research were provided either to the Director of Education in the relevant local authority or to the

principal teacher of the school involved. In all but one case, permission was granted by the local authority and / or the principal teacher. The only school which proved problematic was the one in the Borders, from which no response was obtained, despite repeat attempts at contact by ground mail, e-mail and telephone.

#### **4.2.2 The Scottish Parliament**

Scrutiny of the Scottish Parliament's structures during the literature review revealed two principal groups of parliamentary actor involved in working towards the CSG vision of accessibility and participation. The committees and the Public Petitions process of the Parliament involved both MSPs and Scottish Parliamentary Corporate Body (SPCB – the Parliament's apolitical management body) staff (e.g. committee Clerks), whilst the Parliament's Education and Outreach work also involved MSPs and SPCB staff from the relevant services.

Dealing firstly with the political representatives, every MSP was issued with a questionnaire survey. Following the return and analysis of these, the researcher arranged semi-structured interviews with a smaller number of MSPs. Due to the small size of the corpus of MSPs (129), any thought of adopting a strictly probabilistic sampling frame was rejected. As such, a non-probabilistic quota sampling approach was adopted (Robson, 1993). The Convener of each of the Scottish Parliament's subject committees was invited to be interviewed, as was the Convener of the Parliament's Procedures Committee (which had previously conducted a review of the implementation of the CSG principles). Ultimately, this approach has two notable strengths. Firstly, it allowed for the sample to include the experiences and opinions of MSPs from each of the Parliament's policy areas. Secondly, on the basis that convenerships are distributed proportionately among parties, it allowed for the overall MSP participant sample to resemble as closely as possible the overall party political composition of the Parliament. By inviting opinions from each Convener, the sampling strategy thus aimed to be as politically representative of the entirety of the MSP population as was feasible in a single-researcher study.

Where Conveners were not prepared to be interviewed, an alternative MSP from the same party and committee was approached instead. Where this strategy was not successful, committee members from other parties were approached. In addition, one particular MSP was also approached on the basis of their reputation amongst the other MSPs interviewed as a ‘children’s champion’. Tables 4.2 and 4.3 set out the characteristics of interviewees relative to party balance (as well as gender and constituency type).

**Table 4.2:** MSP Interviewee Characteristics

MSP Party						MSP Gender		MSP Type	
Green	Lab.	LD	Con.	SNP	SSP	M	F	Const.	Reg.
2	5	1	1	2	1	5	7	6	6

As Table 4.3 shows, there is not a perfect correlation between the party balance of the interview phase of the research and the representation of parties in the composition of the Scottish Parliament in Sessions One and Two. However, in response to this, it should be stated firstly that achieving the party balance in the research was contingent upon MSPs’ preparedness to contribute to the research. Secondly, implementation of the CSG principles was intended to be apolitical, meaning that all parties should be similarly favourably disposed.

**Table 4.3:** Representation of Parties in Interviews

Party	Percentage of Interviewees	Percentage of MSP Corpus, Sessions 1 & 2
Labour	41.7%	41.1%
SNP	16.7%	24.0%
Green	16.7%	3.1%
Liberal Democrat	8.3%	13.2%
Conservative	8.3%	14.0%
SSP	8.3%	2.7%

For SPCB staff, it was decided that the most effective approach would be to present the overall research aims to senior management. By obtaining official consent to interview members of staff, it was hoped that requests for research participation at lower SPCB staff levels would thus be treated more favourably.



Contact was therefore made with the Chief Executive of the Scottish Parliamentary Corporate Body, Mr Paul Grice, who confirmed that the SPCB was happy to provide such assistance as was possible. However, certain restrictions applied to the data which could be collected and reported from SPCB staff. To clarify this, a meeting was arranged with the Parliament's Head of Research and Information Services and Principal Research Specialist, at which it was clarified that SPCB staff were precluded from offering political commentary on the work of the Parliament, and that information from Parliament staff which was to be used in the thesis could be of an operational nature only. Furthermore, it was agreed that the Scottish Parliament would be given sight of the relevant excerpts prior to the thesis' submission in order to ensure that Parliament staff were not being misrepresented or quoted on political matters. Following this meeting, contact was made with the Parliament's Education and Outreach Services. Whilst useful discussions were held with the Head of the Outreach Service, similar attempts to contact the Head of the Education Service met with no reply. In addition, attempts to secure a suitable interview date with the Head of Outreach proved impossible due to Outreach workload. However, this was offset by a thorough consideration of the literature published by each service, observation of their work, and in-depth discussion of their work during interviews and focus groups with other research participants. Whilst the direct contribution of these Services would have been beneficial, the research is not believed to have been weakened by their non-participation.

Contact was subsequently made with five Committee Clerks, four of whom expressed a willingness to be interviewed. The Clerks were purposively selected on the basis of their current or previous work with committees whose remit lent itself to a greater likelihood of children and young people's involvement: the Education Committee; the Equal Opportunities Committee; Public Petitions Committee and the Social Justice / Communities Committee.

Contact was again made with the Chief Executive of the Parliament in October 2009 to ensure that the Parliament was happy that material from SPCB staff used in the thesis had not been misquoted, misrepresented or cited on any party political issues.

Confirmation that the use of staff contributions was suitable was quickly forthcoming, with only two very minor clarificatory points raised by the SPCB.

#### 4.2.3 Children & Young People's Representatives

Preliminary investigations into the Parliament's committees revealed that rather than individual young people or groups of young people themselves participating in the legislative and inquiry work of the committees, those contributing to issues affecting children and young people tended to be adult representatives of organisations acting on behalf of children and young people. As such, organisations working for or on behalf of children and young people were involved in both the quantitative and qualitative phases of the research process.

The initial quantitative phase targeted around 180 different representatives of such organisations. The final list of individuals targeted was derived from a number of different sources. Firstly, members of the *Dialogue Youth* and *Connect Youth* networks (national networks with an interest in encouraging youth participation) were contacted.<sup>6</sup> Secondly, a list of the most politically active charities, advocacy groups and young people's organisations in Scotland was generated, based upon the membership of the Parliament's Cross-Party Group on Children and Young People<sup>7</sup>, a search of the Office of the Scottish Charities Regulator (OSCR)<sup>8</sup>, and general awareness gained from background research on young people's participation.

Again, a non-probabilistic, purposive sampling approach was adopted when approaching potential interviewees from within their number. Sampling aimed to include organisations regularly represented in the work of the Scottish Parliament. This

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<sup>6</sup> Contacts taken from *Connect Youth* and *Dialogue Youth* websites, (previously) available at <http://www.youthlink.co.uk> and <http://www.dialogueyouth.org> respectively. Following a comprehensive review, it was decided in December 2006 that the *Connect Youth* network should cease operations (for further details, see <http://www.youthlink.co.uk/docs/Connect%20Youth/Connect%20Youth%20Full%20Circle.pdf>. Accessed 30/04/08). The *Dialogue Youth* network remains active in local authority areas throughout Scotland.

<sup>7</sup> Available at: <http://www.scottish.parliament.uk/msp/crossPartyGroups/groups/cpg-child.htm>. Accessed 07/03/06.

<sup>8</sup> Search performed via the website of the Office of the Scottish Charities Regulator (OSCR), available at <http://www.oscr.org.uk/TheList.stm>. Accessed 07/03/06.

type of strategy is entirely justifiable within the case study tradition as Creswell's (2005) advocacy of 'purposeful maximal sampling' shows. Although this approach excludes organisations on the basis of non-involvement with the Parliament, it should be remembered that the research was a study of the Parliament's work and not of the youth sector. Involving the more active organisations was believed to be the approach most likely to capture an accurate understanding of the greatest possible number of children and young people (and their proxies).

### **4.3 PRIMARY DATA COLLECTION INSTRUMENTS**

For each of the data collection instruments used, the chapter now sets out the rationale for their use, a summary of the methodology adopted, the means by which the resultant data was analysed, and any outstanding issues arising from the use of each instrument.

#### **4.3.1 Questionnaire Survey**

##### **4.3.1.1 Questionnaire Survey: Rationale**

As identified above, the approach adopted was designed to obtain not only an in-depth account of experiences of the Scottish Parliament's work with children and young people (and their representatives) but also to gain a broadly-based snapshot of the more general experiences and opinions of participants across a larger sample base. As such, it was hoped that the combination of depth and breadth of coverage offered by the qualitative and quantitative approaches respectively would allow for as comprehensive as possible an account of the experiences of the youth sector across Scotland as a whole, but also for a deeper insight into the work conducted by the Parliament in this respect.

The questionnaire survey is widely recognised as one of most the commonly used quantitative tools in social research: its strength lies in capturing a broad range of instances relating to a phenomenon. However, its strength in capturing breadth is usually offset by a lack of depth in the resultant data. As such, it is often used in social research to describe the state of a phenomenon, rather than attempting to provide a

deeper understanding thereof (Robson, 1993: 127-130). In keeping with this tendency, the survey questionnaire initially represented the primary means by which such descriptive data was to be gathered. In addition, results drawn from analysis of the responses received would contribute towards the identification of key areas to be explored in later qualitative work with data collection participants. As such, the first principal stage of quantitative data collection was the issuing of some 300 questionnaire survey forms to MSPs, representatives of children and young people's organisations / charities / advocacy groups, and to local authority youth participation workers.

#### **4.3.1.2 Questionnaire Survey: Methodology**

The survey questionnaire's structure was heavily informed by the consideration of a number of key issues which emerged from the review of the literature. It aimed to gain an initial insight into the perspectives of recipients on the extent to which the Scottish Parliament had succeeded in implementing the CSG recommendations, and to obtain a broad overview of opinions in relation to the concept of increased youth participation in the work of the Scottish Parliament. Whilst most questions within the survey questionnaire were quantitative in nature with closed response, Likert scale questions, several were open-ended, inviting qualitative responses. Surveys were issued by ground mail in March 2006. After one month had elapsed, non-respondents were sent a reminder by e-mail, followed by similar follow-up e-mails six weeks and eight weeks after the initial issuing of questionnaires. Despite these efforts, the survey return rate remained lower than anticipated, at just under one in four (24%).

#### **4.3.1.3 Questionnaire Survey: Analysis**

Once responses had been received, responses to the quantitative questions were collated and examined within the SPSS statistical data analysis software package. The qualitative answers to open-ended questions were entered into a matrix (constructed using Microsoft Excel) in order to be considered alongside the qualitative evidence later obtained from key informant interviews and focus group discussions. These were intended to be cumulatively examined employing *Framework Analysis* as the analytical

tool, and using NVivo as a method for organising and storing the relevant questionnaire excerpts. Greater detail on the qualitative analysis is provided in the relevant section below.

#### **4.3.1.4 Questionnaire Survey: Issues to Note**

It had been expected that both the quantitative and the qualitative components of the data collection process would involve a significant input from children and young people themselves. Given the lack of a fully operational representative mechanism for the young people of Scotland, it was considered at the time that the best possible substitute would be the Scottish Youth Parliament. Ultimately – as was outlined in Section 4.2.1 – the input of the Scottish Youth Parliament was not included in this phase of the research.

In addition, in all but a few cases, questionnaires were only partially completed, with significant gaps in responses. After realising the richness of the qualitative data gathered in relation to experiences and the superior degree of coverage and reliability available in the parliamentary audit for mapping of the Parliament's accessibility and participation work, it was decided not to include data from the questionnaire surveys in the final thesis. It is not felt that this in any way weakens the conclusions of the thesis, but rather ensures that the findings derive from the most rigorously assembled evidence base possible.

#### **4.3.2 Observation**

##### **4.3.2.1 Observation: Rationale**

The strength of observation as a data collection technique is typically thought to be the direct, unmediated relationship between the researcher and the phenomenon being studied (Robson, 1993). Thus, whilst there was never any question of not trusting research participants, it is acknowledged within literature on social research that discrepancies exist between what people say and what they do or have already done (e.g. Agnew and Pyke, 1982). Observation therefore serves as a way in which a

single consistent account (i.e. that of the researcher) can emerge from a case study in which there are competing interpretations of the phenomenon being studied. Whilst this does not preclude the consideration of alternative viewpoints, the continuous perspective of the researcher can serve as an 'anchor' which can help to ground the data, allowing for more reliable and productive triangulation.

#### **4.3.2.2 Observation: Methodology**

Observation was conducted at a number of events involving children and young people. Firstly, at five general meetings of the Scottish Youth Parliament, a mixture of participant and non-participant observation was conducted in order to establish the type of relationship which exists between the Scottish Youth Parliament and the Scottish Parliament. This process was reflexive, allowing for a more focussed examination (e.g. moving from observation of the Scottish Youth Parliament in plenary to observation of dedicated committees of the Youth Parliament) as time progressed. The initial intention had been to maintain a non-participant relationship with the Youth Parliament. However, as familiarity increased (particularly when sitting with a smaller group of MSYPs in one of the Youth Parliament's committees at multiple meetings), it proved impossible to preserve an entirely detached relationship. This type of transition is recognised as being inevitable in much of the literature on research methodology. In fact, some authors (e.g. Creswell, 2007: 130, 139) treat this as a positive development, allowing for a middle-ground to emerge between entirely participant and entirely non-participant observation. At all times, observation was *candid* as opposed to *covert* (O'Leary, 2004: 173).

Secondly, non-participant observation was conducted at two sessions of the *MSPs in Schools* scheme (the primary mechanism through which the Parliament's Outreach programme was delivered in Session Two) in Paisley. The first session involved a member of the Scottish Parliament's Outreach Service delivering educational materials to a cohort of schoolchildren in advance of the second session, which involved a number of the MSPs for the constituency and region participating in an interactive session with the children.

Finally, further non-participant observation took place at the Scottish Parliament's Festival of Politics in 2006. This particular incarnation of the Festival of Politics featured a number of different events aimed specifically at children and young people as a target audience. As such, the researcher attended each one with a view to determining the way in which children and young people were encouraged to participate, and how this fed into a broader ethos of participation in the political process.

#### **4.3.2.3 Observation: Analysis**

Prior to conducting the observation, the researcher identified the key aspects of the phenomenon which were to be studied during the observation. During Scottish Youth Parliament observation, these related to the relationship between the Youth Parliament and the Scottish Parliament (e.g. joint working, support etc.), whilst during observation at Outreach Service sessions and at the Festival of Politics, they related to the type of education communicated and the way in which this was done. However, whereas the use of observation in a phenomenological or ethnographic study would be central to the findings, the observation in this case study approach is typically used to triangulate findings rather than to generate them. As such, observation alone did not lead to the generation of any significant claims in relation to research findings, but rather was used to complement and confirm findings emerging from the quantitative audit and qualitative interview and focus group data.

#### **4.3.2.4 Observation: Issues to Note**

Observation was intended to be non-participant across all instances of its use in this research. However, as the literature identifies, playing an entirely non-participant role is often counter-intuitive and counter-productive (Creswell, 2007). Unless observation is to be entirely covert, participant observation presupposes awareness of being observed, introducing concerns relating to the Hawthorne Effect (Henslin, 2003), whereby those who are aware that they are being observed for research purposes tend to alter their behaviour in such a way as to affect perceptions of the situation (usually in a benevolent manner). Covert participation was rejected outright on the

grounds of ethics and access. However, candid observation risks negating one of the key strengths of the observational approach: namely, a single level of hermeneutic interpretation.<sup>9</sup> In such candid cases, the value of remaining non-participant is less clear than in covert observation, as even non-participant candid observation is likely to be subject to the aforementioned Hawthorne Effect. Thus, the move from candid *non-participant* to candid *participant* observation did not in itself represent a significant problem, as obtaining observation data *not* subject to this effect would have required an ethically questionable covert approach.

### **4.3.3 Key Informant Interviews**

#### **4.3.3.1 Key Informant Interviews: Rationale**

One-on-one Interviewing is seen as one of the most efficient means through which to deliver case study research. Drawing upon one person's experiences and opinions in qualitative format provides a depth of coverage of an issue which is widely considered impossible to achieve through the use of more positivist quantitative tools, such as surveys (Legard et al, 2003).

Given the centrality of personal experiences to this research, interviews were established at an early stage as being the principal means through which primary data would be collected. From a methodological perspective, positivist research tools would fail to capture the complexities of any institutional transition: the need to capture information about standard operating procedures and informal conventions meant that only a more interpretist approach to these issues was likely to yield the requisite data. In this respect, a number of options (in addition to key informant interviews) are available to researchers.

Firstly, focus groups may be used. However, whilst these were thought to be suitable for deployment with classes of schoolchildren, it was thought that this approach would be unsuitable for use with MSPs, Parliament staff and representatives of children and

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<sup>9</sup> Other qualitative data is often subject to 'the double hermeneutic': a researcher's interpretation of a research participant's own interpretation of an event or experience (Giddens, 1987).



young people. Firstly, from a logistical point of view, attempting to coordinate the availability of busy professionals was expected to be problematic. Additionally, the likelihood of people in party political positions or in competing civil society organisations being willing and able to discuss potentially divisive issues in a group session was thought unlikely. Thus, it was not thought likely that the informal norms and conventions which constitute templates of action in the Scottish Parliament's work could be captured in sufficient depth in a group session.

Whilst observation was used as a triangulating device in relation to some aspects of the thesis, it was felt that it would not be possible to fully capture the information required about young people's involvement in the work of the Parliament simply by observing MSPs at work. Firstly, the low frequency with which children and young people are actually involved would present significant issues in terms of finding suitable manifestations of youth participation to observe. However, as well as trying to understand MSPs' actions, the theoretical perspective informing the research also requires consideration of the normative dimension to political action. Trying to second-guess an actor's motivation is not only unreliable, but also ethically questionable. For these reasons, key informant interviews were the methodological tool of choice.

#### **4.3.3.2 Key Informant Interviews: Methodology**

Most interviews took place during summer 2006. Different topic guides were used for different groups, reflecting the different areas of work on which the groups were thought to have an expertise. Thus, members of Parliament staff were asked about non-political procedural issues. MSPs and young people's representatives, on the other hand, could provide a detailed evaluative assessment of the Parliament's work. Draft interview schedules were piloted upon one MSP and one youth representative and subsequently refined for the remaining interviews.

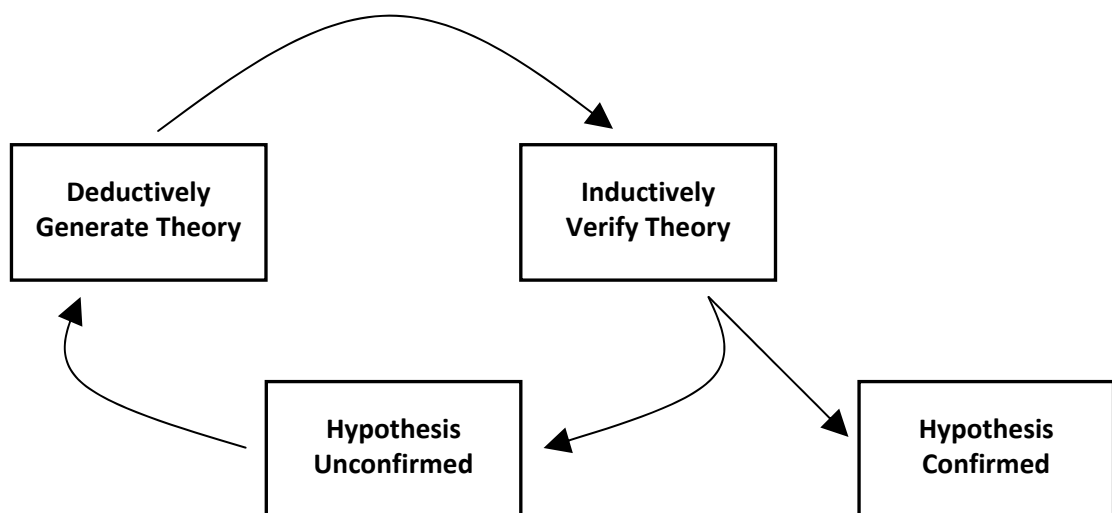
Topics were explored using different types of question. Legard et al (2003) distinguish between two broad types of questioning within interviews in the *Framework Analysis* approach to qualitative data collection: content *mapping* and content *mining*

questions. By combining the two approaches, it is intended that an interview can provide both breadth and depth of coverage of a phenomenon. Content mapping questions were intended to explore the dimensions of interviewees' experience which were relevant to the research (such as finding out whether or not participants had experience of working alongside children and young people in a parliamentary committee scenario), whilst content mining questions probed into the detail of these dimensions (such as how this was done and what the interviewee's impressions of this were).

#### 4.3.3.3 Key Informant Interviews: Analysis

Recorded interviews were transcribed in full by the researcher. On the basis of the topic guide and the themes identified as emerging organically from transcription of the key informant interviews, a code sheet was produced for each interviewee group (MSPs, Parliament staff and young people's representatives). For each group, the code sheet was piloted (and subsequently refined) on two interview transcripts.

**Figure 4.1:** Cycles of Inductive and Deductive Reasoning



Source: adapted from O'Leary (2004: 196)

It was during the revision of codes that the false dichotomy existing between inductive and deductive approaches to research became apparent (O'Leary, 2004). Whilst the research proceeded from a clear deductive perspective (deriving from an initial

hypothetical proposition<sup>10</sup>), it was through application of this proposition to the data that other factors began to emerge. Thus, inductive and deductive approaches do not necessarily exist in a relationship of irreconcilable tension, but rather may serve to provide a cyclical approach to the emergence and consideration of findings (see Figure 4.1) (O’Leary, 2004). Indeed, to adhere too rigidly to a deductive approach would prejudice the emergence of alternative explanatory variables and / or phenomena to emerge, whilst focussing only on inductive reasoning risks leaving research theoretically disconnected from the wider body of knowledge to which it belongs.

When coding, sections of text – rather than discrete sentences – were coded in order to preserve important contextual content. A key criticism of computer assisted qualitative data analysis software (CAQDAS) packages is the tendency to treat contextually-specific qualitative evidence in the same compartmentalised manner as quantitative data. The result is the severance of evidence from context. The importance of context therefore informed the way in which CAQDAS was used within this research. Having coded the transcripts manually, they were imported to the NVivo CAQDAS package, and previous coding was manually converted into electronic coding. As such, the use of NVivo in this research was limited to use as a tool for storing and organising data rather than analysing it. Using NVivo’s ability to group (and export electronically) each incidence of a specific code in a single file, individual codes were exported to a matrix constructed in Microsoft Excel, allowing for cross-comparison of cases and codes (Ritchie and Lewis, 2003). Having done this, the relevant codes were categorised according to the thematic section of the thesis in which they would feature.

The individual incidences of each code were then examined in detail in order to identify patterns, progressively working towards as feasibly high a degree of generality as was possible (Ritchie and Lewis, 2003). Whilst working according to broadly similar coding matrices, the different research participant groups were analysed in isolation from each other. Thus, it was possible to present a generalised view from each of the participant populations. Whilst conducting this progressive distillation of themes,

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<sup>10</sup> That reliable reproduction of the CSG vision would only take place where formal and / or informal rules supported this.

appropriate illustrative quotes were selected in order to demonstrate the points being made. Ultimately, the volume of these quotes was such that it was impossible to include every single one when illustrating points.

#### **4.3.3.4 Key Informant Interviews: Issues to Note**

Perhaps the most significant concern emerging from the interviews was the inability of many interviewees to recall instances of young people participating directly in the work of the Parliament. This was due principally to low levels of involvement of children and young people overall. As such, rather than focussing upon the *reality* of the way in which the Parliament had involved children and young people, many interviews were more focussed upon discussing *barriers* to children and young people's participation. A further consequence was a move towards discussing the Parliament's accessibility and participation work across *all* age-groups. Youth representatives in particular believed that the lack of youth participation in the Parliament's work was symptomatic not only of the persistence of particular 'sedimented' institutions, but also of wider tensions within the CSG vision. This therefore also featured within a large number of interviews: indeed, its prominence in the mind of many interviewees meant that avoiding it would not only have been difficult, but also detrimental to the findings of the research.

#### **4.3.4 Focus Groups**

##### **4.3.4.1 Focus Groups: Rationale**

Focus groups were used with children and young people, discussing their experiences of and opinions on the Parliament's Outreach and Education work. This was done for a two main reasons. Firstly, the use of focus groups at schools helped to mitigate the problem of accessing youngsters. By explaining to gateway organisations (in this case, local authorities, schools and teachers) the merits of the research and the suitability of the researcher to work with young people, issues of negotiating access were significantly offset due to the number of children reached through each gateway organisation.

Secondly, focus groups are generally believed to provide a 'more natural environment' than individual interviews, partly because everyday life is typically conducted via group interaction (Kreuger and Casey, 2000). This is particularly true of a class of students. Thus, by allowing the participants to remain grounded in a familiar setting – both in terms of location and of their co-participants – the approach was intended not only to address issues of power imbalance, but also to increase the likelihood of rich data emerging from the sessions.

#### **4.3.4.2 Focus Groups: Methodology**

The protocol followed for *arranging* the focus groups is discussed elsewhere in this chapter due to the ethical implications of working with children and young people. This section discusses the methodological approach to the *conduct* of the group sessions.

Focus groups were run according to a predetermined thematic schedule. Firstly, participants' experiences of the Parliament's Education / Outreach Services were probed. Following guidance obtained from the literature and from colleagues with experience of early years education, a different type of approach was adopted for each group, with formality and depth of coverage of the issues increasing in direct proportion with the average age of the group.

Sessions were digitally recorded. Whilst there is debate as to the merits of recording individual interviews, there exists a higher degree of consensus as to the value of recording focus groups. Particularly in the case of individual researchers, the logistics of attempting to facilitate *and* scribe at a focus group are generally thought to be prohibitive. Thus, recording facilitates not only the most reliable possible analysis (as contributions are captured verbatim), but also contributes significantly to the ability of the facilitator to engage with participants. This ability to engage takes on particular resonance when dealing with marginalised groups or in situations where power imbalances exist.

#### **4.3.4.3 Focus Groups: Analysis**

Focus groups were analysed in a similar way to key informant interviews. Recordings were transcribed in full and coded using a code sheet deriving from the topic guide. Again, more general thematic categories were introduced to the code sheet than were in the topic guide, in order to allow for the capture of key themes emerging from the sessions. After recoding in NVivo, relevant sections were exported to a Microsoft Excel matrix before being assigned to more thematic categories of increasing generality.

#### **4.3.4.4 Focus Groups: Issues to Note**

A key shortcoming of qualitative data is that it is indicative as opposed to representative. However, this can also be a strength, complementing more positivist tools such as the audit and questionnaire survey used here. It should be also borne in mind that participants across the different focus groups raised remarkably similar issues and consistently described their experiences similarly, lending greater authority to the generality of the findings. As such, whilst this tool by its very nature rejects positivist claims of perfect generalisability, the consistency of experiences and opinions reported is noteworthy in terms of establishing the legitimacy of the findings.

#### **4.3.5 Overall Primary Data Collection**

On the basis of the foregoing sections, the overall shape of the primary data collected in support of the thesis is provided in Table 4.4, categorised by data collection instrument and research participant group.

**Table 4.4:** Total Primary Data Collected

	<b>Surveys Returned / Issued</b>	<b>Interviews</b>	<b>Focus Groups</b>	<b>Observation Sessions</b>
<b>MSPs</b>	36/129	12	N/a	3 <sup>11</sup>
<b>Parliament Staff</b>	N/a	4	N/a	3 <sup>12</sup>
<b>Youth Representatives<sup>13</sup></b>	37/171	13	N/a	N/a
<b>Schoolchildren</b>	N/a	N/a	3	3 <sup>14</sup>
<b>Scottish Youth Parliament</b>	N/a	2	N/a	5

## **4.4 ETHICAL UNDERPINNINGS OF THE RESEARCH**

### **4.4.1 General**

It was identified at a very early stage of the research that any study of young people's involvement in the work of the Scottish Parliament could never be considered complete without young people themselves having contributed to the study. As such, the research design saw the inclusion of a number of tools which aimed to allow children and young people to have their say directly and indirectly. In a direct sense, focus groups were planned with schoolchildren. Indirectly, young people's experiences were to be obtained via a series of observation sessions, both participant and non-participant.

It was recognised that the inclusion of children and young people in the research raised questions of ethics above and beyond those typically adhered to in research involving adult participants (for an overview, see Koocher and Keith-Spiegel, 1990). Any social research is expected to conform to sound ethical standards. However, when

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<sup>11</sup> The Scottish Parliament's Festival of Politics 2006 is counted once, despite comprising a number of individual subsidiary sessions involving MSPs and children and / or young people.

<sup>12</sup> As above.

<sup>13</sup> Organisations, charities, advocacy groups etc. (including *Connect Youth* and *Dialogue Youth*).

<sup>14</sup> As per footnotes Eleven and Twelve.

focussing upon or involving children and / or young people in research, an added ethical dimension and an additional consideration of research *legality* are essential.

The research design aimed to address these issues prior to undertaking any fieldwork. Firstly, the researcher was vetted by Disclosure Scotland (see Appendix B) and certified as having no reason to preclude working with children. It was felt that this certification would be the very minimum assurance required by the public authorities or organisations through which access to youth participants was to be sought.

Secondly, the ethical dimension of the work was explored in depth at an early stage, with an application for research ethics approval submitted to the Robert Gordon University's Research Ethics Sub-Committee in 2005. On the basis of the considerations outlined by the researcher, this request was granted. What now follows is a brief overview of some of the issues considered and the way in which the research aimed to deal with them.

#### **4.4.2 The Legal and Ethical Context**

It was established during the literature review that children and young people have traditionally been seen as policy *objects* rather than policy *actors* by policy-makers (Prout, 2003). Hill and Tisdall (1997), Hill et al (2004) and Tisdall et al (2009a) claim that a similar phenomenon exists within research, whereby children and young people have typically also been treated as objects rather than subjects. However, recent years have seen challenges to this approach, often emerging symbiotically with changes in the social construction of children and young people as social actors. As such, the question of whether children should be treated in the same way as adults within a research context has spawned numerous treatises in recent years (e.g. Mandell, 1991; Sieber, 1992; Stanley and Sieber, 1992; Shaw, 1996; James et al, 1998; Lewis and Lindsay, 2000; Christensen and James, 2002; Punch, 2002). Punch (2002: 322) argues that the way in which children are *perceived* plays a fundamental role in the way in which they are *heard* by adult researchers, distinguishing between three typical approaches which may be thought of as existing on a continuum, with children seen as identical to adults (in research terms) at one end, and children seen as entirely different from adults at



the other. Between these two poles, a pragmatic paradigm is emerging, whereby research acknowledges young people's different competencies but aims to involve them as meaningfully as adults.

However, regardless of the degree to which younger people are treated as being valued participants in the same way that adults are, one key area in which a distinction must always be drawn between research with adults and research with children is in relation to the legal framework governing their participation. Children are afforded much stricter legal protection than adults, and it is impossible to consider the ethics of any research with children without also considering the legality of the research. Although the two terms are closely related, it is crucial to note that they are far from synonymous. In the most general terms, legal frameworks relating to research attempt to define the minimum acceptable standard of behaviour for researchers, whereas ethics deals with the moral appropriateness of research. As such, although a piece of research with children and young people could be legal, it may not always be ethical. Although the same is true for certain types of research involving consenting adults, the combination of legality and ethical integrity is of crucial importance when working with young people.

Within the UK, it is widely accepted that anybody under the age of 18 constitutes 'a child'. In Scotland, however, the Age of Legal Capacity (Scotland) Act (1991) specifies that young people acquire full legal capacity at the age of 16. Despite this, children under 16 are nevertheless – according to their abilities<sup>15</sup> – able to make a rational choice about research participation without a need for further adult permission. However, whilst it may be *legal* to make direct approaches to children to participate in research in this way, few researchers would consider such an approach even remotely *ethical*. Furthermore, children and young people are regularly protected by 'gatekeepers', whether parents / carers at home or teachers at school. Thus, in reality, the decision to authorise participation is seldom simply the child's to take. As such, in each instance where children were involved in the research, permission was sought at

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<sup>15</sup> For those children who are deemed incapable of deciding rationally whether to consent to participation in a research project – for example, children with profound special educational needs – permission must be sought from at least one person holding parental responsibility for that child.

the highest possible level before gradually working downwards to the gatekeeper with direct responsibility for the children. Beyond this, individual consent was sought from each participant. At each stage, the format and likely outcomes of the research with the children were explained, thus ensuring a transparent and legitimately-recognised approach. At all times, the researcher aimed to uphold the highest legal and ethical principles, working in accordance with guidance from the British Psychological Society upon the conduct of research with human participants (British Psychological Society, 2005), and from Barnardos on ethical research practice with young people (Barnardos, undated).

#### **4.4.3 Focus Groups**

Having ascertained which towns were participating in the Parliament's Outreach / Education work, formal postal contact was made with Directors of Education in the relevant local authority areas. After permission to carry out focus groups was granted in principle at this level, the details of the school and class teacher in question were passed to the researcher. Contact was then made with the school in order to request permission and to give assurances on the research credentials. At a time where concerns over litigation, protection of children and professional disrepute abound in relation to research (Ramcharan and Cutliffe, 2001), the fact that approval was so willingly granted by local authorities and schools is taken as an affirmation of the research's ethical integrity.

Teachers were asked to invite volunteer focus group participants from within their class. It was made clear that the researcher did not want students either to *be* compelled or to *feel* compelled to participate, but rather should be keen to have their say upon the issues at hand. Focus groups were conducted within a classroom environment in order to make students feel as relaxed as possible. It was made clear to all those participating that they were free to opt out of the focus group prior to starting, or to leave at any point during the session. However, in most cases, the children and young people involved were extremely *enthusiastic* to contribute, with some articulating their frustration at so rarely being listened to in such a manner by

other adults. A number of young people in each group expressed a mixture of surprise and a sense of novelty at the idea that their views were being seen as important.

Participants were asked before and after each session if they were happy for their comments to be recorded and quoted in the research. If this was *not* the case, it was made clear that their contributions would be withheld from consideration during the data analysis stage. It was also made clear that this was a personal decision for the young people to take, and that the researcher would not disclose any 'opt-outs' to their teacher. All participants were happy to give their consent twice, and signed a consent form accordingly. This also provided participants with written guarantees on how their data would be handled. A sample research participant consent form is attached at Appendix C.

#### **4.4.4 Observation Sessions**

Observation of interactions involving young people took place in the following scenarios:

- At meetings of the Scottish Youth Parliament, 2005-2007;
- At delivery of the Parliament's Outreach programme; and
- At the Parliament's Festival of Politics 2006.

At meetings of the Scottish Youth Parliament, care was taken to ensure that consent was obtained from the highest possible level downwards before attending the first meeting. Telephone and e-mail contact was made with the (now former) National Coordinator of the Scottish Youth Parliament, who discussed the issue with the Youth Parliament's office bearers (all children and / or young people themselves). Support for observation to be conducted was forthcoming. At the meetings of the Youth Parliament, 'rank and file' members of the Youth Parliament also showed enthusiasm for the research and a willingness to be observed. Indeed, the enthusiasm for the research and willingness to be involved directly resulted in the researcher being unable to maintain an effective non-participant role, thus switching to a more participant role.

For the Parliament's Outreach work, a school was selected on the basis of general information provided in Parliamentary Question S2W-19249 (29/09/05).<sup>16</sup> As with the focus groups, permission was sought from the relevant local authority before then contacting the school and subsequently the class teacher, who agreed that she was happy for the researcher to observe.

The researcher made the Parliament's Festival of Politics Team aware of the desire to attend the sessions being run for children and young people at the 2006 Festival of Politics. Most of these sessions were entirely public in nature anyway, but a small number were somewhat more restricted, including one non-public session involving school groups which had been arranged in advance, and a storytelling workshop for much younger children, to which the Festival of Politics team arranged access for the researcher. The researcher discussed the possibility of observing the session with the adults running the session and those who were legally responsible for the children whilst there. Again, consent was forthcoming in each case. In the case of the schoolchildren, they were told briefly about the research and asked if they had any objections. Due to the age of the children involved in the storytelling workshop (most were under the age of five), truly informed consent was not possible. However, consent from their legal guardians was granted in each case.

#### **4.4.5 Ethics – Adults**

The remaining primary data collection involved semi-structured interviews with MSPs, Parliament Clerks and young people's representatives. Within each of these populations, direct approaches were made to the individuals whom the researcher wished to interview (although prior access was negotiated for Parliament staff). Interviewees were made aware that participation was entirely voluntary. Again, participants signed a research consent form which guaranteed anonymity and secure storage of data. Anonymity proved to be an essential consideration in terms of the concerns of the young people's representatives involved in the research. A significant number of those interviewed mentioned *absolute* anonymity as a fundamental

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<sup>16</sup> Written Answer S2W-19249 (Scottish Parliament, 2005b), available online at: <http://www.scottish.parliament.uk/business/pqa/wa-05/wa0929.htm>.

condition of their participation. Prior to participating, many representatives expressed concern that if their quotes were not entirely anonymised (even to the point of having a consistent ID 'tag' attached to their quotes) there was a chance that it may be possible to identify them on the basis of a combination of quotes. Due to their dependence upon central funding, many were concerned that criticism of Scotland's governing bodies could adversely affect their organisation's standing not only vis-à-vis the Parliament and Executive, but also within the youth sector in Scotland more generally.<sup>17</sup> A similar approach was also taken to MSP interviews in order to ensure as frank as possible a discussion of the issues at hand. A similar approach has also been used by other studies involving MSP evidence (e.g. Carman, 2006). As such, the illustrative quotes used in the subsequent chapters are attributed to participants only on the basis of the research participant group of which they were part.

#### **4.5 SUMMARY**

This section has outlined the process followed during the course of the research. In doing so, it has covered the fundamental knowledge claims upon which the research is predicated, as well as specifying the research strategy and design. Whilst no one research design may ever be considered objectively 'correct', the chapter has provided a rationale for the specific choices made, which stem from ontological, epistemological, methodological and logistical considerations. Thus, the chapter identifies the research as being a classic case-study employing a mixed-methodological research design.

A full account of the participants involved in the research has also been provided. In so doing, the chapter aimed to explain the reasons for their inclusion as well as the process followed with each group, and the precise mechanisms through which they were involved (and why). Similarly, the individual tools used to obtain evidence were described, with the chapter providing an overview of their use in terms of the rationale for using them, the way in which they were used, how the subsequent data was analysed and whether or not any issues of note arose as a result of their use.

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<sup>17</sup> Due to the prior access arrangements negotiated with the Scottish Parliament, the same treatment was extended to the parliamentary Clerks.

Finally, consideration was also given to the ethical dimension of the research. Given the involvement of children and young people, this section is of particular salience. The chapter demonstrated the way in which the primacy of ethical integrity shaped the way in which the research was conducted in terms of the approach chosen, the participants involved and the tools used. Similarly, ethical issues in relation to adults – particularly parliamentary employees and those representing voluntary sector organisations – had an impact upon the way in which the data from key informant interviews could be used and reported.

## Chapter Five

### **Children and Young People’s Participation in the Work of the Scottish Parliament**

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#### **5.1 OVERVIEW**

This chapter sets out the research findings in relation to the work done by the Scottish Parliament with regard to implementation of the participatory aspect of the access and participation principle. In doing so, it establishes which formal mechanisms have been used for delivering participatory opportunities for young people and how this has been done, before bringing the neoinstitutionalist theoretical framework to bear upon the results in order to provide a deeper understanding of the Parliament’s work.

The previous chapter established that considering the overall numbers of young people participating in the work of the Parliament can only tell half of the story. In addition, consideration of a number of qualitative aspects of participatory processes must be considered if participation is to be deemed effective and in line with the CSG’s vision of participatory democracy. As such, this chapter reports the findings in two main sections, each of which considers one of these dimensions of participation. The first section considers the *quantitative* dimension, providing an overview of the state of youth participation in the work of the Parliament’s committees and Public Petitions process. Firstly, the data is used to provide a baseline indication of just how much youth participation has taken place in these mechanisms. Secondly, the data is examined with a view to determining which young people participate, and which organisations are active on youth issues. The source data for the baseline analysis is drawn from the parliamentary audit, whilst interview data supplements this to provide an insight into participant characteristics and the informal rules shaping the availability of opportunities.

The second section focuses upon the *qualitative* aspect of participation in the work of these mechanisms. Again, there are two aspects to consider. Firstly, the approach

towards youth participation taken by the Parliament in committee and Public Petition work is investigated to determine whether or not rigorous, youth-focused participatory processes have developed in line with the recommendations of the literature reviewed in Chapter Two. Secondly, the outcomes of the participation which has taken place are considered in order to determine the impact which young people's participation has had. Again, quantitative data from the parliamentary audit is used to provide a baseline indication of performance in these respects, while qualitative interview data is employed to provide an explanatory framework for the results.

However, prior to considering the results of the data collection and analysis, the chapter considers the way in which the CSG vision of youth participation has been formally codified. To expand upon this, the chapter first returns to consider the theoretical framework.

### **5.1.1 Theoretical Significance**

Although this chapter examines various aspects of participatory phenomena, in each case the central question relates to how much the CSG vision of participation has been the subject of reliable reproduction. In other words, to what extent does political practice reflect a commitment to youth-friendly, participative processes, and – by extension – to what extent does it reflect the institutional template which the CSG intended to replace: an adultist approach based in a strongly representative democratic context?

According to the new institutionalist theoretical framework set out in Chapter Three, political practice is determined by the formal and informal rules which shape actors' behaviour. Reliable reproduction of an institutional template is linked to the degree of rule specification of its constitutive normative statements (whether formal or informal). On this basis, in addition to considering political practice, a deeper understanding of how well the CSG vision has been delivered is to be found by examining the rules which shape this practice. The expectation is that where a given institution's constitutive rules (both formal and informal) provide actors with a prescriptive, non-discretionary and unambiguous template of action to follow, reliable



reproduction will be extremely likely. On the other hand, the more weakly codified an institutional vision is in formal and informal rules, the less likely it is to reproduce reliably, and the more likely it is to be redirected or replaced by alternative institutional templates. As such, whilst studying political practice can determine *if* an institution is reproducing reliably, an informed understanding of *why* an institution is not reliably reproducing is only possible by considering in greater depth the way that this practice is shaped by formal and informal rules, and whether the rules in place reflect the vision of the CSG or a different institutional template.

As such, prior to considering the findings of the analysis, the chapter sets out the formal rules which shape participation in the work of the Parliament. If the formal rules contain strong, prescriptive, non-discretionary institutional statements relating to the normative worth of youth participation, and the informal rules (in the shape of standard operating procedures, cognitive scripts or mindsets) similarly coerce actors into recognising the value of youth participation, then reliable reproduction (and therefore attainment) of that aspect of the CSG vision is likely. However, if both formal and informal rule specification are *low* (i.e. if youth participation is posited as optional, ambiguous or discretionary, and is not supported by pervasive norms), then the resultant ambiguities and heterogeneity of interpretation of actors' roles and obligations render reliable reproduction extremely unlikely as actors look elsewhere for less ambiguous, more reliable cognitive cues to guide their actions. In cases of disruptive institutional design, such cues are most likely to be found in previous or 'sedimented' institutional templates. Where either formal or informal rules (but not both) exhibit low institutional rule specification, institutional reproduction may still take place, albeit much less reliably.

It can therefore be seen that consideration of the rules shaping actors' behaviour is as important as consideration of the behaviour itself if a full understanding of institutional reproduction is to be obtained. As such, prior to considering the findings, the chapter firstly aims to establish the degree to which the CSG vision of youth participation has been subject to formal codification. The chapter then turns to consider the findings in relation to both political behaviour and any informal rules found to be shaping this behaviour.

## **5.2 PARTICIPATION IN THE WORK OF THE PARLIAMENT: FORMAL RULES**

In establishing the formal rules underpinning the work of the Parliament in relation to youth participation, the logical departure point is the formal legal framework within which the Parliament operates. The Parliament was established by the UK Parliament's Scotland Act (1998) (HM Government, 1998). A Statutory Instrument early the following year provided the Parliament with transitional Standing Orders (SOs) to govern its work until it was in a position to publish its own (HM Government, 1999a). However, although the Scotland Act left 'a great deal of latitude' to the Scottish Parliament to determine its own SOs, those introduced by the Procedures Committee in late 1999 (coming into force on 17<sup>th</sup> December 1999) bore significant resemblance to the transitional SOs (Convery, 2000; Winetrobe, 2001). It is nonetheless upon these three legally constitutive documents – the Scotland Act, the UK Government's Transitional Standing Orders and the Scottish Parliament's own Standing Orders – that analysis of formal rule specification in relation to implementation of the CSG vision is based.

### **5.2.1 The Scotland Act 1998; Transitional Standing Orders; Standing Orders**

As consideration of the proposed working methods of the Scottish Parliament had been given to the Consultative Steering Group, the Scotland Act contains little detail upon the mechanics of the devolved legislature, and indeed was published before the CSG Report. However, the ethos of the CSG derived from pre-devolution work which might also have been brought to bear in the Scotland Act. Despite this, other than specifying that the work of the Parliament should be governed by Standing Orders, the Scotland Act concerns itself predominantly with more administrative issues (such as elections) or specifying powers of the Parliament (both in terms of reserved responsibilities and the power of summons of the Parliament, for example). In laying down 'broad guidelines' only, there is little mention made of how legislation and inquiries should be handled by the Parliament (McFadden and Lazarowicz, 2003: 38-39). As such, there is no mention of the role to be played by public participation. Similarly, no mention is made of the Public Petitions process (PPP).

The same is true of both the transitional SOs and the SOs adopted by the Parliament in December 1999. The Transitional SOs were specified by the Secretary of State for Scotland in consultation with the CSG and as the name indicates, were intended to serve as a transitional measure in order to allow MSPs time to draw up their own working methods in line with the CSG Report. The Transitional SOs make little provision for public participation in the work of the Parliament, other than Sections 12 and 15, which cover Committee Procedures, and Openness and Accessibility respectively. The following excerpts establish the degree to which non-parliamentarians are able to participate.

**Rule 12.4: Witnesses and Documents**

1. A committee may, in connection with any competent matter, invite any person—
  - (a) To attend its proceedings for the purpose of giving evidence; or
  - (b) To produce documents in that person's custody or under that person's control.

**Rule 12.7: Advisers**

1. A committee may, with the approval of the Parliamentary Bureau, issue directions to the Parliamentary corporation in connection with the appointment by the Parliamentary corporation of any person to inquire into and advise the committee or any sub-committee upon any competent matter. Different advisers may be appointed for different competent matters.

**Rule 15.3: Access to Chamber**

5. Any person may, on the invitation of the Parliament, address the Parliament.

**Rule 15.4: Bringing a Petition**

1. The Parliament shall consider, in accordance with the provisions of this Rule and Rules 15.5 and 15.6, any petition addressed to it. A petition may be brought by an individual person, a body corporate or an unincorporated association of persons.

(HM Government, 1999a)

Overall, the Scottish Parliament's adopted SOs show a high degree of similarity with the transitional SOs (Winetrobe, 2001: 193-194). This is particularly the case with respect to the role of public participation: each of the Orders cited above appears in identical wording in the Parliament's own SOs. On this basis though, it appears that whilst there is very low formal rule specification and little prescription in terms of the value and role of public participation in the work of the new Parliament, the ability of

members of the public to participate in a number of ways is established: as a committee adviser, as a petitioner and as an invitee to address the Parliament.

However, there is a further section within the Scotland Act which has had crucial ramifications for the more lofty participatory ambitions of the CSG of not only *broader* (i.e. more people participating) but also *deeper* participation (i.e. a greater degree of involvement than simply consultation), including suggestions such as the co-option of non-parliamentarians as (non-voting) committee members. When the possibility of co-option was raised by the Equal Opportunities Committee in 1999 in response to the lack of ethnic minority representation in the Parliament<sup>1</sup>, the resultant legal interpretation of the Scotland Act suggested that such a move would be impossible as a result of one specific section within the Scotland Act about the participation of Scottish Law Officers in the proceedings of the Parliament. The crucial section reads as follows:

**27: Participation of the Scottish Law Officers**

1. If the Lord Advocate or the Solicitor General for Scotland is not a member of the Parliament—

- (a) He may participate in the proceedings of the Parliament to the extent permitted by standing orders, but may not vote, and
- (b) Standing orders may in other respects provide that they are to apply to him as if he were such a member.

(HM Government, 1998: Part 1, Section 27)

On the basis of this specific case being included in the Scotland Act, the legal advice given to the Scottish Parliamentary Corporate Body established that ‘one of the basic principles of statutory interpretation is that the specific inclusion of one group entails the exclusion of another’ and that ‘any group to which specific reference is *not* made is excluded’ (Procedures Committee, 2000: Col.310; emphasis mine). The issue was further clarified at a meeting of the Procedures Committee by Gordon Jackson MSP, who made it clear that approaches such as co-option were simply ‘a non-starter’.

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<sup>1</sup> The first elections to the Scottish Parliament returned no MSPs from BME backgrounds.

The status quo of a Parliament is that only the elected members can be there. [...] The law officers are being given an extraordinary right. *If they did not have that right, it would not be a matter of everybody having it; it would be a matter of nobody having it.*

(Procedures Committee, 2000: Col.310; emphasis mine)

Thus, by describing an exception for one type of non-parliamentarian's participation in proceedings, the legislation has been interpreted in such a way as to preclude all other non-parliamentarians from having this privilege. More recent guidance to committees on their operations makes this point expressly.

#### **4.22: Participation in Committee Meetings**

The general rule is that only members have the right to participate in the proceedings of the Parliament, which includes proceedings in committees. This stems from an interpretation of the Scotland Act 1998 in which provision is made in section 27 for the Lord Advocate or Solicitor General to participate in the proceedings of the Parliament if they are not members of the Parliament. It therefore follows that, in the absence of any further such special provision, participation in the proceedings is otherwise restricted to members.

(The Scottish Parliament, 2007c: 4.22)

Thus, 'participating' in the 'proceedings' of the Scottish Parliament is precluded. However, this raises issues of definitional boundaries: how is not participating in parliamentary proceedings reconciled with those occasions on which non-parliamentarians have – for example – given evidence, thereby clearly participating in the work of committees? Guidance to committees on the role of public participation in their work suggests that the difference lies in the exercise of decision-making authority; that participation becomes problematic when it reconfigures power dynamics between parliamentarians and non-parliamentarians. The Parliament's *Participation Handbook* therefore outlines *acceptable* participation as follows:

[...] An active relationship and dialogue between people and the state. It is not only gathering evidence and opinions but is an educative, discursive and inclusive process that has value in itself in building fuller citizenship. *It is seen as a means of strengthening representative democracy rather than being in opposition to it, or offered as an alternative model.*

(The Scottish Parliament, 2004b: 2; emphasis mine)

This, however, is inconsistent with the type of participation envisaged by the CSG, which referred to a well-established normative concept – participatory democracy – and which in its recommendations was clear that democracy should work differently in the new Scottish Parliament. However, the operational definition proposed by the Parliament reinforces representative democracy by advocating broader participation as opposed to the deeper forms which characterise participatory governance. What therefore emerges is a construction of ‘participation’ as an activity involving a *widening of current* modes of involvement in the pre-existing model of *representative* democracy, rather than *deepening* participation by experimenting with *innovative* modes of involvement in a revised model of *participatory* democracy.

As such, the various documents constituting the basis of the Scottish Parliament present a mixed – and at times contradictory – message. The CSG was unequivocal in its belief that provision should be made for participation which was deeper than is typically the case at Westminster. In reality, however, the Scotland Act and Standing Orders of the Scottish Parliament contain provisions which suggest that regardless of political will, the formal legal framework upon which the Scottish Parliament is based not only fails to support the implementation of the CSG’s vision, but actively works against it. As such, rule specification here is so low that formal rules appear to actively proscribe deeper participation.

Such complications, however, had been envisaged by the CSG following publication of the Scotland Act. Thus, in an attempt to mitigate this, the Chair of the CSG expressed the hope that this could be overcome (through willingness on the part of the new Parliament, and the use of innovative democratic devices) in his covering letter to the

Secretary of State for Scotland when submitting the Supplementary Report of the CSG (HM Government, 1999b).

The Group would like to emphasise to the [Westminster] Parliament its hope that a means will be found of allowing non-MSPs to be involved on a regular basis in the work of committees, thus harnessing relevant expertise in civic society and putting it to best use in the deliberations of the Parliament.

(HM Government, 1999b: ii)

Of course, it may be possible for organs of the Parliament – such as committees – to hold ostensibly ‘informal’ civic participation events on a specific issue. By holding such informal events but agreeing in advance to be bound – or at least guided – by their conclusions, committees can create opportunities for participants to exercise at least some of the decision-making power which characterises participatory democracy, although under such circumstances, the attitudes and willingness of key actors are of the utmost importance if such ‘workarounds’ are to be secured or even considered. That such measures are necessary in the first instance is because in purely formal legal terms, the framework of the Parliament – rather than putting in place rules to facilitate the CSG’s vision of participatory democracy – embodies a commitment to the continuation of a different style of democracy; one which derives ultimately from a continued adherence to the Westminster model, whose representative mode of operation is perpetuated by the Scotland Act. In turn, the Scotland Act led to Transitional Standing Orders which were more reminiscent of the Scotland Act than of the CSG or other aspirational pre-devolution documents (e.g. Crick and Millar, 1995; Scottish Constitutional Convention, 1995; Leicester, 1996), despite the Transitional SOs’ claim to be based upon the Consultative Steering Group’s report (see Convery, 2000: 211). With the Procedures Committee adhering largely to the UK government’s Transitional SOs rather than designing SOs more in keeping with the CSG Report, the endorsement of its ‘new’ SOs implicitly committed it to a style of representative democracy fundamentally incompatible with the more aspirational aspects of the CSG Report. Whilst this does not necessarily impact upon the role of young people in the work of the Parliament, it makes it clear at an early stage that any form of enhanced participation is likely to be extraordinary in nature and dependent entirely upon the informal rules which also have a role to play in shaping actors’ behaviour.

### **5.3 PARTICIPATION IN THE WORK OF THE PARLIAMENT: QUANTITATIVE**

This chapter now turns to the first of the two different dimensions of the Parliament’s work towards participation for children and young people: an investigation of the quantitative aspect of youth participation. The section therefore provides an overview of the degree to which children and young people have participated in terms of opportunities and participant characteristics, before considering the way in which informal rules and standard operating procedures have contributed to this.

#### **5.3.1 Opportunities and Frequency of Involvement**

In the absence of any comprehensive pre-existing data on young people’s participation in the work of the Scottish Parliament, this section provides a brief overview of the quantitative state of youth participation in the work of the Parliament’s committees and Public Petitions Process. In doing so, it draws upon the quantitative audit of the Parliament’s structures to provide a snapshot of the extent, nature and characteristics of those who participate and how they do so.

Tables 5.1 and 5.2 begin by establishing the overall work conducted by the committees and the Public Petitions Process. The work of the committees studied here<sup>2</sup> covered a total of 110 Stage One Bill reports and 162 Inquiry reports. In terms of Public Petitions, Sessions One and Two saw the Parliament receive 1,052 petitions, of which 60.1% were submitted in Session One.

**Table 5.1:** Total Committee Activity, Sessions One and Two

	<b>Session 1</b>	<b>Session 2</b>	<b>Total</b>
Bills	55	55	<b>110</b>
Inquiries	87	75	<b>162</b>
<b>Total</b>	<b>142</b>	<b>130</b>	<b>272</b>
Source: Parliamentary Audit			

<sup>2</sup> Details of these committees were provided in Chapter 4.



**Table 5.2:** Total Public Petitions Process Activity, Sessions One and Two

	<b>Count</b>	<b>%</b>
Session 1	632	60.1
Session 2	420	39.9
<b>Total</b>	<b>1,052</b>	<b>100.0</b>
Source: Parliamentary Audit		

Having established this very general baseline of relevant parliamentary activity, Table 5.3 now demonstrates the degree to which these two mechanisms focussed upon youth issues<sup>3</sup>, providing comparative data to show the relative salience of youth issues compared to issues impacting upon other marginalised / disenfranchised communities.<sup>4</sup> In terms of Bills and Inquiries, the data shows that youth issues played a far more prominent role on committee policy agendas than did issues impacting directly upon any other marginalised / disenfranchised group. Thus, whilst youth issues constituted around one in four Bills and just over one in five Inquiries, the closest comparable cases were the disabled and BME communities, whose interests were impacted upon by around one in eleven Bills (9.1%) and one in thirteen Inquiries (7.4%), respectively. Although data is not provided here, education was the focus of the largest proportion of youth issues (48%), followed by justice and care (16% each).

**Table 5.3:** Marginalised / Disenfranchised Bills / Inquiries

	<b>Bills</b>		<b>Inquiries</b>	
	<b>Count</b>	<b>% All</b>	<b>Count</b>	<b>% All</b>
<b>CYP</b>	27	24.5	36	22.2
<b>BME</b>	2	1.8	12	7.4
<b>OAP</b>	4	3.6	9	5.6
<b>DIS</b>	10	9.1	11	6.8
<b>HOM</b>	4	3.6	2	1.2
<b>IMM</b>	1	0.9	2	1.2
<b>PRI</b>	4	3.6	7	4.3
Source: Parliamentary Audit				

<sup>3</sup> The term 'youth issue' is used frequently in this chapter. Although it usually denotes a Bill or Inquiry devoted to a children or young people's issue, this is not necessarily always the case. Rather, this category of work covers issues which have a direct and discernible effect upon children and young people as a societal group, and not all of these are necessarily directed at children and young people specifically (eg. the Family Law (Scotland) Bill in 2005).

<sup>4</sup> Details of these different communities were provided in Chapter Four.

A similar measure is employed for Petitions in Table 5.4, showing that petitions submitted by or about young people represented around one in eight petitions (12.9%). Again, this was significantly higher than for other similar groups, for whom the highest rate of representation was again the disabled community at around one in fifteen (6.7%).

**Table 5.4:** Marginalised / Disenfranchised Petitions

	Count	% All
<b>CYP</b>	136	12.9
<b>BME</b>	8	0.8
<b>OAP</b>	43	4.1
<b>DIS</b>	71	6.7
<b>HOM</b>	0	0
<b>IMM</b>	2	0.2
<b>PRI</b>	18	1.7
Source: Parliamentary Audit		

Having established the work of these mechanisms and the degree to which it involved the consideration of youth issues, it is crucial to ascertain the degree to which young people were actually involved in this work in order to identify evidence of adultism. Tables 5.5 and 5.6 thus provide data upon the proportion of young actors in the work of committees and the Public Petitions Process respectively. In the case of committees, the data also examines the proportion of participants speaking as a mandated representative of children and young people<sup>5</sup>, referred to here as ‘vicarious’ (as contrasted with ‘direct’) participation. Whilst not as normatively consistent with the CSG Report or UNCRC as is direct youth participation, the use of such ‘participation by proxy’ is nonetheless assumed to be more in line with the intentions of the CSG than is entirely ‘suppositious’ representation. For Public Petitions, a distinction is drawn between petitions submitted *by* young people, and petitions submitted *about* young people but *by* older people.

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<sup>5</sup> Adults attempting to directly articulate the aggregated views of young people, as opposed to adults simply providing a suppositious perspective on what *they* think a child’s perspective or best interests would be.

**Table 5.5:** CYP Participants as Proportion of All Actors in Committee Work

	<b>Count</b>	<b>% All</b>
None	10,848	95.3
Direct	94	0.8
Vicarious	443	3.9
<b>Total</b>	<b>11,385</b>	<b>100.0</b>
Source: Parliamentary Audit		

Table 5.5 shows that young people themselves constituted fewer than one in every hundred (0.8%) participants in the work of committees. The rate of participation of young people's adult representatives is higher (3.9%), but still falls below what might be expected, given the proportion of youth issues upon the policy agenda. The same may be said for Table 5.6 in relation to Public Petitions, which shows that only around one in fifty petitions was submitted *by* a child or young person, whilst around one in ten petitions was *about* young people's issues but not submitted by young people or vicarious representatives thereof.

**Table 5.6:** Petitions from Marginalised / Disenfranchised Groups

	<b>Petitions About, Not From</b>		<b>Petitions From</b>	
	<b>Count</b>	<b>% All</b>	<b>Count</b>	<b>% All</b>
<b>CYP</b>	115	10.9	23	2.2
<b>BME</b>	2	0.6	6	0.6
<b>OAP</b>	23	2.2	20	1.9
<b>DIS</b>	50	4.8	21	2.0
<b>HOM</b>	0	0.0	0	0.0
<b>IMM</b>	0	0.0	2	0.2
<b>PRI</b>	15	1.4	3	0.3
Source: Parliamentary Audit				

However, a second dimension of participation in the PPP comes in the form of being invited to present one's petition to the PPC in formal session. This opportunity may be requested by petitioners, but it is at the discretion of the PPC whether it is granted or not.<sup>6</sup> Table 5.7 provides details on the number of young people submitting a Public Petition who were invited to present their petition to the Committee. Again,

<sup>6</sup> This discretionary approach to selecting petitioners has provoked criticism from some MSPs unhappy at decisions made by the Convener. See for example Petition 707 (Public Petitions Committee, 2004: Col. 597).

comparative data is provided for each of the previous marginalised / disenfranchised groups.

**Table 5.7:** Marginalised / Disenfranchised Petitioners Invited to Present Petition

	<b>Count</b>	<b>% Own Petitions</b>	<b>% All Petitions</b>
<b>CYP</b>	17	73.9%	1.6%
<b>BME</b>	1	16.7%	0.1%
<b>OAP</b>	11	55.0%	1.0%
<b>DIS</b>	12	57.1%	1.1%
<b>HOM</b>	0	0.0%	0.0%
<b>IMM</b>	0	0.0%	0.0%
<b>PRI</b>	0	0.0%	0.0%
Source: Parliamentary Audit			

The data shows that relative to other marginalised and / or disenfranchised groups, children and young people are disproportionately well-represented in terms of being given this opportunity, with only one in four (26.1%) petitions submitted by young petitioners *not* being presented in person to the PPC. In comparative terms, only the elderly and disabled communities approach this level of representation, but still fall well short, suggesting a degree of discretionary proactivity within the Parliament towards the involvement of children and young people when they *do* choose to submit petitions.

As such, both the committee data and the petitions data so far point to the existence of some degree of adultist perspective, either within the Parliament in terms of the evidence it takes or within the wider public, as demonstrated by the fact that such a disproportionately large percentage of petitions was submitted about young people’s issues without actually involving them. Further interrogation of other aspects of youth participation in the work of the Parliament support this belief. For instance, Table 5.8 maps the participation of children and young people across youth issues and non-youth issues, highlighting a strong correlation between youth participation (both direct and vicarious) and youth issues considered by committees.

**Table 5.8:** CYP Actors as Proportion of All Actors, by Issue Relevance

	Youth Issues		Non-Youth Issues	
	Count	%	Count	%
None	2,976	88.2	7,872	98.3
Direct	62	1.8	32	0.4
Vicarious	337	10.0	106	1.3
<b>Total</b>	<b>3,375</b>	<b>100.0</b>	<b>8,010</b>	<b>100.0</b>
Source: Parliamentary Audit				

Table 5.9 shows a similar correlation between mode of committee work and youth participation, with almost two thirds of all direct youth participation taking place in inquiry work.

**Table 5.9:** Mode of CYP Participation, by Issue Type

	Direct		Vicarious	
	Count	%	Count	%
Bills	35	37.2	249	56.2
Inquiries	59	62.8	194	43.8
<b>Total</b>		<b>100.0</b>		<b>100.0</b>
Source: Parliamentary Audit				

Table 5.10 details the extent to which youth participation (direct and vicarious combined) played a role in individual committees' work (Bills and Inquiries). Given the earlier mentioned focus of youth issues on education, care and justice issues, the distribution of participation is somewhat unsurprising, with the two incarnations of the Education Committee accounting for over a third of all youth participation, increasing to almost 40% if lifelong learning is included. However, in addition to the Equal Opportunities Committee, the two Justice Committees also appear to have fared well, outperforming committees such as Communities and Enterprise and Lifelong Learning. In two committees – Rural Affairs and Transport and the Environment – young people are represented neither directly nor vicariously. However, the way in which this distribution changes when considering *direct* participation only shows the extent to which many of the committees most active in terms of youth participation overall have actually relied upon adult representatives as proxy participants.

**Table 5.10:** CYP Participation Type, by Committee

	Direct and Vicarious Participation		Direct CYP Participation	
	Count	%	Count	%
Education	110	20.5	3	3.2
Education, Culture and Sport	78	14.5	24	25.5
Equal Opportunities	64	11.9	13	13.8
Justice 2	56	10.4	2	2.1
Justice 1	55	10.2	0	0.0
Communities	43	8.0	5	5.3
Enterprise and Culture	24	4.5	15	16.0
Enterprise and Lifelong Learning	22	4.1	16	17.0
Health	18	3.4	3	3.2
Health and Community Care	12	2.2	0	0.0
Local Government and Transport	12	2.2	6	6.4
Audit	8	1.5	0	0.0
Local Government	7	1.3	1	1.1
Procedures	7	1.3	0	0.0
European and External Relations	5	0.9	1	1.1
European	4	0.7	1	1.1
Justice and Home Affairs	4	0.7	0	0.0
Social Justice	4	0.7	2	2.1
Social Inclusion, Housing & Vol. Sector	2	0.4	1	1.1
Environment and Rural Development	1	0.2	0	0.0
Rural Development	1	0.2	0	0.0
Rural Affairs	0	0.0	0	0.0
Transport and the Environment	0	0.0	0	0.0
<b>Total</b>	<b>537</b>	<b>100.0</b>	<b>94</b>	<b>100.0</b>

Source: Parliamentary Audit

Finally, Table 5.11 considers the degree to which such trends are also evident within the work of the PPC. By comparing the frequency with which different actors are invited to present their petition, the data reinforces the earlier finding of proactivity towards young people's petitions, showing that in proportionate terms, there are almost twice as many young people invited to present their petition in person as there are older people invited to present petitions about young people's issues. This – combined with the vast fluctuations in committees' share of overall levels of vicarious and direct youth participation in Table 5.10 – only serves to emphasise the discretionary nature of youth participation in the work of the Parliament, and the heterogeneity with which such commitments have been interpreted.

**Table 5.11:** CYP Petitioners Invited to Present Petition

	Petitioners Invited to Give Evidence	
	Count	% Own Petitions
<b>Petitions from CYP</b>	17	73.9%
<b>Petitions about CYP<sup>7</sup></b>	45	39.1%

Source: Parliamentary Audit

What emerges thus far is that although children and young people's *issues* are relatively healthily represented in the work of the Parliament's mechanisms, young people *themselves* tend not to be involved. Rather, there is a tendency for youth issues to be pursued vicariously on their behalf by adult representatives, or – more commonly – by adults with no claim to be directly representative of younger people's views. This holds true for both committees and Public Petitions. There is also a strong trend towards younger people's direct participation being concentrated in youth issues, in inquiries, and in a very small number of committees. All of this points towards younger people's participation being an unusual feature of policy-making in the work of the Parliament, with a youth perspective often not taken. Where it is taken, this may be provided by adults whose mandate to speak on behalf of children and young people is entirely suppositious; or provided by 'proxy participants': adults who aim not to articulate their *own* perspective on young people's best interests, but rather to articulate the views of younger people as expressed to them in their professional context. By contrast, the findings so far in relation to Public Petitions offer a degree of encouragement, thanks to the PPC's apparent proactivity in trying to involve young petitioners as fully as possible.

As an initial baseline-setting exercise, drawing such conclusions is useful in itself. However, the results also highlight an institutional gap between the CSG vision and the political reality, which suggests that on the basis of this evidence, adultist approaches remain the dominant paradigm in policy-making for children and young people among MSPs and the wider public. In this respect, the findings raise important questions for

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<sup>7</sup> Total number of petitions *about* younger people but not submitted *by* younger people is 115.

the next aspect considered within the quantitative dimension: which young people participate, and who participates on youth issues?

### 5.3.2 Participants and Representatives

This section aims to address the two questions posed above, and begins by considering baseline data in relation to who participates in the work of the Parliament’s committees. Table 5.12 provides information on the top ten stratum of the most active actors on youth issues by tabulating the total number of discrete youth issues (i.e. Bills and Inquiries) to which participants have submitted either written or oral evidence.

**Table 5.12:** Top Ten (Stratum) Actors, Youth Issues

	Count	% All
Scottish Executive	59	1.7
CoSLA	54	1.6
EIS	36	1.1
ADSW	31	.9
UNISON	27	.8
Children in Scotland	26	.8
Barnardo’s Scotland	24	.7
ACPOS	23	.7
Children 1st	23	.7
SPTC	22	.7
Total	325	9.6%
Source: Parliamentary Audit		

Unsurprisingly, the list is populated entirely by organisations, with no individuals represented at this frequency of participation on youth issues. Below central and local government bodies, the most active organisations on youth issues are trade unions and professional organisations, lending further weight to the earlier assertion that youth issues seem to be discussed predominantly from the perspective of adult professionals – many from outwith the youth sector altogether – rather than attempting to advocate for children’s *own* expressed interests. The youth organisations which do appear in this stratum are perhaps unsurprising: Children in Scotland, Children 1st and Barnardo’s were often referred to in interviews as ‘the holy trinity’ of Scottish youth organisations. Direct participant organisations – such as the



Scottish Youth Parliament, the Children’s Parliament and the National Union of Students – are notable by their absence.

It is therefore worth considering in greater depth which groups of young people or groups which *do* aim to advocate directly for young people are represented. Table 5.13 examines the top ten stratum of youth actors, tabulating the proportion they represent of all young people’s participation across all issues, and across youth issues. National organisations again dominate the landscape, with almost half of all interactions between the Parliament and younger people’s actors restricted to these ten actors across both issue types. Again, there is a notable lack of activity from *direct* participant organisations, with only one (the National Union of Students) represented in the list.

**Table 5.13:** Top Ten (Stratum) Youth Actors, by Issue Relevance

	All Issues			Youth Issues	
	Count	% All		Count	% All
Children in Scotland	32	6.0	Children in Scotland	26	6.5
SHRC	32	6.0	Barnardo’s Scotland	24	6.0
Barnardo’s Scotland	29	5.4	Children 1st	23	5.8
Children 1st	27	5.0	Save the Children	21	5.3
Save the Children	24	4.5	SCRA	19	4.8
YouthLink Scotland	23	4.3	NCH Scotland	18	4.5
NUS	20	3.7	YouthLink Scotland	15	3.8
SCRA	20	3.7	SHRC	12	3.0
NCH Scotland	19	3.5	SCCYP	10	2.5
APEX Scotland	12	2.2	SCLC	10	2.5
<b>Total</b>	<b>238</b>	<b>44.3</b>	<b>Total</b>	<b>178</b>	<b>44.6</b>

Source: Parliamentary Audit

Table 5.14 expands upon provision of evidence in order to see if conclusions might be drawn about whether the lack of direct youth representation evident in Tables 5.12 and 5.13 is the result of a lack of proactivity from direct participant groups or a lack of willingness on the part of the Parliament to involve them. If the former, the data would be expected to show marginalised groups to be significantly better represented in written evidence (to the point of entering the top ten stratum at the expense of less proactive groups) than in oral evidence, and vice versa if the latter were to be true. In

reality, neither case is compelling when considering the data, which seems – at this level – to indicate a degree of harmony between a group’s representation within written submissions and its level of representation among oral evidence invitees. Of course, within these lists there is some degree of variation, but generally speaking, it is those organisations which engage most with committees (through written submissions) who are rewarded in the shape of oral evidence invitations. This raises questions about the lack of direct representation for children and young people as *direct* participants in policy-making, particularly given an apparent lack of proactivity on the part of the Parliament’s committees and the young people’s organisations themselves.

**Table 5.14:** Top Ten (Stratum) Youth Actors by Evidence Type

	Written			Oral	
	Count	% CYP Actors		Count	% CYP Actors
Children in Scotland	21	7.3	SHRC	12	7.8
Barnardo’s Scotland	20	6.9	Children in Scotland	11	7.1
SHRC	20	6.9	Children 1st	10	6.5
YouthLink Scotland	18	6.2	Save the Children	10	6.5
Children 1st	17	5.9	Barnardo’s Scotland	9	5.8
SCRA	15	5.2	ENABLE	5	3.2
NCH Scotland	14	4.8	NCH Scotland	5	3.2
Save the Children	14	4.8	SCLC	5	3.2
Fairbridge Scotland	9	3.1	SCRA	5	3.2
APEX Scotland	8	2.8	YouthLink Scotland	5	3.2
ChildLine Scotland	8	2.8	<b>Total</b>	<b>77</b>	<b>50.0</b>
SCCYP	8	2.8			
<b>Total</b>	<b>172</b>	<b>59.5</b>			

Source: Parliamentary Audit

Turning to petitions, a number of previous studies has shown that whilst the PPC is well-used by community groups, the majority of petitions have nevertheless been submitted by individuals (Cavanagh et al, 2000; Carman, 2006; Ipsos MORI, 2009). Thus, in attempting to understand the way in which the PPP has been used by young people, consideration must be given to the role of groups in facilitating participation.

**Table 5.15: CYP Petitioners as Individuals / Groups**

	Individuals		Groups	
	Count	%	Count	%
Session 1	2	18.2%	9	81.8%
Session 2	0	0.0%	12	100.0%
<b>Total</b>	<b>2</b>	<b>8.7%</b>	<b>21</b>	<b>91.3%</b>

Source: Parliamentary Audit

Table 5.15 testifies to the importance of the group context for young people in comparison with older petitioners, demonstrating that only two of the petitions submitted by young people were the result of an individual initiative. The remainder – over 90% – came from some form of group background. In comparison, individuals accounted for 54% of all petitions across Sessions One and Two (Carman, 2006: 28). The group types from which young people’s petitions are received are provided in Table 5.16. There is a clear trend within this distribution, showing that over three quarters of all petitions from young people come from an educational institution. With professional charities and advocacy groups (working as mandated representatives of children and / or young people) accounting for the remainder, the apparent importance of formally-constituted gatekeepers increases yet further, raising questions about how much demand truly exists among *individual* young people for this type of participation.

**Table 5.16: CYP Petitions – Representative Groups**

	Petitions	
	Count	%
Primary School Groups	4	19.0%
Secondary School groups	6	28.6%
College Groups	2	9.5%
University Groups	4	19.0%
Charities	2	9.5%
Advocacy Groups	3	13.6%
<b>Total</b>	<b>21</b>	<b>100.0%</b>

Source: Parliamentary Audit

### 5.3.3 Contextual Factors

Having established these key points, this section considers evidence from key actors upon the way in which such circumstances have emerged. In so doing, evidence is also

sought in relation to standard operating procedures and informal rules and the degree to which they accord with the CSG vision.

The neoinstitutionalist theory of change used here suggests that this gap is not altogether unexpected. This is usually the case where formal and informal rules favour alternative templates of action, thus failing to ensure reliable reproduction for the normative institutional design. For both mechanisms considered here, formal rule specification is low, leaving the nature of the Parliament's commitments to young people and participatory democracy open to contestation and interpretation. The differing levels of participatory opportunities offered by committees appear to be evidential of an ambiguous and weakly-scripted institutional design, whose lack of formal codification has left it open to contestation.

In order to determine the extent to which this is exacerbated by low informal rule specification, the following section uses qualitative evidence from key informants to provide a deeper understanding and contextualisation of the foregoing results, firstly considering opportunities for young people's involvement and the way in which informal rules impact upon them, before turning to consider patterns of participants in a similar way.

#### **5.3.3.1 Opportunities**

When investigating opportunities for young people's participation, the evidence collected demonstrated clear evidence of key actors following an institutional template which differed significantly from the vision of the CSG. Thus, rather than a political arena in which opportunities for youth participation were a regular feature of the work of the Parliament, interview evidence revealed that the provision of opportunities for young people's involvement was only considered 'appropriate' in a particular set of circumstances.

A number of MSPs accepted that whilst their committee(s) might routinely consider other equalities issues – such as gender, race etc. – they would be unlikely to consider children and young people similarly. There was a small number of exceptions to this:

notably, MSPs with experience of serving on the Education, Equal Opportunities or Public Petitions Committees. In each case, these committee members showed greater awareness of an expectation to involve children and young people in their work. Whilst the Education and Equal Opportunities Committees felt compelled to involve children on the basis that their workload was more youth-focussed, this need was not always acted upon. MSPs on the PPC, however, argued that wherever possible, young people were invited to present their petition and state their case. Although doing so was becoming harder due to time constraints, there was nonetheless an enthusiasm about young people's petitions which MSPs appreciated.

We tend not to use the same criteria when it's a petition from schoolkids [or] young people. Even if it's been heard before, we've probably heard it from the parents' point of view [...] Let's see what the *kids* have got to say on it.

*MSP*

As noted above, other committees tended to be more sporadic in their efforts, as this quote from a member of the Education Committee demonstrates:

We've made [...] various specific efforts [...] to engage with young people: we've sort of paused in our work to say: 'are we going to go out and specifically get the views of young people?' [...] So I certainly suggest that reflects an awareness of our duty in that regard.

*MSP*

However, this type of consideration was not consistent across committees and as such, interviews attempted to establish exactly what rules or criteria prompted committees to involve – or consider involving – younger participants. Discussions with MSPs and youth representatives yielded further information about the standard operating procedures which guided the provision of opportunities for children and young people to participate in the work of the Parliament's committees or Public Petitions Process, providing an insight into the wider institutional template shaping political action. Thus, the way in which most MSPs chose to interpret their obligations was such that children and young people tended to be involved in the work of committees only where certain conditions were met. With the exception of the PPC and to a lesser extent the

Education and Equal Opportunities Committees, these rules appeared to be broadly consistent across interviews and thus across committees.

The first criterion identified was subject matter. Whether in relation to Bills or Inquiries, virtually every interviewee associated young people's participation with youth issues, adding weight to claims that rather than making progress towards truly participatory policy-making, the Parliament has settled into a 'stakeholder consultation' approach (Bonney, 2003). Thus, whilst issues relating to education and adoption, for example, were seen by MSPs as conducive to the involvement of children and young people, issues relating to transport or the environment were not. Whilst youth representatives argued that this approach fails to recognise that virtually all legislation will have some form of distinct impact upon younger people, their experiences nevertheless matched closely those of MSPs.

If it's a children's issue, then they will call in Children 1st or Barnardo's to give evidence, but where I think there's room for improvement would be casting it a wee bit wider [in terms of issues].

*Youth Representative*

If you're talking about transport [...] [MSPs are] fairly unlikely to feel any need to engage with children and young people. It's about getting it cross-cut, and saying children's issues are *all* issues; children are concerned about everything that you do.

*Youth Representative*

This attitude in turn contributes towards an explanation of the skewed distribution of youth participation across committees, to the disappointment of youth representatives.

What we *really* would have hoped would be that children and young people's interests and voices would be heard in *all* sorts of committees, not *just* the Education Committee.

*Youth Representative*

However, both MSPs and youth representatives alike explained that subject matter alone was not enough to prompt committees to involve young people, with youth representatives asserting that if youth participation was driven entirely by subject matter, this would represent at least *some* degree of systematic consideration. This was not thought to be the case, with several youth representatives demonstrating this by referring to Bills and Inquiries which, in their opinion, *should* have involved young people's contributions.

The Parental Involvement Bill: children weren't involved in that [...] Parental involvement in schools affects children, [but] there was no recognition of this fact, and there was no involvement with how much children thought parents should be involved.

*Youth Representative*

As such, three additional sources of impetus were identified as 'triggers' for participation where the subject matter was appropriate. The first source identified by both MSPs and youth representatives was the body of Clerks servicing the Parliament's committees. Clerks were seen by both MSPs and youth representatives as essential drivers not only of young people's involvement, but of the CSG agenda more broadly defined. More than the MSPs, they were seen as being the principal advocates for the CSG principles in the Parliament, reminding MSPs of their obligations in relation to the founding principles.

Secondly, MSPs and youth representatives alike identified a number of individual MSPs as being 'children's champions', raising awareness of the need to involve children and young people.

Where there is *not* legislation which specifically affects children, families or young people, then unless there's MSPs with an interest in these areas, not much is going to be done.

*Youth Representative*

Finally, MSPs and youth representatives both believed that in the absence of a systematic consideration of young people's perspectives, pressure from the children's sector was vitally important in pushing MSPs and Clerks to consider involving children

and young people. Thus, any one of these three sources of impetus was seen as being necessary to prompt committees to involve young people; usually – but not always – in combination with relevant subject matter. Overall, it was recognised by both youth representatives and MSPs that the responsibility for providing impetus to youth participation was dependent upon both sides of the equation: there had to be a demand from civil society for opportunities to participate, and a supply of appropriate opportunities made available by MSPs or the dynamic between a committee and its Clerk(s). The balance between these is considered in Chapter Seven.

Both MSPs and youth representatives also considered the bias in participatory opportunities towards inquiry work. For MSPs, the lower degree of timetabling pressure within inquiries was cited as allowing greater time for consideration of alternative voices and a greater ability to innovate. Whilst youth representatives recognised the time demands associated with legislative work, they were also slightly more cynical, arguing that there was usually less at stake in inquiries than in legislative work, with committees thought to be more willing to involve young people in inquiries because there was less pressure to act upon what young people said.

If you speak to MSPs, of course they're interested in what young people tell them, [...] but tactically, why would you ask [in Bill work] if you know you're not going to be able to deliver, or you kind of know the answers and you just don't want to hear them? So there's nothing accidental about it.

*Youth Representative*

However, even once the basis for considering involving young people had been established, the vast majority of youth representatives interviewed insisted that it was crucial to 'systematise' consideration of the implications of a piece of legislation for children and young people, as is done for other considerations.<sup>8</sup> Whilst some youth representatives suggested incorporating this within the Policy Memorandum, a related but more popular suggestion among youth representatives was a child impact assessment (see Paton and Munro (2006) for an example). If applied to committee

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<sup>8</sup> Bills in the Scottish Parliament currently must be accompanied by a Policy Memorandum specifying the impact of the legislative proposal in question upon such issues as equal opportunities, human rights, island communities, local government, and sustainable development.



work, such a commitment would require Bills and Inquiries to be ‘youth-proofed’ to ensure that consideration was taken of any impact upon younger people, preferably as a result of direct youth participation in the process.

There *has* to be a child impact assessment for every Bill or policy or consultation [...] Doing a child impact assessment makes everyone more aware about children's situation in Scotland as well as how policies might negatively – or indeed positively – impact on them.

*Youth Representative*

However, as will be shown in Chapter Seven, such mainstreaming is subject to considerable obstacles.

### **5.3.3.2 Participants**

In order to better understand the results of the audit data presented above, interviewees were asked to expand upon their experiences of young participants in the work of the Parliament, with a view to identifying the standard operating procedures informing their involvement (and the way in which this could be linked to previous institutional templates) and better understanding the earlier results, which showed low levels of direct youth participation and higher levels of vicarious and suppositious representation.

The primary concern was that committees had been too reliant upon involving adult representatives of children and young people rather than young people themselves. Youth representatives saw this partly as a lack of confidence and expertise on the part of the Scottish Parliament and children and young people, but also as the result of a persistent mindset that it was simpler and more reliable to access the views of children and young people through adult intermediaries.

They're not actually getting to know any of these children. All they're getting to know is the Chief Executive of Children in Scotland, who they know already [...] [Some] see that as a lost opportunity.

*Youth Representative*

This reliance upon adult advocates – some of whom make no claim to speak on behalf of children – was linked strongly to the proactivity of these organisations in submitting written evidence. Typically, groups who contributed written submissions to calls for evidence were seen to be better placed to provide oral evidence, and were better represented as a result. This provoked criticism from several youth representatives, who claimed that focussing upon lobbying and providing evidence to committees necessarily diverted resources away from an organisation’s core functions and, as such, it tended only to be the bigger, better resourced youth organisations (such as Children in Scotland, Children 1st and Barnardo’s Scotland) who were able to do this, and by relying upon the ‘loudest shouters’, MSPs were perpetuating biases within the youth sector.

The big agencies can obviously always contribute a lot more and be more involved, and there’s a danger that their voices drown out those other smaller voices.

*Youth Representative*

Secondly, whilst several MSPs were keen to involve more young people, there was – understandably – a concern that any participants needed to have as strong as possible a claim to representative authority in order to be recognised as legitimate. Where this legitimacy was seen by some MSPs as deriving from representatives’ direct accountability to other young people (for example, through elected youth councils or parliaments), others were satisfied that a sense of indirect accountability (typically for representative organisations, charities etc.) was sufficient. It was on this basis that many MSPs rejected engaging with the Scottish Youth Parliament, which was criticised by a clear majority of MSPs for being socially skewed, usually in favour of articulate, well-off children with ambitions for a career in politics. Observation at General Meetings of the SYP suggested that this conception was somewhat misplaced, with a broad range of social backgrounds represented. However, widespread (and arguably more justifiable) concerns about the SYP’s democratic legitimacy were also sufficient to dissuade MSPs of approaching the SYP as a ready source of enthusiastic contributors.

These factors were thought to be behind the Parliament's reliance upon a small, select group of organisations. Although there was a recognition that these groups could claim to offer a greater degree of representation and professional expertise than many other smaller, less well-organised groups, interview participants nonetheless stressed the need for committees of the Parliament to maintain a diverse approach.

I've been to a number of committee meetings [...] They tend to engage the usual suspects [...] That's not necessarily a criticism, because that's where conventional wisdom would tell them to go.

*Youth Representative*

Where youth representatives argued that committees often simply took the convenient option, MSPs argued that the nature of their work as policy arbiters meant that those organisations which could claim a representative mandate and expertise in the field, which regularly submitted written evidence and which cultivated a high profile among MSPs were simply 'the logical choice' for committees to target when taking oral evidence.

In addition, numerous MSPs argued that reliance upon the usual suspects was not a problem specific to young people, and that exclusion from social structures affected many people, regardless of their age. In addition, whilst the foregoing account may be the standard approach, there were multiple occasions on which committees had tried to avoid the usual suspects and attempted to include more diverse opinions from young people who would normally be excluded from the typical youth gateways on the basis of age, achievement, race or social stigma, with examples including the following:

- The Equal Opportunities Committee's work with young gypsy travellers for the Gypsy Travellers Inquiry (Equal Opportunities Committee, 2001, 2005);
- The Education Committee's work with pre-school children for the Early Years Inquiry (Education Committee, 2006a);
- The Education Committee's work with looked-after children on the Adoption & Children Bill (Education Committee, 2006b);
- The Justice 2 Committee's work with vulnerable witnesses on the Vulnerable Witnesses Bill (Justice 2 Committee, 2003).

However, even when trying to avoid the 'usual suspects', they were highlighted by MSPs and Clerks as being important in that they were valuable sources of information on less prominent organisations in the youth sector. Furthermore, they were identified by MSPs and Clerks as being crucial in terms of expertise. In the absence of this expertise, committees were reliant upon the knowledge, experience and skills of MSPs and committee Clerks. The youth representatives who discussed this stressed that it was not a criticism of MSPs or Clerks, as working with less visible groups required training, experience and familiarity. However, without this expertise, committees were often seen as engaging in tokenistic participation, resulting in poor evidence which put MSPs and youth participants alike off the idea of engaging with each other again in future.

It's not their fault, because [MSPs and] committee Clerks don't have a background in this [...] They're *not* participation workers, so how are they supposed to know the correct mechanisms for doing it? [...] This is a skill, and we shouldn't just require or think that everybody can do it.

*Youth Representative*

However, youth representatives believed that the Parliament *could* not and *should* not delegate *all* responsibility for involving children and young people. The Parliament's reliance upon external organisations' expertise was seen as a pragmatic strategy in many cases, but one which should not preclude committees from developing their own skills. In this regard, a number of the MSPs interviewed expressed concern at their own lack of experience and knowledge in working with younger people, believing that in order to be able to work effectively with children and young people, the Parliament should invest in a degree of training for MSPs and / or parliamentary staff.

We could do with some guidance, though, because it's not easy to talk to Primary Four and Five about politics [...] That's not necessarily our fault. We're not trained to be able to stand in front of [...] five year-olds and six year-olds and seven year-olds and talk to them.

*MSP*

## **5.4 PARTICIPATION IN THE WORK OF THE PARLIAMENT: QUALITATIVE**

This chapter now considers the second relevant dimension of the Parliament's work towards introducing a participative legislature for children and young people. Where the previous section considered the *quantity* of participation, this section considers the *quality* of participation, addressing issues of methodology and outcomes of participation. Bearing in mind the emphasis here upon qualitative and not quantitative issues, the analysis is led by interview data and supported by data from the parliamentary audit (where appropriate and available), before considering the way in which institutional rules have contributed to this.

### **5.4.1 Participation Methodology**

The literature reviewed in Chapter Two identified that a range of democratic devices is available to policy-makers. Such devices differ in a number of respects, but a feature common to any meaningful democratic device is that at least some degree of power is ceded to participants, usually in terms of shaping the agenda and the outcomes of the process. Chapter Two also identified the need to ensure appropriateness (or training) and to provide feedback as vital logistical concerns. Considering the degree to which the key parliamentary actors subscribed to these indicators of meaningful participation will provide an insight into the degree to which their attitudes are shaped by a participatory institutional template, and into how approaches and attitudes to participation have been shaped by this.

#### **5.4.1.1 Format**

The first principal finding emerging from interviews was that committees rely heavily upon a traditional format when involving young people in their work. In their consideration of both Inquiries and Bills, committees followed a pattern of calling for written evidence before drawing up a shortlist of respondents to be invited to give oral evidence in a formal committee session, typically using a one-way 'question and answer' approach. This was confirmed by the youth representatives, although they claimed that such circumstances were often inappropriate for the involvement of young people.

However, both Clerks and MSPs were able to identify occasions on which their committees had adopted alternative approaches. Many of these related to occasions on which young people were not involved (examples included disabled people and BME groups). However, a small number of very prominent examples of alternative practice with children and / or young people *was* identified. Foremost among these was the Education, Culture and Sport Committee's Inquiry into the Need for a Children's Commissioner in Scotland (Education, Culture and Sport Committee, 2002), which drew praise from MSPs and youth representatives alike, with the latter particularly appreciative of the influence which children and young people were able to have over the remit, direction and outcomes of their involvement.

The process adopted by the Committee involved young people throughout the process, from identifying the potential functions and remit of the Commissioner to actually having younger people on the panel which interviewed candidates for the position. The Committee also held a dedicated Young Person's Event in the Parliament's Main Chamber with over 100 participants (aged from 9 to 25), using dedicated, child-friendly paperwork, whilst focus groups were also held with children and young people and a video was commissioned by the committee to be distributed to youth organisations and schools in order to promote interest in the Inquiry among young people. This was regarded by most MSPs and youth representatives as the pinnacle of committee work with young people in methodological terms, and also demonstrated that despite the formal rules of the Parliament essentially proscribing the exercise of decision-making authority by non-parliamentarians, this could be overcome by using legitimate participatory devices whose results are then accepted in a relatively uncontested format by the committee when feeding into the decision-making process.

However, examples of other innovative approaches were also cited. These included the use of the committee reporter system, whereby individual MSPs or committee sub-groups take evidence from young people, either on-campus or in the young people's own environment. This was seen as being a more appropriate method for involving young people, dealing with them in familiar surroundings and removing (as far as is possible) the intimidation factor inherent in appearing in formal parliamentary

surroundings. MSPs explained that this had served them particularly well in relation to more marginalised young people, such as vulnerable witnesses and institutionalised young offenders. The approach allowed young people to feel more comfortable, thus (in theory) allowing for a more gainful exchange between them and the MSPs, as was thought to be the case in the following example, which praised both the MSP and the method used:

She interviewed them and taped some of what they were saying, so that it was all anonymous and they didn't have to come to the committee [...] Then she played the tapes to the committee and also spoke really movingly about their experiences [...] That was a really good example, [but] I don't know how often it's been copied or followed up.

*Youth Representative*

The Taking Stock Inquiries (on gender, race, age, sexual orientation and disability) held by the Equal Opportunities Committee were also singled out by a smaller number of MSPs as having been a particularly effective way of engaging with disenfranchised and marginalised groups within society. Closely linked to this was a widespread approval of the way in which the committees had tried to involve external organisations in order to gain access to such specific sectors within society.

Because you might study a subject to death in a committee inquiry, you kid yourself on that you're an expert in it, but you're *not*. You've got a passing expertise [...] For engaging with young people, the best exercises we've done are when we've asked other groups who *are* experts in it to do it.

*MSP*

However, what was notable for many youth representatives across most of the committees' work was that the traditional power dynamic of 'representative' and 'represented' remained. This was not always intended as a criticism *per se*, but rather an observation relative to the CSG's vision of a participatory form of democracy. Even for petitions, youth representatives emphasised the fact that although the Committee was sometimes prepared to engage in an ongoing dialogue with petitioners more than other committees would with witnesses, this – along with the decision to close a Petition, even where petitioners are dissatisfied with the outcome – was entirely in the

gift of the PPC. For this reason, the degree to which the PPP was seen as a move towards participatory democracy was limited: whilst it was praised as superior to its counterpart at Westminster, it was only seen as being moderately participatory, lending itself more to a form of advocacy democracy than participatory democracy (see also Carman, 2006).

[The Parliament] is very much based on the traditional structures, saying: 'this is what we've got; this is how you can be involved, but you have to fit in with what we've got'.

*Youth Representative*

When discussing other committees' approaches, no interviewees were aware of more participatory methods – such as citizens' juries, consensus conferences or deliberative polling – being used. When prompted about the possible use of such methods, youth representatives expressed widespread enthusiasm, but the response from MSPs ranged from cautious and qualified interest to outright hostility. Most were enthusiastic about more regular use of innovative methods to *broaden* participation (i.e. having *more* young people involved), speaking in appreciative terms of methods which would allow young people to express themselves more age-appropriately, through drama or art, for example. There was, however, a far greater degree of resistance to innovations which advocated *deepening* participation (i.e. transferring a degree of *power* to children and young people or their representatives). In many cases, MSPs justified this on the basis that such mechanisms were incompatible with the principles of representative democracy, lending weight to the assertion that the fundamental democratic template to which MSPs subscribe remains very closely related to that of Westminster rather than that of the CSG. However, concerns also existed about children and young people's capacity to contribute and whether or not they – as a constituency – were deserving of specific consideration. This is discussed further in Chapter Seven.

A significant number of youth representatives also expressed concern at an over-reliance on one-off events without preparation, preferring instead more longitudinal participation in order to build up levels of mutual trust and understanding in particular policy areas. Despite acknowledging committee timescales, there was widespread



concern among youth representatives that one-off events would not result in valid findings. This was usually put down to a lack of preparation for young participants and the power imbalance inherent in MSPs' dealings with younger people (which could only be overcome through increased familiarity and trust). In the absence of such factors, youth representatives suggested that rather than subscribing to a genuinely participatory agenda, one-off events were indicative of a culture of 'box-ticking'.

It says to people that you can do this in a day; that that's sufficient. It's *not*. [...] You haven't *done* anything, except increase your own profile.

*Youth Representative*

A number of MSPs intimated that if they were better informed, they would be willing to use different techniques. As a result, the lack of methodological diversity and age-appropriateness was argued to be partly due to a lack of knowledge rather than lack of willingness. On this basis, a small number of MSPs suggested that the Parliament might be able to better assist MSPs and committee staff by providing methodological suggestions, particularly for marginalised groups (this suggestion is revisited below).

Nobody's gathering any of that sort of stuff together for you. There's nowhere to easily find out who's doing what in other places, what other ideas might there be out there that could be adapted for use by you or whatever. None of that seems to be happening anywhere, and if it is, nobody's feeding it up to us. That would be useful.

*MSP*

Despite this apparent lack of commitment to what Arnstein (1969) and Hart (1992; 1997) would argue to be 'genuine' participation, some interviewees argued that compared to Westminster practice, there was a greater proclivity within the Scottish Parliament's committees to adopt different approaches within a representative democratic context. This led one interview participant to coin the phrase 'consultation plus': in other words, an enhanced form of engagement which nevertheless remains within a consultative mode of working. This covered such differences from Westminster as the willingness to hold committee meetings outside of the Parliament, to engage in less formal modes of working (such as the aforementioned use of reporters) and to make *some* effort in overcoming the culture of the 'usual suspects'.

In that these aspects of the committees' work went beyond the stereotype of the working style of their Westminster counterparts, this was seen as a positive development, although many youth representatives emphasised that this still fell short of the CSG vision and the UNCRC.

Tables 5.17 and 5.18 allow for partial triangulation of these findings. Based upon the parliamentary update data, Table 5.17 shows the proportion of issues on which committees have adopted methods of involvement above and beyond the standard on-campus 'Q&A' evidence session. Figures are based upon reported methodology in Bill / Inquiry reports.

**Table 5.17: 'Consultation Plus' Issues, by Type**

	<b>Bills</b>		<b>Inquiries</b>	
	<b>Count</b>	<b>%</b>	<b>Count</b>	<b>%</b>
<b>Consultation</b>	89	80.9%	115	71.0%
<b>'Consultation Plus'</b>	21	19.1%	47	29.0%

Source: Parliamentary Audit

A total of 21 Bills and 47 Inquiries employed 'consultation plus' methods. Again, this lends weight to the earlier claim that innovation was more likely in inquiry work than legislative work. Table 5.18 tabulates the number of occasions on which a Bill or Inquiry involving 'consultation plus' related to youth issues, with other excluded groups for comparison. Again, the data suggests that relative to similarly excluded groups, young people are treated disproportionately favourably.

**Table 5.18: 'Consultation Plus' Issues, by Group**

	<b>Bills</b>		<b>Inquiries</b>	
	<b>Count</b>	<b>%</b>	<b>Count</b>	<b>%</b>
<b>CYP</b>	7	6.4%	19	11.7%
<b>BME</b>	0	0.0%	7	4.3%
<b>OAP</b>	1	0.9%	7	4.3%
<b>DIS</b>	4	3.6%	9	5.6%
<b>HOM</b>	1	0.9%	1	0.6%
<b>IMM</b>	0	0.0%	1	0.6%
<b>PRI</b>	0	0.0%	5	3.1%

Source: Parliamentary Audit

Finally, for exploratory purposes, Table 5.19 provides a breakdown of the different mechanisms used by parliamentary committees in their use of ‘consultation plus’ approaches, indicating a very strong reliance upon fact-finding locality visits when breaking the usual evidence session mould.

**Table 5.19:** Methods Used in ‘Consultation Plus’, Youth Issues

	<b>Count</b>	<b>%</b>
<b>Fact-Finding Visit</b>	78	63.9%
<b>Outreach Meeting</b>	19	15.6%
<b>Civic Participation Event</b>	11	9.0%
<b>Research Commissioned</b>	7	5.7%
<b>Round-Table, Seminar Etc.</b>	4	3.3%
<b>Use of ICT</b>	2	1.6%
<b>Other</b>	1	0.8%
<b>TOTAL</b>	<b>122</b>	<b>100.0%</b>

Source: Parliamentary Audit

In terms of Public Petitions, little methodological variation was possible due to the need to be seen to treat all petitions equally. As such, any deviation in terms of young petitioners’ engagement with the PPC was typically seen to derive from *petitioners’* approaches to presenting petitions. However, there was little evidence of this happening. What few examples existed were praised highly by PPC members, though: a recurrent example was PE905 from Trinity Primary School in Edinburgh about excessive packaging materials in supermarkets.

They said: ‘here are two boxes of *Ferrero Rocher*: we’re going to select two MSPs; can we give these to them and then challenge them to see how quickly they can open the box?’ [...] Just the imagination behind it, you wouldn’t get that from adults. Everyone *still* talks about that presentation.

*MSP*

However, such exceptional approaches aside, most petitions were thought to have been dealt with in a uniform manner. The one principal difference in terms of the PPC’s standard operating procedures was a willingness to treat young petitioners a bit more gently than adults if they presented their petition in person. MSPs believed that it was important not to discourage young petitioners, and were aware of the

potentially intimidating committee atmosphere. However, as with the work of other committees, the balance between not wishing to intimidate young people and patronising them proved difficult to strike. In this respect, several youth representatives expressed concern about the approach towards young people falling towards the patronising end of the spectrum.

I've sat in meetings of the Petitions Committee of the Parliament where schools have submitted petitions, and the politicians are *very* polite to them; and I never feel that's a good sign [...] If they're rude and argue with you, then they're taking you seriously [...] In some of the petitioning, it is about: 'this is an awful good school project, but it's not *serious* politics'.

*Youth Representative*

Indeed, a smaller number of MSPs also recognised that the way in which their colleagues treated young people presenting Petitions could be patronising. Again, in reference to PE905, another MSP explained:

I'm always conscious that whilst that [approach] was clever, a number of members almost patronised them. It's like: [*simperingly*] 'how *clever* of you to come up with...' I just think, *no*: these are smart kids, *treat* them as smart kids, *challenge* them about what they're saying to you and don't just go: 'oh, aren't they lovely?'

*MSP*

This issue is revisited below in relation to the introduction of greater expertise in the Parliament to deal with children and young people.

#### **5.4.1.2 Feedback**

A further essential aspect of genuine participation identified in Chapter Two was feedback. At its minimum, feedback from decision-makers to participants provided 'closure', allowing participants to understand the impact of their contribution. However, bi-directional feedback was also identified as a useful tool in allowing decision-makers to understand participants' experiences, and how they might be improved.

Interviews revealed that there was a lack of provision for routinised feedback to all participants from all committees, whether from MSPs themselves or parliamentary committee staff; in this respect children and young people were thus not uniquely disadvantaged. However, this was seen as doubly dangerous by youth representatives and some MSPs: firstly, the Parliament had no routine indication of how participants felt participation worked; and secondly, because previous participants had been left disappointed by a lack of information on their contribution.

We're in danger of becoming a wee bit complacent about how great we think we are.

*MSP*

You've got to make sure that feedback goes back that these [activities] *are* worth doing [...] We could just do that a wee bit better than we do at the moment.

*MSP*

Interviews with committee Clerks revealed that feedback had occasionally been sought informally from young people after appearing before committees, but this was far from programmatic. Evidence from youth representatives confirmed that such post-participatory 'debriefing' was unusual. Reflecting the extraordinary nature of youth participation itself, feedback was usually sought on those occasions when committees adopted different approaches to evidence-gathering; particularly large-scale 'civic participation' events and outreach meetings.

After all our participation events, we issue a feedback form [...] We offer that opportunity and that helps us learn for the next time.

*Committee Clerk*

However, the extent to which this feedback impacted upon future approaches by committees was unclear. MSPs and Clerks recalled occasions on which their *own* prior experience resulted in a different approach to similar situations at a later date. For example, at the end of each piece of committee work, Clerks evaluate the success of a committee's approach to gathering evidence.

[We] have – time permitting – a ‘lessons learned’ review of what we’ve done: we’re doing that [for an Inquiry] at the moment, about the visits: how do we approach it; could we have done better; what can we learn ourselves for the next time? And then we try to find a mechanism for passing that onto our colleagues and sharing the information.

*Committee Clerk*

However, MSPs were able to recall only a very small number of occasions when *participants’* feedback resulted in a different approach. One notable example was the Public Petitions Committee again, which organised several workshops to obtain feedback on the petitioning process. On the basis that participants at the Dundee event in June 2004 felt there was too little information available to petitioners and potential petitioners as to how the process worked, the PPC adopted the suggestion that they produce a video to encourage higher levels of participation in the process. The resultant DVD was distributed to over 1,000 community and voluntary organisations by the Public Petitions Committee (The Scottish Parliament, 2005b, 2005c).

Given the extraordinary nature of youth participation and the effort and resources required to support it, youth representatives thought it unfortunate that efforts which *had* gone into involving young people could effectively be wasted as a result of failing to provide or solicit feedback. Where their contribution resulted in no specific tangible outcome or development, children and young people were reported to view participation as a waste of their time if it was not made clear to them *why* their contribution had not been implemented.

Young people more than older people can spot bullshit a mile off, and you need to be honest with them [...] [They] need to make sure that the young people feel that it’s been valuable participating in the process. If they don’t, we’ll lose them.

*Youth Representative*

The importance of feedback was seen as particularly salient for children and young people, whose lack of familiarity with the conventions, processes and discourse of organised politics meant that they were far less able than adult participants to identify

what had happened to their contribution(s), and far more likely to be disappointed by this. A small number of youth representatives had direct experience of young people's disappointment following committee involvement. This was not the result of an unpleasant experience or unfriendly MSPs – quite the contrary in most cases – but rather the result of not feeling that their input had been used by the committee in arriving at a decision.

If you've got this wonderful forum for having your say and participating and being involved, and then nothing comes out of it and you've got no idea what happens, I think that's really disheartening. I think it's really important that you get that feedback, and I think that should be done as a matter of course.

*Youth Representative*

To address this as well as other earlier issues of participation (such as mainstreaming and awareness of alternative approaches), a number of youth representatives argued that the establishment of a dedicated and proactive Participation Unit within the Parliament to focus upon systematising, deepening and widening access to meaningful public participation in parliamentary work, including a focus upon young people and other marginalised groups, would prove that the Parliament was serious about the CSG's vision of participative democracy.

The next Parliament [must] have a unit within it that does participation work for the *whole* Parliament; for *all* of the committees [...] This *is* a skill, and we shouldn't just require or think that everybody can do it.

*Youth Representative*

There needs to be a unit that does that, because Clerks are not participation workers, and nor are parliamentarians; and neither should they be.

*Youth Representative*

It has to be done with people who have done it before and who understand the difference between consultation and participation, and what the support package needs to be for children [...] Otherwise, just forget it: it's just a tokenistic exercise, and children *know* it's token. It feels like a really crap experience, and we're actually making it worse.

*Youth Representative*

### 5.4.1.3 Role of ICTs

It is also important to identify the role which Information Communication Technologies (ICTs) have played in the work of the Scottish Parliament. Although ICTs alone are far from a panacea for democratic disengagement, it is widely acknowledged that they are a valuable tool in overcoming political exclusion, with the CSG highlighting their role in facilitating the involvement of disenfranchised and marginalised groups, particularly young people (Consultative Steering Group, 1998: Annex J).

Whilst numerous experiences of ICT use were recounted in relation to Public Petitions and aspects of the Parliament's work on accessibility, few MSPs and youth representatives could recall specific instances of ICTs being used to engage young people in committee work. Some MSPs argued that more focus was needed upon the fundamental political message and less on the communication medium.

[Young people] are not communicating significantly differently in terms of numbers that way than they are any other way. They're just not communicating very much at all.

*MSP*

Rather, the relevance of ICTs to participation in the work of committees was centred more around the processes of representation than participation, particularly in relation to organisations' ability to lobby MSPs and advocate on behalf of children and young people. Discussions with committee Clerks, however, revealed other committee usage of ICTs. However, the incidents recalled were still relatively few in number and fewer still related to young people specifically. In relation to Bills, videoconferencing had been used with geographically-isolated children and young people as part of the Communities Committee's consideration of the Schools (Health Promotion and Nutrition) (Scotland) Bill, for example. However, other than allowing for e-mailed submissions to calls for evidence, and the ability to watch committee sessions online, the examples identified were few in number and sporadic in nature.

One use of ICTs mentioned by Clerks (but by no other interview participants) was the Parliament's use of online discussion forums, although subsequent investigation of this facility revealed that they too had been used sporadically by committees, typically



being used in relation to Members' Business Motions. Furthermore, only two forums were seen to have a distinctive impact upon young people: a Member's Business Motion on the Children's Hospice Association; and the Education, Culture and Sport Committee's Inquiry into the Purposes of Education (Scottish Parliament, 2003a; see also Anderson and Seaton, 2005).

Again, it was unclear what purpose such forums served in relation to 'participation'. Although members of the public were invited to comment on the particular themes before, during and after the relevant plenary / committee session in order to 'encourage increased dialogue and interaction between politicians, scientists and the general public', there is no information as to how this information is fed into decision-making processes (Scottish Parliament, 2003b). Additionally, their low profile among MSPs and youth representatives suggests that a lack of support, direction, interest or even publicity may have led to the apparent demise of the online forums: as of May 2009, the websites at which such discussions were hosted in the past are either no longer updated<sup>9</sup> or have lapsed entirely<sup>10</sup>, with their successor website lacking direct access to regular online discussion forums.<sup>11</sup> Indeed, research elsewhere suggests that the use of these forums was little more than 'a limited experiment' (Ascherson, 2003: 28).

However, one methodological innovation which MSPs *did* highlight as being particularly relevant to younger petitioners – given their perceived greater enthusiasm for using ICTs – was the Parliament's e-Petitioner system, which allows people to sign and comment upon current Petitions hosted on the Parliament's website. Thus, a number of MSPs stated that the introduction of e-petitioning had intended – among other things – to encourage greater numbers of submissions from marginalised / disenfranchised groups, with the online system offering the additional benefit of deliberation over the merits of an issue. In this respect, MSPs believed that the e-Petitioner system had been a particular success among young people. Table 5.20 shows that that over the course of Sessions One and Two, absolute and relative numbers of electronic petitions increased. However, for both groups considered here,

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<sup>9</sup> <http://www.comunitypeople.net>

<sup>10</sup> <http://www.scottishparliamentlive.com>; <http://www.forums.scottish.parliament.uk>

<sup>11</sup> <http://www.holyrood.tv>

the use of paper-based petitioning is still proportionately far more popular than electronic petitioning, and figures do not suggest either a dramatic increase in numbers of young people submitting electronic petitions or that electronic petitioning is significantly more popular among young people than among other petitioners: indeed, electronic petitions in Session Two represented a greater proportion of adult petitions on youth issues (27.5%) than of petitions submitted by young people (25.0%).

**Table 5.20:** CYP Petitions by Submission Method

	<i>From Children &amp; Young People</i>				<i>About Children &amp; Young People</i>			
	<b>Paper</b>		<b>Electronic</b>		<b>Paper</b>		<b>Electronic</b>	
<b>Session</b>	<b>Count</b>	<b>%</b>	<b>Count</b>	<b>%</b>	<b>Count</b>	<b>%</b>	<b>Count</b>	<b>%</b>
Session 1 <sup>12</sup>	10	90.9%	1	9.1%	64	100%	0	0.0%
Session 2 <sup>13</sup>	9	75.0%	3	25.0%	37	72.5%	14	27.5%
<b>TOTAL</b>	<b>19</b>	<b>82.6%</b>	<b>4</b>	<b>17.4%</b>	<b>101</b>	<b>87.8%</b>	<b>14</b>	<b>12.2%</b>

Source: Parliamentary Audit

## 5.4.2 Impact and Outcomes

Having considered the degree to which the Parliament has used appropriate methods to involve children and young people and the way in which this relates to the CSG’s institutional template, the chapter now turns to consider the degree to which young people’s participation has impacted upon the work of the Parliament. The first task is to define what type of impact constitutes ‘successful’ participation. The second aspect to address is the perceived impact of participation among research participants. In other words, bearing in mind the definition of successful participation deriving from the first aspect above, how has the Parliament performed with regard to delivering successful outcomes, and how is this shaped by informal rules?

### 5.4.2.1 Definitions of Successful Participation

MSPs and youth representatives held different views about the type of outcomes required if participation were to be deemed successful. There were three principal ways in which participation was defined as successful. Firstly, participation could be

<sup>12</sup> Petitions submitted prior to 1<sup>st</sup> May 2003 (i.e. PE001-PE629 and PE634-PE636).

<sup>13</sup> Petitions submitted 1<sup>st</sup> May, 2003 – 3<sup>rd</sup> May, 2007 (i.e. PE630-PE633 and PE637-PE1052).

deemed successful in an instrumental sense, whereby it resulted in some tangible outcome. Secondly, a smaller number of participants argued that *all* participation had an inherent value and was therefore innately successful. Finally, a smaller number still argued that successful participation depended upon its personal 'developmental' qualities (see also Parry, 1972).

Both MSPs and youth representatives identified the importance of participation in an instrumental sense. Thus, participation is successful as a means to an end, with success defined by what the participation *achieves*; most often in terms of influencing the end product of the issue under consideration. However, MSPs defined successful outcomes here as their *views* on a particular subject changing, with a *potential* subsequent impact upon the final report delivered for a Bill or Inquiry. Youth representatives saw things similarly, but placed greater emphasis upon the need for participation to influence political *outcomes* as opposed to merely political *attitudes* (which may or may not impact upon decision-making).

A smaller subset of MSPs argued that outcomes did not have to be affected in order for participation to be successful. MSPs articulating this view did so through a belief that the act of participating was inherently valuable and therefore 'successful'. However, this could only be the case where participatory processes were seen to be fair, non-tokenistic and inclusive. Many youth representatives agreed that there need not always be tangible outcomes and that young people could accept not 'getting their own way' so long as explanations were given as to why their contribution was not acted upon. As such, only processes which were seen to be rigorous and legitimate (including systematised feedback mechanisms) could be considered successful in the absence of outcomes or of the final indicator of success: personal development.

Youth representatives emphasised that a degree of personal development for the participants could render participation 'successful' even where tangible outcomes were not achieved and, to a lesser extent, the process followed was not procedurally rigorous. Whilst these were seen as important, it was also seen by many youth representatives as essential to ensure that individuals were able to develop their own abilities in terms of (inter)personal skills. However, the idea that the committees of the

Parliament had an obligation to developing the personal skills of participants was viewed favourably by only one MSP, whilst every other MSP who mentioned the issue did so to assert the opinion that personal development of participants was not an issue with which the Parliament could concern itself.

#### **5.4.2.2 Outcomes**

Having thus established the way in which the different research participant groups view success, the section now considers what evidence exists of the Parliament delivering outcomes which match the instrumental, inherent and developmental value-based definitions of success above.

##### **5.4.2.2.1 Instrumental Value**

Most MSPs and youth representatives alike were able to identify some instrumental successes. However, a small number of MSPs and a considerably larger number of youth representatives voiced concerns at the impacts achieved. There was a sense that although there was evidence of children and young people (or certainly their adult representatives) being able to affect outcomes, it was nevertheless also felt that these occasions were exceptional and insufficient given the prominence of youth issues.

As a result of the sporadic nature of youth participation across committees, when MSPs were asked about the tangible outcomes of young people's participation, most tended to describe the impact of youth participation in very general terms, usually expressed as providing them with a different perspective which later impacted upon a specific Bill or Inquiry, although issues of linear causality within policy formation meant that linking specific evidence with specific outcomes was problematic.

[Young people] give you a new perspective [...] Normally, that will have such an impact that you will see how that feeds into a piece of legislation. But sometimes it doesn't: sometimes it just shapes your view and you can't actually say: 'that change is necessarily directly because of that'.

*MSP*

The usual suspects [...] usually have a lot to contribute, but sometimes it's just deathly dull [...] It's rare when you have young people at a session that they *don't* tell you something that you don't remember, that doesn't just chime with you, and that's why it's always useful.

*MSP*

However, due to a greater breadth of experience working with children and young people, MSPs who had served on the Equal Opportunities Committee, Education Committee (and its predecessors) or the Cross-Party Group on Children and Young People were able to point to a larger number of occasions on which children and young people's involvement in the work of committees had produced a change in the way a committee considered a particular Bill or Inquiry. One recurrent example among MSPs was the Education, Culture and Sport Committee's aforementioned Inquiry into the Need for a Children's Commissioner, although other individual examples were also mentioned.

We're doing the Adoption and Fostering Bill at the moment and we had a series of informal or semi-formal meetings with groups of people – adults and children who'd been adopted, parents who had adopted, birth mums who'd given their children up [...] That *really* informed my views on the Bill.

*MSP*

[The Education] (Additional Support for Learning) [Bill] was good because a lot of the Bill was changed *because* of the views of young people.

*MSP*

Most youth representatives also identified occasions on which they felt that young people's views had some degree of influence over the final shape of a Bill or Inquiry. However, youth representatives explained that their satisfaction needed to be qualified in accordance with some of the findings outlined above. Whilst there was a general sense of satisfaction in relation to committees' willingness to take on board a youth perspective, and participation in the work of committees was seen to be much more accessible for organised interests within the youth sector in Scotland than at Westminster, there was nonetheless a concern that children's views were so routinely mediated by adult representatives and that opportunities to participate in the work of

committees were only regularly created in relation to youth issues. Thus, whilst there were certainly thought to be occasions on which young people's views *had* shaped outcomes, it was too often the result of *adults* advocating for young people on a restricted range of issues. As such, there was a widespread perception that under the right circumstances, children and young people's views *could* carry a great deal of weight with committee members, but often only when expressed in a well-structured and professional manner by an adult parliamentary officer (or similar) working for an organisation claiming to represent or advocate for children and young people. As a result, there were thought to be far fewer cases of children and young people *themselves* having been able to impact upon the committees work in quite such an influential way.

The evidence that [*names multiple organisations*] gave meant that Part Three [of the Protection of Vulnerable Groups Bill] was withdrawn [...] We *are* respected and have a lot to say and value to give; but it's *not* a substitute for what *children* can say.

*Youth Representative*

Turning to consider petitions, this research does not attempt to judge the success of young people's petitions, with the operationalising of any objective definition of 'success' when considering the outcome of Petitions extremely difficult methodologically, as a similar previous study explains:

To develop a complete, thorough and fully specified list of 'successful' petitions, [...] all proceedings and minutes of not only the PPC, but all committees to which petitions were referred, would have to be examined [...] Even this effort could not necessarily establish that a petition caused any particular action or policy [...] Petitioners may still see value in raising issues and receiving public acknowledgement regardless of whether their petition resulted in their desired outcome.

(Carman, 2006: 7.10)

As such, the section aims to explore the impressions of research participants in order to determine the impact which young people's participation may have had. However, this was somewhat frustrated by the low level of direct involvement of young people in the PPC's work, and poor recall of the involvement which *had* taken place. There

was a general sense among most interviewees that young people *had* achieved some notable outcomes through their Petitions, although many interviewees found it difficult to identify examples. One which *was* identified was Petition PE786, which requested that thermostatic mixing valves be installed in hot water systems of all new-build and renovated properties in Scotland. The Petition was sent by the PPC to the Scottish Building Standards Agency, with the result being a review of the technical handbooks for the Building (Scotland) Regulations 2004 (Public Petitions Committee, 2005: Col.2046).

He had been scalded as a baby, totally by accident in a bathtub of water [...] [This] was a young man who took his experience and actually came before the Public Petitions Committee, and we listened and we *acted*.

*MSP*

In addition, referring back to the aforementioned PE905 on supermarket packaging, one MSP emphasised the degree to which the young people's presentation had impacted upon the way the Petitions Committee pursued the Petition and consequently secured some degree of success for the petitioners.

We wrote to the Scottish Retail Consortium who [...] visited the school and then [...] spoke to the management at the supermarket and all the rest of it, and got an agreement from them to cut down on the amount of packaging that was going into the supermarket.

*MSP*

Quantitative analysis of parliamentary audit data can provide triangulation of the degree to which children and young people achieved tangible results through participation in the PPP. Rather than evaluate their success *per se*, the analysis attempts to explore the *outcomes* of young people's petitions. This is done in two ways. Firstly, young people's Petitions are trawled to determine whether their specific objectives were achieved. However, this is somewhat hindered by terminological inconsistencies. Thus, some Petitions (for example PE849, calling for the Parliament 'to urge the Scottish Executive to establish a sports academy in the Scottish Borders') must be considered successful on the basis that what the Petition specifically requests (i.e. for the Parliament to *urge* the Executive to do it, rather than for the Executive to

actually *do* it) has been delivered, even if the underlying intention (i.e. establishing a sports academy) has not. In terms of Petitions achieving their objective(s) in a strictly *literal* sense, results are tabulated in Table 5.21. Across young people’s Petitions, fifteen (65.2%) at least partly achieved their objectives.<sup>14</sup>

**Table 5.21: ‘Successful’ Young People’s Petitions**

Successful Petitions	Partially Successful Petitions	Unsuccessful Petitions
PE213	PE184	PE78
PE311	PE291	PE88
PE786	PE516	PE127
PE825	PE653	PE341
PE849	PE847	PE503
PE905		PE565
PE913		PE696
PE968		PE1044
PE986		
PE1000		

Source: Parliamentary Audit

The second way of exploring the outcomes of Petitions is to consider the way in which they were handled by the PPC. Using categories from a similar study (Carman, 2006), Table 5.22 displays the basis on which young people’s Petitions were closed.<sup>15</sup>

**Table 5.22: Outcome of Petitions Submitted by CYP**

	Count	%
Referred to other committee and closed	7	30.4%
Closed on basis of Executive response	7	30.4%
Closed on basis of other Public Body response	3	13.0%
Closed on basis of other Committee response	2	8.7%
Closed due to parliamentary activity	2	8.7%
Closed due to petitioner response or non-response	1	4.3%
Closed after initial PPC consideration	1	4.3%
<b>Total</b>	<b>23</b>	<b>100.0%</b>

Source: Parliamentary Audit

<sup>14</sup> ‘Partial’ achievement refers to multiple objective petitions, only some of which are achieved.

<sup>15</sup> It should be noted that the categorisation in Table 5.22 is not an *absolute* one: being listed as closed after being referred to another committee, for example, could conceal the fact that other committees’ opinions had *previously* been sought. The categorisation here attempts to determine the *final* outcome of a Petition (i.e. the basis on which it was closed), and not the previous stages of the process.



It can be seen that only one Petition (PE696) was closed by the PPC after initial consideration. Compared to the data available for all petitions, this compares favourably with the rate of 14% reported by Carman (2006). Even in this case though, the Petition was forwarded to the relevant public body for information but not for response. In each other case, action was taken by the PPC and the bodies to whom the Petitions were passed.

In this respect, and despite the very low number of cases being dealt with, it is argued here that the results of the analysis appear favourable to the young people submitting petitions. However, in that the PPC is only a gateway to other public bodies, the success defined in terms of a petition achieving its intentions lies more with the other public bodies than with the PPC. In addition, the way in which definitions of success vary means that consideration of outcomes and success is perhaps not helpful to constructing an overall sense of how well served children and young people have been by the Public Petitions process.

#### **5.4.2.2.2 Inherent Value**

A very small number of MSPs argued that *any* youth participation was in itself a successful outcome. It is difficult to provide evidence of this type of inherent value, given that this type of success is specifically defined by its *lack* of outcomes. However, there was a degree of cynicism expressed by youth representatives and most MSPs in relation to the existence of an inherent value of youth participation. Rather than focussing upon all participation as inherently successful, most MSPs saw participation which did not yield discernible benefits as being unsuccessful. Indeed, some could provide evidence of youth participation which had not been valuable:

We did invite the Scottish Youth Parliament to come and talk to us, but to be honest with you, I think they got the wrong end of the stick [...] [Perhaps] they had been badly briefed about what we were going to be talking about. It just didn't work. The dialogue just didn't get us *anywhere*.

*MSP*

Extending this further, a very small number of research participants were extremely cynical when considering the success of young people's involvement in the work of committees, suggesting that civic participation across *all* age-groups in the committees of the Parliament had made little notable difference, was often tokenistic and thus lacked value. This included a small number of MSPs; principally those who believed that 'successful' participation for young people *must* entail some degree of influence over the decision-making agenda.

You have to question whether or not in truth their participation has made a huge difference [...] A lot of the question marks around the things like consultation as we know it in Scotland today – or participation – are that lip service is paid to it, and I'm not sure that in reality the input is being taken on board in the way that people might have wanted it to be done.

*MSP*

However, this view was expressed in greatest numbers – and often more vociferously – by youth representatives. Most believed that good participatory practice could make participation successful in the absence of tangible outcomes, but that it was wrong to assume that *all* participation necessarily met these standards. Thus, on occasions where young people's views were not thought to have been dealt with fairly or where no feedback had been given, youth representatives argued that such participation ultimately did more harm than good. The most prominent example cited in this regard was the Antisocial Behaviour Etc. (Scotland) Bill, which exposed deep divisions when discussed. For many youth representatives, the anger felt at the way in which their views and young people's views were thought to have been disregarded in favour of party politics and newspaper headlines was still palpable.

They haul you in and you give evidence [...] They then go off and ignore it, so if they're speaking to the people who are in touch with young people and the practitioners, it doesn't always mean to say they'll be listened to; it doesn't mean to say they'll be effectively heard.

*Youth Representative*

The anti-social behaviour issue: they really flew in the face of *all* expert advice and didn't have any ear to what young people might have proposed. It was very much a top-down solution, which is the opposite of participation.

*Youth Representative*

Thus, only legitimate and procedurally rigorous participatory interactions could even think of claiming to be inherently successful, and as shown in the section above on the methodological approaches of committees to participation, most youth representatives were firmly of the opinion that current procedures were not consistent with general ideas of good participatory practice for young people.

When considering petitions, most youth representatives again rejected any notion of intrinsic value. This was principally due to suspicions that children were being exploited as a campaigning device by older (and less media-friendly) campaigners. However, on the basis that they were engaging in the democratic process, a small number of MSPs argued that youth participation in the work of the PPC was intrinsically valuable for MSPs if not for young people, in that it reaffirmed their political faith in younger people. Similarly, young people's contributions were valued for the levity they often brought, regardless of the subject matter or outcomes.

Young people tend not to have a cynical attitude, which is really refreshing. There's no question, young people come to the committee, [and] we get a boost from it [...] I'm not saying that we *use* young people in that way, but it has in the past provided that contrast.

*MSP*

Furthermore, in that the Public Petitions process has clear and compulsory reporting of feedback to petitioners, its processes were thought by youth representatives to be *more* likely to generate inherently valuable participation than other committees, as all petitioners were informed why their Petition had (not) had the desired effect. Previous research confirms that petitioners distinguish between successful *outcomes* and legitimate *processes*: a survey of petitioners between 1999 and 2006 found that although over half (54.2%) of all petitioners disagreed that their petition had been successful and a very similar proportion (55.2%) stated that they were *not* satisfied with the outcome of the petitioning process, there was a strong sense of *procedural*

satisfaction among petitioners, with 62.9% agreeing that their petition had been handled fairly (Carman, 2006: 5.31).

#### **5.4.2.2.3 Developmental Value**

The developmental aspect of participation provoked divided opinions among MSPs and youth representatives, with the former tending to argue that participant development should not be a priority for the Parliament and the latter stressing that this consideration was particularly acute when dealing with young people. Differing normative approaches to the developmental dimension of participation aside, MSPs and youth representatives were both unable to identify examples of personal development being seen as a particularly successful outcome to participation. That is not to say that *no* personal development had taken place, but rather that any such development was not directly the result of efforts on the part of the Parliament, but rather as a result of the young people in question undertaking a somewhat daunting task in providing evidence.

That said, youth representatives praised Clerks for their willingness to meet with young participants prior to a committee session in order to set them at ease, whilst individual Conveners were also highlighted as having done similarly. Despite this breeding confidence, most youth representatives believed that any tangible personal development stemmed mostly from preparatory work done by the organisations with young people ahead of their involvement. As such, there remained a concern among youth representatives that more needed to be done at an institutional level to provide children and young people with the support required for participation. In the absence of preparation and support, participation was again seen as doing potentially more harm than good.

It's the role of everybody who is involved in decision-making to take what children say as seriously as they would take what an adult says. That mutual respect breeds confidence in children, and if it's dismissed or belittled or not included or tokenistic, then there's no reason for them to re-engage, and they will lose the confidence of having done so once.

*Youth Representative*

To this end, youth representatives again returned to the suggestion of a more proactive Participation Unit which could develop expertise in preparing and informing participants prior to their involvement in the Parliament's work. However, such recommendations met with cynicism among MSPs, who – along with a small number of youth representatives – believed that it was unreasonable to expect the Parliament to focus upon 'training' for members of the public.

In terms of petitions, research participants generally held that such participation did not offer significant opportunities for development other than the increased confidence which might accrue from building and arguing the case for a petition. Whilst Clerks and some PPC members were once again praised highly for their willingness to discuss logistical and procedural matters with petitioners, it was again felt by many youth representatives that this was too discretionary a commitment and that the *procedures* of the PPC did not necessarily offer enough of a formalised commitment to support for children and young people.

## **5.5 SUMMARY**

Having considered both the quantitative and qualitative aspect of young people's participation in the work of the Parliament, it is now possible to summarise and draw some general conclusions in relation to this dimension of the CSG principle.

The chapter provided an overview of the degree to which children and young people have been involved in the work of the Parliament's two main legislative mechanisms; its committees and Public Petitions process. Three main conclusions could be drawn from this. Firstly, youth issues have played a very prominent role in the Parliament's work, far exceeding any focus on similarly disadvantaged groups. Secondly, despite this, direct participation of young people as stakeholders in the work of the committees is extremely low, with a preference among committees for evidence from adult representatives drawn from a select number of organisations / groups. In many cases the adults giving evidence on youth issues have no clearly demonstrable link to the youth sector or to any ability to advocate for young people and appear to be

advocating on behalf of other interests in relation to youth issues (e.g. teaching unions).

As a result, young people are under-represented as a constituency, particularly when considering work which does *not* have an immediate relevance to them. However, civil society pressure was noted as one of a number of possible ‘triggers’ of participation. In this respect, the lack of proactivity from Scotland’s direct participant youth organisations was notable, perhaps suggesting that the participative societal norms mentioned by the CSG are not as strong as suspected.

Thirdly, opportunities to participate are unevenly distributed in a number of respects. For committees, youth participation has been higher on youth issues, in Inquiry work and in a select number of committees: even on issues which impact directly upon them, there is no systematised commitment to obtaining the perspectives of young people. For petitions, there appears to have been a concerted effort to involve young people in the committee’s consideration of their petition. Although young people’s proportionate involvement in the PPP is higher than in other committees and they are disproportionately well involved in presenting their petitions to the PPC, the vast majority of their petitions nevertheless come from an adult-organised formal background, and the vast majority of petitions *about* young people come from adults with no apparent claim to represent young people’s interests.

In terms of methods and outcomes, several notable findings also emerged. Firstly, participation in the work of committees is typically conducted along traditional representative democratic lines, relying upon written evidence and the questioning of witnesses by MSPs. However, a sizeable minority of Bills and Inquiries involved slightly more innovative approaches to evidence-gathering, diverging from standard practice somewhat. Relative to other similar groups, young people were particularly well-served by this ‘consultation plus’. Despite a willingness to innovate, there remained among MSPs an entrenched commitment to the principles of *representative* and not *participatory* democracy.

Issues also arose in relation to aspects of good participatory practice, most notably in terms of feedback, which was rarely provided to or requested from participants. The PPC was thought to have performed significantly better than other committees in terms of feedback, although it was recognised that this was due to the non-discretionary requirements upon them to do so.

In terms of perceived outcomes of committee participation, research participants defined success in three broad senses. In instrumental terms, it was acknowledged that several youth issues had been affected as a result of a youth perspective being introduced to committees. However, it was believed that the largest impacts had been as a result of adult articulation of young people's views. As such, the *potential* for instrumental outcomes was recognised, even if youth representatives felt that committees at present were too unlikely or unwilling to consider young people's perspectives directly. For petitions, a clear majority (65%) of young people's petitions at least partly achieved their aims, and relative to other petitioners, young people's petitions were less likely to be closed without action taken upon them.

Some MSPs also believed that youth participation had been successful due to an inherent value of any youth involvement in the Parliament's work. However, many youth representatives argued that tokenistic participation risked doing more harm than good in terms of engagement and exclusion. There was also a concern that too uncritical an approach to participation entailed little likelihood of improvement. However, PPP participation was typically considered to be more *inherently* successful than in other committees, due to the PPC's obligation to feed back to petitioners, with data showing that whilst unhappy with the outcome of their Petition, petitioners are often happy with the process followed.

In developmental terms, both MSPs and youth representatives agreed that little formal work had been conducted in this respect. Training or 'skilling up' young people participating in committee work was not a priority for busy committees, although youth representatives argued that expecting children and young people to participate on adult terms was equally unfeasible and unreasonable.

Overall, this suggests a clear departure from the specific recommendations and general spirit of the CSG's institutional design, in terms of both the intended development of a participatory democracy and the way in which young people were to be involved. Through reference to the rules of the Parliament's work in relation to public participation and young people, these findings can be understood more clearly.

The formal rules underpinning the Parliament's work have little to say about children and young people, and their principal impact in terms of public participation is to reinforce the Parliament's representative democratic heritage rather than contribute to reproduction of the newly designed participatory vision. In the absence of high formal rule specification, the significance of informal rules is increased yet further, as the absence of both formal *and* informal rules to support reliable institutional reproduction means that at least some degree of institutional breakdown is likely.

However, the results discussed in this chapter have shown that the informal rules or standard operating procedures shaping key actors' behaviour also do little to support the CSG's institutional schema. Thus, many of the aspirations and recommendations of the CSG which were innovative in UK terms remain discretionary, ambiguously understood, and subject to insufficiently high normative support among MSPs to deter heterogeneous interpretations of the Parliament's obligations and responsibilities relative to the CSG's institutional design.

In the face of this ambiguity and heterogeneity of interpretation, different groups of actors have referred to different informal rules to guide their actions and expectations. Thus, for virtually every MSP interviewed, the very idea of ceding some power to non-parliamentarians was seen as being out of the question (either in principle or in practice). As such, whilst MSPs appear to have interpreted not only their role but also the very nature of the CSG vision in accordance with an institutional schema based upon ideas of representative democracy and adultist views of younger people, so youth representatives on the other hand appear to remain closer to the CSG vision in terms of their expectations for public participation and the role of younger people.



However, the relative strength of MSPs in terms of controlling the Parliament's approach to public participation means that mechanisms such as its committees – charged by the CSG with being the motor of the Parliament's new ethos – appear to have reverted to a familiar template for policy-making in terms of opportunities, participants, methods and procedural authority. Of course, there is nothing intrinsically *wrong* with this: indeed, it is entirely in line with legitimate political tradition. However, the CSG vision rejected this tradition as a model of worst practice, and it is therefore relative to the ambitions of the CSG – which MSPs endorsed in plenary – and not in any absolute sense that the return to a representative ethos is highlighted.

However, this is not to say that *nothing* has changed. Rather, some impressive efforts were seen to have been made by committees to generate greater involvement of young people, although this is far from mainstreamed. Aside from the obvious example of the PPC, other committees which have done most to involve young people are those whose remits lend themselves to it. Whilst their attempts were rightly praised by youth representatives, committees' reliance upon adult advocates, the association between young people and youth issues, and too little evidence of young people's participation having had any notable impact are all seen as indicative of a persistent adultist mindset towards children and younger people: that policy should largely be made *about* them, not *with* them; and that their contributions are only valuable when on 'youth issues'.

To use a neoinstitutionalist analogy, whilst some of the rules of the game have changed, the game itself has remained the same. Whilst the development of 'consultation plus' approaches to committee engagement and the role of the Public Petitions Committee point to a model of democracy whose practices and mechanisms are qualitatively different from those traditionally associated with UK governance, such innovations appear to exemplify the 'bounded innovation' discussed in Chapter Three which is available to political entrepreneurs as well as to institutional designers (Weir, 1992). As such, that the new institutional schema has been subject to at least some degree of reproduction is evidenced by the emergence of *some* innovative practice. However, despite the Parliament now appearing to allow a greater degree of involvement, its adoption of practices associated with advocacy democracy (Dalton et

al, 2003; Dalton, 2004) rather than participatory democracy means that the fundamental dynamic between representatives and represented remains unchallenged, particularly in the case of younger people.

## **Chapter Six**

# **Accessibility of the Scottish Parliament for Children and Young People**

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### **6.1 OVERVIEW**

The analysis now turns to consider the work done by the Scottish Parliament in relation to accessibility. As one half of the joint principle informing this research, accessibility was identified by the CSG as being central to delivering a Parliament which would meet the expectations of people in Scotland (Consultative Steering Group, 1998: 2.28).

#### **6.1.1 Theoretical Significance**

Having established in Chapter Five the formal structures guiding the Parliament's participation work, the analysis here examines the way in which the Parliament's commitment to accessibility has been embodied in practice. If the Parliament's commitment to accessibility is subject to higher institutional rule specification than participation, the theoretical framework suggests that the potential for ambiguities, heterogeneous institutional interpretations and subsequent breakdown should be less evident.

Furthermore, the introduction of a greater degree of accessibility in legislative work does not necessarily involve significant changes to fundamental working practices and thus represents less of an institutional upheaval than the introduction of more participatory working methods. As such, even where formal rule specification is low, the theoretical framework would suggest that the higher relative compatibility of accessibility with previous patterns of political action make it less likely to be in conflict with any previous cognitive templates referred to by actors instead of the CSG schema,

thus leading to a greater likelihood of reliable reproduction (at a general level if not necessarily for children and young people) than was the case for participation.

To investigate this, this chapter adopts a similar approach to that used in Chapter Five. Firstly, the degree to which the CSG vision of accessibility has been formally codified is considered through reference to the formal documents establishing the Parliament's obligations in terms of accessibility. Following this, consideration is given to the work done by the Parliament to deliver a degree of accessibility for children and young people, the degree to which this is consistent with the CSG vision and the way in which both formal and informal rules serve to reinforce or detract from the reproduction of this schema.

### **6.1.2 Overview of Types of Accessibility**

The CSG made recommendations according to two types of accessibility: physical accessibility and accessibility of information (Consultative Steering Group, 1998: 2.42-2.45). Within each of these, a further typological level is imposed in this analysis. Prior to exploring these in detail, a brief overview of each type of accessibility and the associated subsets is provided.

#### **6.1.2.1 Accessibility of Information**

The section begins by considering accessibility of information for children and young people. Within this, two key distinctions need to be made. Firstly, the Scottish Parliament's Information Strategy – based upon the CSG's Draft Information Strategy – distinguishes between *external* and *internal* information, with the former relating to the dissemination of information about the parliament to the public, and the latter intended to support the work of MSPs and Parliament staff (Scottish Parliament Information Centre, 1999). The scope of this research is restricted to *external* information.

Secondly, a distinction is also drawn between *educative* and *instrumental* external information. The former relates to information provided about the Parliament as an

organisation, whilst the latter relates to information about parliamentary business. Whereas the former is typically descriptive and aims to build up general awareness of the Parliament, the latter is directed more towards ‘providing information to enable participation in the work of the new Parliament’ (Consultative Steering Group, 1998: Annex F). As support for provision of the latter type would presuppose support for the concept of young people actively participating in the work of the Parliament, this would indicate some degree of reconfiguration of the way in which young people are viewed as political actors. However, given the attitudes towards youth participation found in Chapter Five, it might be expected that the Parliament would perform less strongly in relation to instrumental than to educative information (support for which does not require any reconsideration of young people’s role). To this end, section 6.3 examines the way in which the Parliament has sought to deliver educative information to children and young people through its two principal educative mechanisms: the Education and Outreach Services; and instrumental information through a commitment to the availability of information on the ongoing work of the Parliament, and a number of one-off events.

#### **6.1.2.2 Physical Accessibility**

Compared to accessibility of information, physical accessibility plays only a minor role in the CSG’s recommendations. However, this chapter also considers the way in which the Parliament has sought to make itself more physically accessible to children and young people. A distinction is drawn between two types of physical accessibility: *passive* accessibility, and *proactive* accessibility. *Passive* accessibility relates to the degree to which the Parliament as a physical entity (i.e. the parliamentary campus) is physically accessible for children and young people. *Proactive* accessibility, on the other hand, refers to the way in which the CSG envisioned the Parliament taking its work (e.g. committee meetings) to communities across Scotland in order to develop a wider sense of engagement with the Parliament.

Again, as *passive* accessibility requires few significant changes to the substantive working methods of the Parliament, it might be expected that progress in this respect would exceed that in relation to the more effort-intensive and unfamiliar form of

*proactive* accessibility. Again, consideration will be given to the specific way in which this impacts upon children and young people to determine whether behaviour has changed only in general terms, or if a specific additional focus upon children and young people has developed.

## **6.2 ACCESSIBILITY OF THE SCOTTISH PARLIAMENT: FORMAL RULES**

Prior to considering evidence relating to political action, this section explores the way in which a formal commitment to accessibility is embodied in the founding documents of the Scottish Parliament. In addition, the section also considers the Parliament's Information Strategy, although it is acknowledged that such strategic documents are by nature more discretionary and more easily revisable than the Parliament's constitutive documents, and thus of lower rule specification than the Scotland Act and Standing Orders.

### **6.2.1 The Scotland Act 1998; Transitional Standing Orders; Standing Orders; Information Strategy**

As per participation, the Scotland Act makes no specific mention of the role to be played by accessibility in the work of the Parliament, leaving consideration of such matters to the CSG. However, numerous aspects of accessibility are codified in the Transitional and adopted Standing Orders, both of which provide clear guidance in relation to certain aspects of physical accessibility and accessibility of information, with scattered references to both in Chapters 12, 14, 15 and 16. As with participation, the relevant passages of the adopted SOs closely reflect those in the Transitional SOs, with the exception of some minor procedural clarificatory additions in the adopted SOs.

In terms of physical accessibility, both sets of SOs establish a clear right for members of the public to access the work of the Parliament, with Rule 15.1 specifying a requirement to hold meetings in public (unless otherwise justifiable) and Rule 15.2 establishing the right of members of the public to be admitted to these proceedings. Rule 12.3.2 also establishes the ability of committees to meet anywhere in Scotland to

facilitate public access or participation (although in contrast to the right of public access, there is no compulsion for committees to do this) (Scottish Parliament, 2005f). With regard to information, the Transitional and adopted SOs focus upon the provision of instrumental information, with no mention of educative information. Chapter 16 in particular specifies the type of information to be published by the Parliament and the way in which this should be done. Thus, Rules 16.1 and 16.2 specify the obligation to publish minutes and proceedings of the Parliament respectively, whilst Rule 12.9 also specifies the requirement for committees to publish Annual Reports. The Parliament may also (where the Parliamentary Bureau sees fit) publish a 'journal' of the Scottish Parliament (Rule 16.3). Finally, Rule 16.4 specifies that the Parliament must broadcast its proceedings (Scottish Parliament, 2005f).

The Parliament therefore has a clearly expressed formal framework in relation to disseminating instrumental information about the work done by the Parliament and ensuring that non-parliamentarians are given physical access to the Parliament, although the degree to which this is discretionary varies between rules: particularly in terms of committee visits outside Edinburgh, there is no compulsion for the Parliament to act upon the contents of the SOs. Notably (unlike with participation) in the case of accessibility, the formal rules aim to persuade actors to behave in accordance with the CSG vision rather than advocating behaviour running counter to the CSG vision.

However, nowhere in the Scotland Act or SOs is mention made of the provision of educative information. Rather, details on the Parliament's approach are contained within the Parliament's Information Strategy, which is based upon the same basic objectives as the CSG's Draft Information Strategy (Scottish Parliament Information Centre, 1999): namely, that the Parliament's strategy should aim to ensure that the Parliament is 'as open, accessible and participative as possible' (Consultative Steering Group, 1998: Annex F). Thus, the external (educative) dimension of the Information Strategy is directed towards the following goals:

**Goals for the Parliament's external information services:**

- To ensure that the public, regardless of gender, age, race, religion or disability, has access to information about the Parliament and its activities;
- To increase the Scottish public's knowledge of, and interest in, Parliament, its work and the democratic avenues which will allow them to contribute to the decision-making process;
- To contribute to the creation of a greater awareness of and respect for the work of the Scottish Parliament and its place in the context of local and national government; and
- To provide information in forms which are concise, clear, accurate and attractive.

(Consultative Steering Group, 1998: Annex F)

Whilst strategic policy documents may ultimately be less binding than the formally constituted Scotland Act and Standing Orders of the Scottish Parliament, the Parliament's endorsement of the CSG's proposed Information Strategy nevertheless represents an unambiguous commitment to the principle of educative information.

Overall then, the concept of accessibility appears far less problematic than that of participation. Unlike for participation, the Parliament's SOs and Information Strategy clearly set out what is meant by accessibility. However, whilst a greater degree of clarity exists in relation to the concept of accessibility than to that of participation, the specific ways in which this commitment is to be delivered are *not* specified. However, specific strategic goals are set, thereby reducing the potential for heterogeneous interpretations of the Parliament's obligations. As such, whilst they may not be sufficiently prescriptive and non-discretionary to eliminate *any* question of heterogeneous interpretation, there is no question that the formal rules relating to the Parliament's accessibility are of a higher institutional rule specification than those relating to participation.

Despite this, it is once again worth noting that there is little mention of the role of young people in the formal rule framework of the Parliament, save for specifying that age should not be a barrier to accessibility. As such, whilst rule specification in terms of



*general* accessibility may be high, there is no formal codification of the way in which this work should relate to younger people. Thus, the most likely predicted outcome is that accessibility will be found to have been delivered at a general level, but not in a way which is particularly appropriate or ‘tailored’ for children and young people. If this is *not* the case – if accessibility *is* found to have been delivered specifically for children and young people – it is the result not of prescriptive formal rules but rather of informal ones: patterns of action or standard operating procedures deriving from a normative endorsement of the principle of accessibility young people. As with participation, the case for investigating informal rules and patterns of political action is therefore strengthened. It is therefore to a deeper exploration of the way in which the Parliament’s accessibility work has been applied to children and young people – and how this has been guided by informal rules – that the analysis now turns.

### **6.3 ACCESSIBILITY OF INFORMATION**

Consistent with the typology identified in section 6.1.2.1, this section first considers the provision of educative information before considering instrumental information. With regard to the former, the emphasis is upon exploring the work – and participants’ experiences – of the Parliament’s Education and Outreach Services. For the latter, the section focuses upon the Parliament’s general commitment to the provision of information about its activities as well as a number of one-off events designed to provide children and young people with information on the work of the Parliament. In each case, the provision of accessibility for children and young people is considered, along with consideration of how the results may be understood in the context of participants’ commitment to the CSG ethos.

#### **6.3.1 Provision of ‘Educative’ Information**

There are two principal mechanisms through which the Parliament provides educative information to children and young people: its Education and Outreach Services. In addition, a number of other efforts have been made by the Parliament to provide a different type of information (one which goes beyond educational information but which typically falls short of being truly instrumental) to children and young people.

Such efforts tend to be more independent and free-standing in nature than the Education and Outreach Services' ongoing commitment. For this reason, such independent efforts to bring a sense of accessibility to children and young people are examined as a component of instrumental – and not educative – accessibility.

### 6.3.1.1 Overview of Approaches: the Education Service

In its final report, the CSG recommended the establishment of a dedicated Education Centre in the new Parliament (Consultative Steering Group, 1998: 2.33). This particular recommendation was enacted by Parliament at an early stage, with the Education Centre opening on the Parliament's very first day of business, and playing an integral and prominent role in the accessibility work of the Parliament since 1999 (Scottish Parliament, 1999c).

**Table 6.1:** Education: Children and Young People Visitor Numbers, Sessions One & Two

<b>Year</b>	<b>Total Pupil Visitors<sup>1</sup></b>
1999-00	2,700
2000-01	6,000
2001-02	4,500
2002-03	4,500
2003-04	4,300
2004-05	8,000
2005-06	6,000
2006-07	4,500
<b>Total</b>	<b>40,500</b>

Source: Scottish Parliamentary Corporate Body (2000; 2001; 2002; 2003; 2004; 2005; 2006a; 2007)

The Service's main focus is its free school visits programme, which offers school groups the opportunity to visit the Parliament and take part in an experience which goes beyond the campus tour available as standard to other visitors. When arranged in advance through the Parliament's Education Service, school visits typically also incorporate an age-appropriate presentation or activity session upon the work of the Scottish Parliament and the opportunity to meet with local and / or regional MSPs for

<sup>1</sup> Students in primary, secondary or tertiary education attending the Education Service during academic year. Figures are approximate.

a short discussion, as well as the option of attending a debate (Scottish Parliament, 2009). Sessions are booked by schools at the start of each academic year, but due to limits of staffing and capacity, competition for these sessions is extremely high: that more than 40,000 pupils visited the Scottish Parliament's Education Service during the first two sessions (see Table 6.1) testifies to the popularity of the service among schools, and the Parliament therefore asks individual schools to book no more than one session per year (Scottish Parliament, 2009).

In addition to its school visits programme, the Education Service also provides children and young people with a variety of educational materials on the Parliament's website. These are tailored to suit different age-groups and different educational subjects. As such, there are materials provided for primary and secondary schoolchildren, relating to a small number of curricular subjects, with the focus predominantly upon Modern Studies. In academic years 2005/6 and 2006/7, the Parliament's Education Service also provided revision sessions for students of Modern Studies and Advanced Modern Studies, and has also sought to involve teachers as vehicles for the educative information available on the Parliament (Scottish Parliament, 2007e).

### **6.3.1.2 Overview of Approaches: the Outreach Service**

In addition to providing educative information to children and young people visiting the Parliament campus, the Parliament has attempted to introduce a greater degree of proactivity in reaching out to particular groups and constituencies who may find it difficult to travel to Edinburgh. In particular, this work is directed at identifiable 'communities', educational organisations and the Gaelic-speaking community (Scottish Parliament, 2005e).

Prior to 2004, the Parliament had no single body responsible for conducting such work, relying rather upon a fragmented approach delivered by a number of different bodies. However, in 2004, the Parliament established a dedicated Outreach Service (with around £180,000 funding per year) with a view to better coordinating its attempts to move beyond a reactive approach, and focussing not only upon groups marginalised in

a geographical sense, but also upon groups subject to social marginalisation or exclusion (Scottish Parliament, 2005e, 2005f).

From 2004 onwards, the Parliament’s outreach work with school groups was delivered predominantly through the *MSPs in Schools* scheme; an *Education for Citizenship* programme designed in conjunction with the Hansard Society, the Electoral Commission and Learning & Teaching Scotland with the intention of broadening pupils’ knowledge of the workings of the Scottish Parliament and introducing them to one or more of the elected representatives for their area. Prior to this, the approach to outreach for young people was less focussed and apparently more reactive than proactive (Scottish Parliament, 2005f). Table 6.2 provides details of the number of outreach sessions held with children and young people outwith the *MSPs in Schools* scheme, whilst Table 6.3 shows the volume of work conducted as part of the scheme.

**Table 6.2:** Outreach: Misc. Sessions with Children and Young People, 2004 – 2005<sup>2</sup>

Year	Total Sessions	Total Students
2004 <sup>3</sup>	15	289
2005 <sup>4</sup>	24	674
Source: Scottish Parliament (2005f)		

**Table 6.3:** Outreach: *MSPs in Schools* Sessions, 2004 – 2007<sup>5</sup>

Year	Total Sessions	Total Students
2004-05	16 (pilot)	244
2005-06	95	2,200 <sup>6</sup>
2006-07	269	6,500 <sup>7</sup>
Source: Scottish Parliament (2005a; 2005f; 2006a; 2007a)		

Ordinarily, teachers will sign their class up to the scheme. The class then receives two visits: at the first, one of the Parliament’s outreach workers visits the school to give a

<sup>2</sup> Number of Outreach sessions (i.e. *not* MSPs in Schools) conducted by the Scottish Parliament’s Outreach Service with primary, secondary or tertiary schools/colleges/universities.

<sup>3</sup> Covers period 1/9/04 – 31/12/04 (inclusive).

<sup>4</sup> Covers period 1/1/05 – 31/3/05 (inclusive).

<sup>5</sup> Number of MSPs in Schools sessions conducted by the Scottish Parliament’s Outreach Service with primary, secondary or tertiary schools/colleges/universities during the academic year.

<sup>6</sup> Approximate number.

<sup>7</sup> Approximate number.

presentation upon the way in which the Parliament works. Observation of the scheme showed that it covers such areas as reserved and devolved competencies, the electoral system, the committee and petitioning systems of the Parliament, and the political landscape of the day. The second visit – normally taking place around one month after the first – will see the Parliament's outreach worker visit the class again, this time accompanied by the available MSPs from the constituency / region. In the intervening period, pupils normally work on a particular issue of concern to them, presenting this to the MSPs at the second session. Depending upon the approach taken by the pupils and the MSPs to the second session, this could result in anything from a straightforward Q&A session, to some slightly more unconventional methods, such as drama. Any pertinent issues raised during the second session should then be acted upon by the MSP(s) as appropriate (Hansard Society Scotland, 2005: 20).

It therefore appears that whilst there is no formally-codified commitment to the delivery of educative information specifically for children and young people, the Parliament's work has nevertheless embodied a clear commitment to this through its Education and Outreach Services. As outlined above, the theoretical framework suggests that a commitment like this is likely to derive from a more general commitment to accessibility and / or greater normative empathy for the CSG ethos, resulting in less heterogeneous interpretation of the Parliament's commitment. In addition to further exploring the work of these Services for children and young people, consideration is therefore also now given to the way in which *informal* rules impact upon the delivery of educative information for children and young people, using – where applicable – the thematic categories employed to examine participation work in Chapter Five.

### **6.3.1.3 Opportunities**

In quantitative terms, the centrality of children and young people to the Education Service has already been partly established by demonstrating the impressive volume of children and young people involved. However, outreach work is also intended to be provided for community / voluntary and Gaelic groups as well as schools (Scottish Parliament, 2005f). When comparing the data obtained on the Parliament's outreach

activity with children and young people since 2004 with the level of other social outreach work during the same period, the emphasis given by the Parliament's Outreach Service to its work with children and young people becomes clear. Comparison of the total number of sessions in tables 6.3 and 6.4 shows that in both full academic years since the inauguration of the Outreach Service, there was a far greater number of events for children and young people specifically than was the case for any other social constituency identified.

**Table 6.4:** Outreach: Sessions with Other Groups, 2004 – 2006<sup>8</sup>

<b>Group Type</b>	<b>Number of Sessions</b>
Misc. Community Group(s)	25
Local Authority	23
Teachers/Librarians	22
Misc. Voluntary Group(s)	17
Senior Citizens Group(s)	9
Community Council(s)	8
Gaelic Group(s)	8
Women's Group(s)	8
BME Group(s)	5
Other(s)	3
Disabled Group(s)	2
<b>Total</b>	<b>130</b>
Source: Scottish Parliament (2005f)	

As such, the volume of work done with children and young people through the *MSPs in Schools* scheme easily dwarfed that of the work being conducted with other community and voluntary groups. As with the Education Service, the *MSPs in Schools* scheme is extremely popular, with anecdotal evidence from interviews suggesting that each academic year's slots are booked within days of places being made available.

This centrality of children and young people in both the Parliament's Education and Outreach work was seen as one of the key strengths of the Parliament's work towards the CSG vision, particularly in discussions with MSPs. The degree to which the

<sup>8</sup> 2007 figures unavailable at time of data collection. Figures presented here are based upon personal correspondence with the Scottish Parliament's Outreach Service, and Written Answer S2W-19249 (Scottish Parliament, 2005f).

Parliament had committed resources towards education and outreach for children and young people was seen as clear evidence of a mainstreamed commitment to the provision of educative information for younger people. Whereas the provision of opportunities for participation for children and young people was extraordinary in nature, the provision of opportunities for young people to access educative information was entirely *de rigueur*. Furthermore, whilst impetus for participation often derived from exogenous pressure (i.e. youth representatives), the data collected in support of the research suggests that the impetus for this dimension of accessibility is far more endogenous in nature, deriving significant support from MSPs and the Parliament as an institution. Some opposition did arise among MSPs in relation to the *MSPs in Schools* scheme: this related not to the *principle* of the work, but rather to the specific *methodology* used (this is discussed in the section on Methods below). In terms of the Education Service though, every MSP spoke of their enthusiasm for this work both in principle and in practice. Thus, in contrast to participation, most MSPs were entirely comfortable with the concept of accessibility and the provision of educative information to children and young people, principally based on an understanding that more education would result in higher future electoral turnout (thereby adding further legitimacy to the Scottish Parliament).

In addition, the data collected suggests that the enthusiasm within the Parliament for providing this type of information is matched by an enthusiasm both for the provision and consumption of such information within wider society. The youth representatives interviewed explained that in their experience, there was a great deal of enthusiasm within schools, youth groups and the media, for example, in relation to the Parliament's Education and Outreach Services. Reports of such enthusiasm were broadly borne out during informal discussions with teaching staff immediately before and after conducting the focus groups with schoolchildren, whilst the focus group participants themselves revealed that they too had been enthusiastic at the prospect of learning more about the Scottish Parliament and especially about meeting one (or more) of their MSPs, whether at the parliamentary campus in Edinburgh or in their own school environment. Whilst wider society was thought by some youth representatives to have been resistant to norms of greater *participation* for young people, such opposition was not present in relation to political *education*.

This enthusiasm, however, gave rise to a slight concern among youth representatives in relation to the availability of these services. A small number of youth representatives explained that they had tried to book a session with the Education Service for young representatives of their organisation, only to discover that the service tends to be booked up well in advance (to use just one academic year as an example, bookings opened in May 2005 for visits to the Education Service at any point between September 2005 and June 2006<sup>9</sup>). As highlighted earlier, these sessions are usually allocated very quickly, leaving no room for shorter-term availability. Indeed, the Scottish Parliament's own figures show evidence of 'high levels of frustrated demand', with over 12,000 pupils 'turned away' by the Education Service during the Parliament's first year alone (Scottish Parliamentary Corporate Body, 2006b). Whilst youth representatives were extremely disappointed at what they saw as a lack of provision for shorter-term availability, they recognised that their desire for increased capacity was testament to the value of the Parliament's work in this respect.

#### **6.3.1.4 Participants**

In terms of considering the children and young people involved in accessing educative information provided by the Parliament, the first point of note for most interviewees was the sheer volume of participants involved. Whilst the quantitative data above showed that more than 40,000 children and young people took part in the Parliament's education work over the course of Sessions One and Two, and more than 8,500 in its Outreach work in Session Two, the qualitative data also testified to the scale of involvement of children and young people in the Parliament's provision of educative information.

[I am] hugely supportive of the effort the Parliament has put into the education side of the Parliament [...] Young people are very visible around the Parliament, every day that the Parliament is sitting. You walk past the education suite there and nearly always it's full of kids; and it's very unusual to be in the Public Gallery and there aren't kids [there] in substantial numbers.

*Youth Representative*

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<sup>9</sup> As stated on the Education pages of the Scottish Parliament's website (link accessed 2nd May, 2006): <http://www.scottish.parliament.uk/vli/education/visitsEvents/index.htm>.



In addition, there was praise from research contributors in relation to the age-range of participants. MSP interviewees with experience of taking part in education and / or outreach work spoke of their involvement with a range of young people from mid-primary to late secondary age. There was, however, significantly less evidence of MSPs having worked with young people at the older and younger areas of the youth spectrum (the Education and Outreach Services are also available to students in higher and further education; not just to those in primary or secondary education). This is also borne out statistically: during the period from April 2006 to March 2007, for example, 193 primary and secondary schools visited the Parliament to take part in an Education Service visit. During this period, only five further / higher education institutions did likewise – representing only 2.5% of all education visits (Scottish Parliamentary Corporate Body, 2007), although the system of booking education visits well in advance may put tertiary education students at a disadvantage due to the continuity (and forward planning ability) inherent in class composition throughout primary and much of secondary education.

**Table 6.5:** Education: Distribution of Sessions by School and Pupil Type, Session One<sup>10</sup>

	<b>Primary Schools</b>	<b>Primary Pupils</b>	<b>Secondary Schools</b>	<b>Secondary Pupils</b>	<b>Total Schools</b>	<b>Total Pupils</b>
<b>1999</b>	22	570	32	846	54	1416
<b>2000<sup>11</sup></b>	55	1,411	114	2,974	169	4385
<b>2001</b>	64	1,834	110	2,762	174	4605
<b>2002</b>	58	1,574	84	2,307	142	3880
<b>2003<sup>12</sup></b>	38	1,226	24	663	62	1889
<b>Total</b>	237	6,615	364	8,929	601	16,175
Source: Scottish Parliamentary Corporate Body (2000, 2001, 2002, 2003)						

As such, on the basis of the statistical evidence available, Table 6.5 provides a breakdown of the distribution of education sessions in primary and secondary

<sup>10</sup> Data extrapolated from Scottish Parliamentary Corporate Body (2000, 2001, 2002, 2003). As of July 2009, equivalent comprehensive data for Session 2 has not yet been published.

<sup>11</sup> No data available for April 2000.

<sup>12</sup> Data only available for period covering January – March 2003.

education<sup>13</sup>, showing that – excluding tertiary education – secondary classes account for around 60% of all Education visits.

Concerns were expressed in relation to the accessibility of the Parliament's Education Service for children and young people living outside of Scotland's Central Belt. Despite the high praise for the Education Service's work, it was felt that it was only truly accessible for schools and groups based within easy commuting distance of the Scottish Parliament. For those based further afield, the costs (in terms of staffing, time and money) involved in trying to arrange a trip to the Parliament were often seen by MSPs and youth representatives as being prohibitive.

[The Parliament has] a great Education Service which actually has a number of things that need to be expanded, as it's not open enough to the whole of Scotland [...] It's okay if you live close to Edinburgh.

*MSP*

Given the difficulties involved in getting children and young people to the Parliament from outwith the Central Belt, MSPs and youth representatives alike recognised that the work of the Outreach Service in bringing the Parliament to them was crucial to ensuring that the provision of educative information in a two-way engagement was available to children and young people across Scotland. As such, Table 6.6 sets out the age-range of young participants in the Parliament's outreach work between 2004 and 2006, based upon Scottish Parliament source data. On the basis of this data – and as with the Education Service – it is apparent that the highest concentration of young people involved in outreach work are in late primary school or secondary school. The interview participants who commented on this issue mentioned that the age-range with which the Parliament deals is entirely dependent upon which teachers decide to involve their students in the Parliament's outreach work, rather than the result of any age-specific policy on the part of the Parliament. Indeed, the *MSPs in Schools* Information Pack produced by the Hansard Society makes it clear that the scheme is essentially suitable for *any* age-group (Hansard Society Scotland, 2005: 13).

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<sup>13</sup> No data available for tertiary education visits.

**Table 6.6:** Outreach: Distribution of Sessions by Participant Age Group, 2004-06<sup>14</sup>

Session Participant Age Group	Total Number of Sessions
Primary 1	0
Primary 2	0
Primary 3	0
Primary 4	0
Primary 5	6
Primary 6	17
Primary 7	25
Secondary 1	5
Secondary 2	8
Secondary 3	4
Secondary 4	3
Secondary 5	6
Secondary 6	6
Multiple Primary <sup>15</sup>	17
Multiple Secondary <sup>16</sup>	10
16-30 <sup>17</sup>	10
Source: Scottish Parliament (2005e; 2005f; 2005g)	

Finally, there was also widespread praise from youth representatives for the contribution made by the MSPs who participate in the Parliament's provision of educative information through education and outreach. In the main, MSPs were praised for their enthusiasm for engaging with children and young people in this way. However, a number of concerns emerged from discussions with young people, youth representatives and even MSPs in relation to the performance of MSPs during (and following) their participation in the *MSPs in Schools* scheme.

One particular concern which emerged when discussing this with MSPs was a feeling among politicians of *all* backgrounds that when politicians from opposing backgrounds were brought together to talk to children, the temptation to turn the session into a platform for political one-upmanship was too much to resist. As such, rather than

<sup>14</sup> Based upon Parliament-reported source data covering period 2004-06 (which does not capture the full extent of Outreach activity). See Scottish Parliament (2005e; 2005f; 2005g).

<sup>15</sup> Age-groups unspecified in source data.

<sup>16</sup> Age-groups unspecified in source data.

<sup>17</sup> Aged 16 -30 but not in primary or secondary education.

focussing upon educating children about the way in which the Parliament works, some MSPs viewed the education or outreach sessions as an opportunity to score political points. This idea that rival MSPs were keen to engage in party political grandstanding was particularly prominent among constituency MSPs in relation to the MSPs whose region overlapped their constituency. Due to the impact upon support among constituency MSPs for the *MSPs in Schools* scheme in particular, this issue is discussed in greater depth in the section on Methods (below). However, non-participant observation conducted by the researcher at events held by the Education and Outreach Services with children and young people at the Festival of Politics 2006 and in the *MSPs in Schools* programme for 2005/06 demonstrated rather that MSPs from different backgrounds (including those representing the same constituency / region) appeared to work well together in terms of their commitment to delivering educative information for the children and young people involved. This was not an issue which was singled out as being a particularly significant problem by youth representatives, although the focus groups with young people did reveal that *some* party political sniping had taken place. Responses to this differed, with participants at one focus group claiming to have particularly enjoyed seeing the party representatives jousting, and participants in one of the other focus groups expressing despair at the way in which politicians *always* argue with each other.

In terms of the praise received by MSPs from the youth representatives for their ability to engage with children and young people, this was predicated upon an understanding that those MSPs who participated in the work of the Education and Outreach Services tended to be those who were *already* committed to the idea of accessibility for children and young people, and / or experienced at (and comfortable with) interacting with children and young people. Those who were unable or unwilling to engage with children and young people were thought to have opted opt out of participating in the scheme. Whilst the youth representatives who mentioned this believed that the outreach and education programmes were probably stronger overall as a result of this self-selection, they were nevertheless concerned that it was too easy to simply opt out of dealing with children and young people altogether, and that it was important for MSPs to come to terms with the idea of working with children and young people.

### 6.3.1.5 Methods

The issue of the methodology adopted by the Parliament for the provision of educative information constituted one of the most divisive topics in terms of the accessibility issues discussed with research participants. Firstly, MSPs expressed unanimous satisfaction with the work done by the Parliament in relation to its Education Service. MSPs believed that the approach used was effective and age-appropriate, allowing children and young people to be given an overall sense of the duties and responsibilities of the Scottish Parliament and their local MSPs. The materials produced by the Parliament's Education Service were very highly praised by MSPs, some of whom asserted that the Scottish Parliament was one of the most advanced legislatures in the world in terms of its provision of education for children and young people. As such, the work of the Education Service – in principle and in practice – received unanimous support.

It's very good [...] The people who deliver the service are well-trained and highly-skilled, and the feedback I've had from those schools in my constituency which use it has always been very positive.

*MSP*

The materials the Parliament produces are superb for schools, so I have nothing but positive things to say about the Education Service [...] What the Parliament does to try and engage with [young] people is very good.

*MSP*

Support was far more polarised among MSPs when discussing the Parliament's outreach work. Again, there was unanimous support in principle for the provision of educative information through a form of outreach. However, the methods by which this should be provided proved to be extremely contentious. In particular, the *MSPs in Schools* scheme was heavily criticised by a significant number of constituency (but not regional) MSPs.<sup>18</sup>

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<sup>18</sup> Elections to the Scottish Parliament return two 'types' of MSP: 73 are elected according to 1997 Westminster constituency boundaries (with Orkney and Shetland returning one MSP each); whilst an additional 56 are elected through the D'Hondt system of proportional representation in the eight former European Parliament constituencies in Scotland (seven MSPs per region).

For many constituency MSPs, the issue was a resentment towards regional MSPs in relation to the latter's opportunity to build a rapport with residents of an area for which they were perceived to have no *direct* representative mandate (in the traditional Westminster sense of having been directly elected). In addition, the scheme was accused of allowing regional MSPs the opportunity to 'gang up' and 'give a kicking' to the sitting constituency MSP. The constituency MSPs believed that the scheme was being abused by MSPs from different backgrounds with a view to making political capital. This was not only deemed to be outwith the spirit of the *MSPs in Schools* scheme but was also believed to be an intrusion into the relationship between a constituency MSP and their constituents.

[The Outreach Service] invite in other MSPs, and list MSPs and constituency MSPs are often in tension, because the list MSPs stand against me in my election. I don't need the *MSPs in Schools* programme to go into schools here. I've never, ever said 'no' to a school. But I don't particularly want other MSPs coming into the schools. I know that's terrible of me, but it's just the way it is.

*MSP*

[*MSPs in Schools*] is about going out and doing outreach work with groups. They'll organise the event and they'll invite MSPs to come along. I actually don't think that's *their* job; that's *my* job [...] I don't need the Parliament to come along and do that for me, nor do I think they should. I actually think all the service does is provide the opportunity for those MSPs who don't go out and about in their constituencies, who don't have any connections or ties to get the job done for them. Is that *really* what the Parliament should be paying to do?

*MSP*

Regional MSPs, in contrast, tended to be far more positive in relation to the *MSPs in Schools* programme, and saw it as a valuable opportunity to obtain the views of children and young people in a direct fashion which would normally be unavailable to them:

A primary class is a different world from what I inhabit. So to see what stirs them up and their responses to local issues and things like that is very helpful [...] Anything that helps you to see the different points of view of different

groups is helpful, and particularly with young people that we don't meet on a daily basis.

MSP

This opposition is symptomatic of a deeper tension between constituency and list MSPs, as explored in Chapter Two (see Mitchell, 2000; Wright, 2000b; Bradbury and Mitchell, 2001). Technically, there is no difference in terms of their rights and responsibilities. Whilst they have differing degrees of territorial representation and direct accountability, the Parliament's Presiding Officer and Standards Committee have both acted to dispel the belief among many constituency MSPs that there was a qualitative difference (in formal and legal terms) between the role of constituency and regional MSPs by adding an Annex to the *Code of Conduct for MSPs* (Standards Committee, 2003; now incorporated in the body of Edition Three of the *Code*: see Scottish Parliament, 2007b: Volume 2, Section 8.2.1). Despite this, the emergent dislike of the *MSPs in Schools* scheme among many constituency MSPs led them to recommend strongly that the Parliament reconsider its approach to the provision of Outreach Services. Suggestions in this respect ranged from scrapping the scheme altogether (and allowing individual MSPs to take responsibility for such work themselves), to disbarring regional MSPs from participating in the scheme. Whilst such tensions are relevant to this thesis only in the context of opposition to the *MSPs in Schools* scheme, it nonetheless remains an unresolved tension for the Parliament to address.

Compared to MSPs, youth representatives were slightly more cautious in their praise for the methods used by the Parliament in relation to the provision of educative information. They too were broadly positive about the educational materials provided, although many felt that the Parliament could do more with its website in terms of both design and content. The website was thought to be a vital tool, but many youth representatives emphasised a belief that it was unwieldy and not especially child-friendly. Whilst there are distinct sections on the Parliament's website relating to education and outreach (which contain some child-friendly material) the rest of the website was thought by many to be unsuitable for children and young people. A small number of websites was mentioned as possible examples to which the Scottish

Parliament might look for guidance on accessibility for children and young people: the Scottish Executive's *Junior Executive* website and the Children's Commissioner for Scotland's website were two which were seen as providing a particularly high degree of accessibility for children and young people.<sup>19</sup>

Overall though, youth representatives' major objection was not to methods *per se*, but rather to the ultimate intention of the Parliament in its provision of this information for children and young people (and the subsequent impact which this had upon the methods used). Within the remit which the Parliament had adopted, the methods in use were seen to be working well, but the youth representatives raised questions about whether the Parliament's ultimate ambition in terms of providing information matched the ambitions of the CSG in this respect. Expressing a clear preference for children and young people to be given information with a clear aim of more active involvement in the work of the Parliament (as opposed to simply learning about the Parliament's structures in very general terms), a significant number of youth representatives and a small number of MSPs argued that the educative information provided should be more instrumental in nature and should focus upon young people as participants and not as participants-in-waiting.

I tend to see the Parliament's Education and Outreach services as being pretty much *education*-based: they're not *involvement*-based. They're showing people how the Parliament works.

MSP

However, a sense of balance was provided by those MSPs and youth representatives who argued that given the low levels of political knowledge and interest among children and young people, it was prudent for the Parliament to 'walk before running' and focus upon building up a broad base of elementary knowledge which children and young people could then use as a springboard for further involvement if so desired. One suggestion – that young participants in the Education / Outreach Services should be encouraged to submit a Public Petition – was particularly discouraged by the MSPs

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<sup>19</sup> Despite providing accessible content, the *Junior Executive* website is only seldom updated and contains information upon a narrow range of issues. It was thus the *medium* rather than the *content* which was seen as impressive.



in this camp, who were sceptical as to the value of doing something purely for the sake of it. Indeed, concerns have already been raised about the Public Petitions Committee's ability to cope with the demand placed upon it since 1999, particularly when faced with petitions which were not prompted by a genuine grievance (Cavanagh et al, 2000). As such, a significant number of MSPs were opposed to the idea of 'school project' Petitions potentially clogging up the process.

Opinions on the value of the *MSPs in Schools* scheme also varied across the focus groups held with children and young people. There was widespread praise for the staff involved, who were credited with making the presentations and activities interesting and enjoyable. In most – but not all – cases, MSPs were also praised for being down-to-earth, relaxed and chatty with the participants. There were, however, areas in which the pupils displayed less satisfaction. A large number of pupils believed that the MSPs failed to take either them or the session seriously enough, as evinced by complaints in each focus group about MSPs not only arriving late, but failing to provide any kind of follow-up to the session (this is discussed in greater depth below). Additionally, one focus group expressed unhappiness at patronising answers and an overly casual attitude and lack of preparation on the part of MSPs ahead of the second session. Indeed, in each focus group, it appeared that although participation in the scheme had definitely led to greater familiarity with their MSP(s) and the working methods of the Parliament, in each focus group it also served to cement previously-held views among the young people that politicians did not take them seriously.

#### **6.3.1.6 Outcomes**

Research participants also expressed mixed sentiments in relation to the outcomes and achievements of the Parliament's work in providing educative information to children and young people. There was general consensus in relation to the Parliament's achievements, but apparently heterogeneous interpretations of the CSG's commitment to the role of children and young people resulted in differing opinions in relation to whether or not the Parliament should have set itself more ambitious targets.

Whilst inherent and developmental value were treated separately in relation to participation (see Chapter Five), it proved difficult to impose a similar typology upon the provision of educative information, in which the acquisition of knowledge is indissolubly linked to the concept of development. As such, these two types of derived value (implicit and developmental) are considered together here.

#### **6.3.1.6.1 Instrumental Value**

Most youth representatives saw the provision of information as a means to an end and not as an end in itself. Their opinions on educative information were thus coloured by their desire to see a greater degree of participation in the work of the Parliament. Whilst the Parliament was praised for the work which it had done in educating children and young people about the structures and functions of the Scottish Parliament, many youth representatives argued that this was too descriptive, and some questioned the benefits which could feasibly be derived from this. Increased familiarity with the Parliament and with local MSPs was seen as a positive achievement, but most youth representatives were sceptical as to how much of an impact such familiarity would have upon children and young people's experiences and opinions of democracy. A number of youth representatives went even further, arguing that the Parliament's Education and Outreach work achieved virtually nothing in tangible terms, and amounted to little more than 'a PR mechanism'.

Let them go and see the wonderful architecture and the MSPs' offices and 'this is it'. But actually, the substance of it is what is really essential, and I don't see the children getting any of that substance from visits to the Education Centre.

*Youth Representative*

Several MSPs pointed out that involvement in the *MSPs in Schools* scheme had prompted a number of school groups to introduce petitions. However, it was accepted by all MSPs that this was extraordinary, with few school groups pursuing their involvement further than requesting information from MSPs. Indeed, as shown in Section 6.3.1.5, many MSPs now actively discourage 'school project' petitions. On the basis of apparently adultist attitudes towards children and young people, the very idea that the intention of the Parliament's outreach work should be direct participation in

the work of the Parliament was disputed by a number of MSPs: for many, the scheme was an end in itself, or instrumental only inasmuch as it was likely to promote *future electoral* participation.

Evidence from the focus groups held with children and young people showed that they were more likely to see value in the scheme where they felt that their involvement had resulted in some form of tangible outcome. However, in terms of outcomes, most focus group participants showed a significant degree of scepticism over the achievements of the programme. Whilst most found it to be informative and enjoyable, few believed that it had seriously increased their interest in the work of the Parliament or made them more likely to seek out avenues for participation. Especially among the older focus group participants, there was a great deal of enthusiasm in relation to becoming more politically engaged, but also a sense that the *MSPs in Schools* scheme could have done more to facilitate an introduction to meaningful civic participation. In particular, they had been keen prior to the *MSPs in Schools* sessions to receive greater information on ways in which young people could become involved in what they saw as being more age-appropriate methods of engaging with issues. Ultimately though, most participants were left feeling slightly disappointed when this was not seen to be forthcoming. Whilst it could certainly be argued that this would lie outwith the responsibility of the Scottish Parliament, a number of participants expressed an interest in learning more about mechanisms at a more local level, such as local youth forums and the Scottish Youth Parliament. Indeed, involving or promoting other levels of government or civic engagement at outreach sessions attracted support from a small number of MSPs.

Parliament isn't the only democratically-elected body in the country [...] I think we should have councillors there so that the young people can learn that [...] the people who take the decisions and argue for things like street conditions, schools, lighting, what to do about vandalism and all the rest of it, are councillors [...] We do have a tendency to look over the horizon and then step into puddles that we don't need to step into.

*MSP*

The most prominent confirmation that children and young people were more likely to see value in the scheme deriving from its generation of tangible political outcomes rather than any intrinsic value to meeting MSPs and learning about the Parliament came in the shape of the disappointment shared by many focus group participants at the lack of follow-up on the part of the MSPs who had participated in the interactive session. These participants felt that they had raised very valid points with the MSPs in attendance, and they had high hopes that something might be done in this respect. The type of concerns discussed ranged from very local issues to national matters, and in each case the young people who had raised them believed that they would be pursued by one or more of the MSPs involved in the session. However, none of the focus groups had received any sort of follow-up to their session with the MSPs, despite the official guidance issued to MSPs stressing that any issues should be pursued as if raised by an adult at an MSP's surgery (Hansard Society Scotland, 2005: 20).

#### **6.3.1.6.2 Inherent / Developmental Value**

The Parliament was thought by virtually every research participant to have delivered Education and Outreach Services whose record of providing children and young people with an enjoyable and educational experience rendered these Services intrinsically valuable. Based upon the existence of a widespread commitment to the idea that the Parliament should deliver education to young people regardless of any formal prescription to do so, MSPs and youth representatives suggested that the materials and staff involved produced an Education Service which was thought to be far in advance of that at Westminster. However, for most MSPs, their preference for providing educative (as opposed to instrumental) information and their belief in an implicit value to the resultant 'engagement' between young people and the Parliament provided an insight to their views on appropriateness in relation to young people's role as political actors. By furnishing young people with this knowledge, the anticipated corollary was a greater likelihood of *electoral* participation at a future date (i.e. when they are old enough to vote). By focussing upon providing children and young people with knowledge about how the Parliament works and the processes of representative democracy, MSPs hoped to address young people's scepticism towards organised politics and, more specifically, their low levels of enthusiasm for *voting* in future. In

this respect, the children and young people remain conceptualised predominantly as political actors-in-waiting (in a representative context) as opposed to autonomous political actors (in a more participatory context). In this respect, inherent value is attached to the knowledge acquired by young people inasmuch as it is likely to legitimise the representative democratic system when they become adults. However, in that this is not the express purpose of the provision of educative information, such value is inherent within the education rather than as an instrumental means to a specific end (such as trying to participate in the legislative process).

Although youth representatives also saw implicit value in this work, they had more clearly delineated views of the type of outcomes it should deliver, based largely upon a different interpretation of the CSG's views on young people's place in politics. As outlined above, the result of this was a view that the value of the information provided should derive from its utility as an instrument to greater participation. It is to this type of information that the chapter now proceeds.

### **6.3.2 Provision of 'Instrumental' Information**

The final CSG report explicitly refers to the importance of information about the ongoing work of the Scottish Parliament in delivering the principle of accessibility, stating that: 'only well-informed citizens can maximise the opportunities [...] to contribute to the democratic process [and] only well informed MSPs can contribute fully to the governance of Scotland' (Consultative Steering Group, 1998: Annex F). As such, the provision of information is a key aspect of the Parliament's work not only towards accessibility but also towards participation (Consultative Steering Group, 1998: Annex F; Scottish Parliament, 1999a).

#### **6.3.2.1 Overview of Approaches: Provision of Information**

Chapter Five established that the Parliament's committees and Public Petitions process are the principal mechanisms in which members of the public might reasonably expect to be able to participate. As such, a number of means of providing information on their activities were identified. These covered both the type of information provided and

the means by which it was provided. With regard to the former, the Parliament makes available details of all public business of the Parliament, and requires parliamentary committees to publish reports on their work, allowing members of the public to keep track of the Parliament's work on a regular basis. At committee level, this includes the Official Report, Minutes of Proceedings and associated papers (e.g. briefings, copies of evidence etc.), whilst the Official Report is also produced for meetings of the Parliament in plenary. The Scottish Parliament Information Centre (SPICe) also makes available to the public briefings conducted on behalf of MSPs or the SPCB, including briefings upon prominent Public Petitions. In addition to current editions, the Parliament offers access to archived copies of all of these publications (with the exception of *This Week in the Scottish Parliament* – the successor to *What's Happening in the Scottish Parliament*) through its website.

In terms of the use of media, the Parliament publishes all of the above proceedings in both electronic format and hard copy. Hard copies typically need to be purchased, although some MSPs make copies available for consultation by members of the public in their constituency offices, and a public library in each parliamentary constituency is also provided with hard copies of parliamentary proceedings. Electronic copies are freely available through the Parliament's website. In addition, the Parliament broadcasts all of its proceedings online through the Holyrood.tv website. Along with committee and plenary meetings, this includes webcasts of other significant events, such as the Parliament's annual Festival of Politics.

#### **6.3.2.2 Overview of Approaches: 'Supporting Events'**

In addition to mainstreamed, non-age-specific efforts to provide instrumental information to the public, the Scottish Parliament also undertook a number of one-off events aimed at children and young people during Sessions One and Two. Such events are dealt with as a separate category of instrumental information as they entail a degree of involvement above and beyond mere education, although they typically fall short of the type of instrumental information required to constitute participation in the work of the Parliament. A list of these events – compiled from media reports and parliamentary news releases – is presented in Appendix D. Events ranged from simple

competitions (such as the Badge Design competition in 1999) to much larger-scale and more deliberative events, some of which drew upon outside assistance from young people's organisations. The events varied widely in terms of subject matter, remit and degree of involvement of children and young people.

One particularly prominent, recurring example of this type of event is the Parliament's Festival of Politics, which began in 2005 and sees the Parliament organise a series of events designed to engage the public with politics and/or politicians. At the 2006 Festival, the Parliament was reported to be particularly keen to focus upon a younger audience, and as a result, organised a number of events for or about children and young people and their role in politics. The increased focus upon children and young people (whether as passive or active subjects) is evident from the comparative number of events relating to children and/or young people in 2005 and 2006, which are displayed in Tables 6.7 and 6.8 respectively.

**Table 6.7:** Events for or about Children and Young People, 1<sup>st</sup> Festival of Politics<sup>20</sup>

<i>Understanding Scottish Politics</i>
<i>Misc. Activities for Schools in English and Gaelic</i>
Source: Observation Data

**Table 6.8:** Events for or about Children and Young People, 2<sup>nd</sup> Festival of Politics<sup>21</sup>

<i>Scottish Parliament Treasure Hunt</i>
<i>Education for Peace</i>
<i>Diagnosis Democracy</i>
<i>How Should the Parliament Spend Scotland's Money?</i>
<i>Political Games for All the Family in English and Gaelic:</i>
<i>Engaging Young People in Politics</i>
<i>Storytelling Workshop:</i>
<i>What the Kids Want</i>
<i>Storytelling Workshop: Guardians of Scotland?</i>
<i>Celebrate Malawi!</i>
<i>Has Devolution Delivered for Scotland's Children and Young People?</i>
Source: Observation Data

<sup>20</sup> 24<sup>th</sup> – 26<sup>th</sup> August 2005.

<sup>21</sup> 23<sup>rd</sup> – 26<sup>th</sup> August 2006.

Having provided an overview of the approaches to delivering this commitment, the analysis now moves to consider the way in which they have been shaped and encouraged (or hindered) by informal rules and ideas of appropriateness among key actors. However, it should be noted that as there was thought to be a less programmatic approach to – and significantly smaller focus upon – the provision of instrumental information for children and young people than was the case for educative information, interview participants had significantly smaller reserves of experience upon which to draw.

### **6.3.2.3 Opportunities**

Among most MSPs, there was a feeling that the Scottish Parliament had performed strongly in providing information about its ongoing work in terms of content and medium. In providing such information, the Parliament's work was thought to be commensurate with the intentions of the CSG in its Draft Information Strategy. Youth representatives also praised the Parliament for its general work in this area. The Parliament's committees were seen as significantly more progressive than their Westminster counterparts in this respect, although a very small number of youth representatives with relevant experience argued that instrumental information was much more accessible in the European Parliament than the Scottish Parliament. Overall though, most of the youth representatives were firmly of the belief that there was a far greater institutional commitment to instrumental accessibility for representatives of young people now than was the case prior to devolution. However, whilst this commitment was thought to be well embedded, the Parliament's success in providing instrumental information generally was offset by a belief among youth representatives that more still needed to be done to make it accessible for younger people. Accessibility of information was not seen as being simply about the ability to access information physically, with youth representatives arguing that it was important to ensure that information was *conceptually* accessible for children and young people. Indeed, the CSG made it clear that it wished to see the Parliament put in place a 'properly developed and resourced system for making issues accessible to non-experts' (CSG, 1998: 2.31-2.33). In this respect, whilst the Parliament's mainstreamed approach to the provision of information was praised, it was felt that much of what the



Parliament produced was conceptually inaccessible for children and even young people.

Nothing that's written by the Parliament is child-friendly; how you convey information to children is not child-friendly in the Parliament; the website isn't child-friendly.

*Youth Representative*

There was a keenness among youth representatives to see greater conceptual accessibility introduced to the instrumental information provided by the Parliament. Citing external examples – most notably Scotland's Commissioner for Children and Young People, who produced a young person's annual report – and internal examples of good practice (e.g. the provision of simplified information for children and young people in the Parliament factsheets available through the Education section of the Parliament's website), youth representatives argued that similar moves could and should be taken by the Parliament for other types of information. Whilst some wanted to see this done for *all* information, it was acknowledged by most youth representatives that redacting such information for children and young people could prove difficult and costly. Some MSPs also argued that the type of information with which the Parliament dealt was necessarily specialised, often irreducibly complex in nature, and ultimately very difficult to simplify and redact any more than was already the case. In addition, MSPs were unaware of any significant pressure from young people suggesting that the material was inaccessible. As such, one suggestion was that the Parliament might wish to test public demand for this by piloting a scheme whereby certain key non-specialist documents (e.g. committee annual reports) might be redacted, rather than the full gamut of parliamentary publications.

In addition to the content, many also criticised the opportunities available for physically accessing this information. In this respect, the primary medium of delivery – the Parliament's website – was criticised as unwieldy and awkward for adult representatives, let alone for young people themselves. Again, reference was made to websites such as the Scottish Executive's *Junior Executive* resource, which provides broad overviews of certain key areas of the Executive's work in a format which was widely believed to be more appealing to children and young people. Given the

apparent importance of ICTs to children and young people in gathering information, a website which was accessible and engaging to them was seen as absolutely essential by youth representatives. Indeed, the CSG Report itself recommends that ICTs should be capable of responding to different demands from members of the public for information (Consultative Steering Group, 1998: 3.6.22).

For MSPs, however, the Parliament's use of ICTs was central to their belief that accessibility of instrumental information had been successfully delivered. The real-time online broadcasting of parliamentary business, the prompt availability of minutes of proceedings, committee papers and full transcripts, and the Parliament's e-Petitioner system were all seen by MSPs as evidence of the Scottish Parliament breaking with tradition and putting in place a new template of accessibility. There was also a small amount of evidence of this being used in relation to children and young people, with the Parliament producing a video (*Let's Do Democracy: a Young Person's Guide to the Scottish Parliament*) to increase awareness of the Parliament's work, and subsequently distributing a copy to every school in Scotland (Scottish Parliament, 2002).

#### **6.3.2.4 Methods**

It has already been identified above that for youth representatives, issues relating to opportunities for young people to access instrumental information are strongly linked with the medium through which they are distributed. As concerns in this regard have already been covered above, this section covers the methods used in the Parliament's isolated events for children and young people (as set out in Appendix D).

Based upon documentary evidence, first-hand observation and qualitative interview data, most of these events went beyond mere education, but stopped short of facilitating or encouraging meaningful participation. Again, this may be linked to persistence of an adultist mindset which questions the appropriateness of participation for children and young people. That said, a small number of events featured *some* degree of deliberation and introduction to the way in which young people could contribute to the policy process. In this respect, events such as the Young Person's Health Congress (which saw the drafting and 'enactment' of a young person's

Health Bill) were arguably both instrumental *and* developmental in character. These, however, were thought by youth representatives and MSPs to be an exception: rather, most events featured small numbers of children and young people participating in activities which fell short of the instrumental and empowering nature of events such as the Health Congress. Whilst such events were praised by MSPs for delivering an enhanced level of engagement between young people and the Parliament, youth representatives were far more critical of the use of one-off events, due to the fact that they continued to treat children and young people in a way which reinforced adultism and trivialised the role which children and young people could actually play in the political process. As many of these opportunities arose as a result of promoting or celebrating some other event (e.g. the audience with the Dalai Lama, or the 'Our Voice on Europe Forum'), many youth representatives saw these events as tokenistic 'window-dressing' or publicity exercises for the Parliament, rather than as a meaningful attempt to introduce children and young people to the ways in which they might go about making a difference.

They're good for people's PR, but I don't think they go much beyond that [...] I don't want organisations working in this field to collaborate with that, because I think it's crap.

*Youth Representative*

The isolated nature of such events and their subsequent lack of feed-in to the parliamentary process was also highlighted. Of course, that is not to suggest that such events were not benevolent, well-executed or enjoyable. However, many youth representatives again asserted that enjoyable experiences alone were not what the CSG had in mind when advocating 'providing information to enable participation in Scotland's new Parliament' (Scottish Parliament, 1999a). In addition to criticism about the limits of one-off events and the way in which they depict children, youth representatives also expressed concerns about two other key issues: firstly, the overall geographical accessibility of the Festival of Politics for many children and young people; and secondly, the type of outcomes which typically arose from such events. These are dealt with in the appropriate sections below.

As might be expected upon the basis of the already-established attitudes towards instrumental information, most MSPs expressed a higher degree of appreciation than youth representatives for such events. Most MSPs were extremely enthusiastic about the role which could be played by events which go beyond simple education but stop short of genuine participation. Particularly with regard to children and young people, MSPs saw these events as effective ways of re-engaging with members of the public and breaking down barriers to the processes of formal politics. In this respect, one group of events in particular was again singled out for particular praise: the Parliament's annual Festival of Politics. This theme was particularly apposite at the time of primary data collection, as interviews took place during the summer in which the Parliament's second Festival of Politics was held, and at which observation was undertaken.

Events for children and young people at the 2006 Festival of Politics were extremely varied in content and tone. At the younger end of the age spectrum, sessions were very interactive, ranging from political games to storytelling workshops in which all attendees were encouraged to play a role. A further session saw a number of children from different primary schools come together to decide how best to allocate public money in Scotland. However, as the age range focussed upon in sessions increased, so levels of direct interaction appeared to decrease. Thus, the sessions relating to how the Parliament has delivered for Scotland's children and young people, and to engaging young people in politics were less focussed upon encouraging children and young people to participate and more upon sharing adults' (often MSPs) opinions. Whilst such tendencies were criticised by youth representatives for marginalising children and young people, most MSPs were impressed.

In some quarters there's a great deal of sneering and derision about it, but it's only by exploring some of that that you develop a more interesting face [...] I think that engaging with the parliamentary processes, the building, the Parliament as *Parliament* and not *Executive* and all these things: I think they're hugely positive.

MSP

### 6.3.2.5 Participants

Due to the fact that making use of the Parliament's instrumental information was not a readily 'visible' activity in the way that committee participation or *MSPs in Schools* involvement was, interview participants found it difficult to draw conclusions as to the type of young people who made use of the Parliament's instrumental information. Again though, such involvement was thought to be restricted to a small minority of young people and even fewer children. In addition to a lack of relevance to many young people's lives, aspects of the Parliament's approach were also thought to restrict those accessing the information. Firstly, gaining access was thought to be problematic due to the perceived lack of young person-friendliness of the Parliament's website. In addition, where children and young people were interested and keen to act upon something, the way in which information was presented was not thought to be accessible. Thus, youth representatives again emphasised the benefits of some form of redaction of information for young people and suggested that if the Parliament was serious about encouraging young people to become involved, it should consider the same type of youth-friendly redaction for its instrumental information as it had done for its educative information.

You can look at the reports from the committee, you can look at the debates, you can look it all up and you can see what's happened [...] [but] I think for children and young people, it needs to be a bit more accessible and immediate than that: it's only anoraks like myself that would go through the Official Report, and actually track something through.

*Youth Representative*

In terms of one-off events, concern was expressed that such events were only ever likely to appeal to politically engaged young people from Scotland's Central Belt. Individual youngsters living some distance from the Parliament were unlikely to travel to Edinburgh for the sole purpose of attending the Festival of Politics, and the political tone of the event meant that in the absence of a link-up with gateway organisations, disengaged or marginalised young people were unlikely to attend.

As such, many youth representatives again suggested that if the Parliament was keen for young people to become more involved, it should attempt to diversify the appeal

of events such as the Festival of Politics in terms of both geography and political interest. With regard to geography, a number of youth representatives suggested holding a *nationwide* Festival of Politics, with ‘outreach centres’ around the country holding events on the same day, possibly using ICTs to link up. In terms of political interest, it was suggested that bringing such events to communities across Scotland using gateway organisations or community groups to engage with the most difficult-to-reach constituencies would help to focus efforts on marginalised groups in general, but on young people specifically. Indeed, a small number of youth representatives suggested that this needed to be done regardless of differing levels of social and geographic exclusion, as children and young people across the country were generally unaware of the Festival of Politics. This was confirmed in the focus groups conducted with children and young people. Across the groups, not one research participant was aware of the existence of the Festival of Politics, far less of any relevance it may have for young people. Although in the case of the Festival of Politics this might be explained partially by the fact that only one Festival of Politics had been held prior to the focus groups being conducted, low awareness was thought by youth representatives to apply to *all* similar initiatives organised by the Parliament. Either through a process of self-selection or purposive selection by their schools or organisations, the type of children and young people involved in these events was widely thought by youth representatives and a small number of MSPs to be reminiscent of the type of young people thought to be involved in the Scottish Youth Parliament: middle-class, articulate and well-educated.

I think they’re [one-off events] useful, but they only feed through to a fairly limited number of people [...] They’re not what I would call ‘big picture’.

MSP

#### **6.3.2.6 Outcomes**

Neither MSPs nor youth representatives were able to identify specific outcomes for children and young people as a result of the provision of instrumental information. This was thought to be partly due to the aforementioned ‘low visibility’ inherent in making use of such information, and the difficulty of linking cause and effect when

determining outcomes. However, for youth representatives, it was also thought to be due to the fact firstly that so little 'youth-friendly' instrumental information had been made available; and secondly, that even where children and young people *did* wish to act on such information, doing so by participating in the work of committees was unlikely to be possible as an individual young person, given committees' reliance upon adult advocates in committee work. As such, whilst access to instrumental information may result in young people wishing to contribute to the legislative work of committees, their inability to do so meant that any impact of instrumental information provision may often go unnoticed.

In terms of the use of one-off engagement events, the methodological approach underpinning the provision of such events also led youth representatives to express concerns about their value, with most opposed to large-scale, one-off events as a means for engaging with children and young people. Such opposition fell into two camps. Firstly, a minority of youth representatives were opposed to one-off events under *any* circumstances, favouring instead more longitudinal approaches which were seen as more conducive to the engenderment not only of tangible parliamentary outcomes (i.e. legislation or inquiry findings) but also of a more rigorous procedural approach which – in addition to possessing an inherent value – would also produce developmental benefits for the children and / or young people involved. However, several youth representatives expressed concern about the depth of the Parliament's commitment to the young people involved in the events which *had* taken place, accusing them of having little inherent, instrumental or developmental value, and condemning them as a waste of time for both the young people and MSPs involved.

It's a nice wee PR job [...] What happens at the end of it? Everybody goes home, and then? Does *anything* happen as a result of all the amount of money and resources that goes into making that one session happen?

*Youth Representative*

In contrast to the minority's outright opposition to such events, the majority of youth representatives were only opposed to their use in isolation. Whilst they saw a place for such events within the Parliament's collection of accessibility mechanisms, they were unequivocal in their belief that the use of such accessibility mechanisms to deliver

information should act as a *complement* to a coherent approach to the participation of children and young people, and not as an *alternative* to it. Many of the youth representatives interviewed felt that there was too heavy a reliance by the Scottish Parliament upon one-off events at the expense of creating meaningful opportunities for children and young people to have their voices heard in legislative and inquiry work, for example. However, based upon the conditional understanding that events such as the Festival of Politics should represent an *addition to* and not a *replacement for* participation in the formal mechanisms of the Scottish Parliament, most youth representatives were of the opinion that such events had an inherent value inasmuch as they were interesting, age-appropriate and engaging, but generally failed to achieve much beyond merely being an enjoyable and informative experience.

One-off events are fine every now and again if it doesn't cost too much money and is well-structured and well-staffed and the outcomes you want to get out of it are clear, but as a matter of routine... Nope; not interested.

*Youth Representative*

At a general level, however, there was widespread support for the principle of information provision. In this respect, MSPs saw the Parliament's work in this area as having an inherent value. Youth representatives agreed that greater openness and accessibility of information was inherently valuable, although they also argued that any such value was diluted by a lack of consideration of the additional requirements of children and young people. That MSPs did not agree that this was the case was due not only to logistical issues, but also to the apparent persistence of an adultist mindset which was unconvinced of the value of young people's participation, and therefore also of making additional effort to provide them with the type of information likely to *encourage* them to participate.

#### **6.4 PHYSICAL ACCESSIBILITY**

The final type of accessibility considered is physical accessibility. This was generally seen by research participants as less important than accessibility of information in relation to the fulfilment of the CSG principles, an impression supported by the fact



that the CSG made only one general recommendation in relation to physical accessibility (Consultative Steering Group, 1998: 2.45).

There were two principal dimensions to the way in which this sense of physical accessibility was thought to have been delivered by the Scottish Parliament. Firstly, there was a passive physical accessibility, which related to making the parliamentary campus at Holyrood accessible to visitors, committee witnesses etc. Secondly, there was a more proactive sense of accessibility, whereby the Parliament itself made efforts to bring its services and information to communities throughout Scotland.

#### **6.4.1 Physical Accessibility: Passive**

The issue of physical accessibility relates to the accessibility of the parliamentary campus in Edinburgh for children and young people. In general, MSPs saw the Parliament's performance in this respect in broadly positive terms, whilst youth representatives again expressed more cautious and conditional praise.

MSPs believed that the new parliament building embodied a degree of physical accessibility for members of the public which was out of keeping with UK political tradition. Many talked about the building as being a Parliament for the whole of Scotland, and praised it for its physical accessibility vis-à-vis disabilities. The popularity of the Parliament as an attraction for tourists and domestic visitors was also cited as evidence of its physical accessibility for people across Scotland.<sup>22</sup> Less was ventured in terms of children and young people, although the number of school groups visible during the course of a normal parliamentary business day was again taken as evidence of the Parliament's physical accessibility for children and young people.

There's a very visible [youth] presence [...] and I think that's positive.

*Youth Representative*

This sentiment was echoed by a majority of the youth representatives interviewed. The constant presence of school groups touring the Parliament building was

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<sup>22</sup> Following the Parliament's move to its purpose-built campus in 2004, public visitor numbers were expected to average around 750,000 per year (Scottish Parliament, 2004a).

highlighted as evidence that the building was physically accessible for children and young people. However, youth representatives specified a number of caveats to their praise for the Parliament's culture of physical accessibility, both with regard to children and young people and members of the public more generally.

With regard to the latter, youth representatives identified the strict segregation between the public areas and parliamentary areas as damaging to the idea of accessibility (e.g. separate entrances / exits for parliamentarians and the public). This was thought to perpetuate an 'us and them' mentality in the minds of MSPs and members of the public, reducing the likelihood of any genuine culture of physical accessibility developing.

With regard to the former, a number of youth representatives raised doubts about the degree to which the Parliament was accessible for children and young people outside of organised visits or tours of the Scottish Parliament. A number of the one-off events outlined above were thought to have made children and young people feel more welcome in the Parliament building, but doubts were voiced by a small number of youth representatives about how welcome children and young people would be in the Parliament campus if they were neither part of an organised group nor accompanied by an adult guardian. It was felt that physical accessibility for children and young people to the Parliament was acceptable only within certain parameters. This minority of youth representatives felt that in the absence of a 'responsible adult' or chaperone, children and young people (particularly children) would not be as welcome on the Parliament campus as would otherwise be the case.

[Physical] access isn't child-friendly. I'd actually like to know whether a parliamentarian would see a child if they turned up and requested a meeting. It's not encouraged [...] The intention is there and lip-service is given to access and child-friendliness, but it isn't practical and it isn't borne out in practice.

*Youth Representative*

Concerns were also expressed about just how accepting the Parliament was in relation to children and young people's different approach to engaging with political issues, as articulated by one youth representative (see below) who was present on the first

occasion that the Scottish Youth Parliament was able to use the Scottish Parliament's facilities. Whilst youth representatives recognised the need for parliamentary officials to have a degree of authority over the use of the campus, there was again a concern that the brand of physical accessibility implemented failed to take into account young people's different attitudes and working methods, and that access was offered entirely on the Parliament's terms.

I remember that being quite tense [...] and there was a bit of a stand-off [...] Parliament staff were saying: 'you've got to follow the protocols; dress-code', these kinds of things. All the young people were thinking: 'hold on a minute; that's not the way in which we work'. So I think they need greater flexibility to allow groups of children and young people to work in ways in which they're used to.

*Youth Representative*

In other respects, however, the Parliament was praised by youth representatives. As already outlined above, the Parliament's Education Centre was seen as making a strong contribution towards a sense of physical accessibility, and this – coupled with the services provided to groups of children and young people therein – was again seen as one of the Parliament's key strengths in this area. However, few physical issues were thought to exist in relation to accessibility for children and young people specifically.

#### **6.4.2 Physical Accessibility: Proactive**

The principal means through which MSPs and youth representatives believed that the Parliament should make itself more physically accessible for children and young people was through visits to areas across Scotland. This tactic was endorsed by the CSG (1998: 2.37), who also recommended that a number of committees should be permanently based away from Edinburgh to facilitate accessibility across Scotland.

Although no committees are based outside Edinburgh, numerous meetings *have* taken place outside Edinburgh: 51 in Session One and 41 in Session Two (Scottish Parliament, 2008a; 2008b). Scrutiny of these meetings reveals that six of these meetings (11.8%) in

Session One dealt with issues impacting particularly upon younger people, with three meetings (7.3%) doing likewise in Session Two. Tables 6.9 and 6.10 provide details of these different meetings in Sessions One and Two, respectively.

**Table 6.9:** Committee Meetings outside Edinburgh feat. Youth Issues (Session One)

Committee	Issue	Location	Date
Enterprise & Lifelong Learning	University of the Highlands & Islands	Inverness	Oct. 1999
Education, Culture & Sport	School Exams	Hamilton	Oct. 2000
Education, Culture & Sport	School Exams	Glasgow	Oct. 2000
Education, Culture & Sport	Schools Infrastructure	Falkirk	Apr. 2001
Education, Culture & Sport	Scottish Borders Education	Galashiels	Nov. 2001
Education, Culture & Sport	Protection of Children	Glasgow	Sept. 2002
Source: Scottish Parliament (2008a)			

As identified in Chapter Five, youth representatives generally felt that more could have been done to involve children and young people with respect to such outreach meetings of the Parliament's committees. Within the context of physical accessibility, this was also the case, with a need to take the Parliament out to localities regularly identified by youth representatives, particularly when considering the need to include a youth perspective from hard-to-reach constituencies.

**Table 6.10:** Committee Meetings outside Edinburgh feat. Youth Issues (Session Two)

Committee	Issue	Location	Date
Health	Care Inquiry	Dundee	Mar. 2006
Audit	Audit of Inverness College	Inverness	May 2006
Communities	Schools (Health Promotion and Nutrition)	Airdrie	Nov. 2006
Source: Scottish Parliament (2008b)			

However, there was a degree of resistance to the idea of greater relocation of committee work around Scotland. Whilst the meetings had proved popular with civic participants, MSPs questioned the cost-effectiveness of the exercise and expressed concern at the way in which their outreach work was trivialised as 'jollies' by the media.

When you take the Parliament out of Edinburgh... Now *that* is difficult. But that's just the way it is. It's not just for young people; it's for anything you take it out of Edinburgh for, because [...] it's a big operation and it's quite expensive. That's why we tend to shy away from it.

*MSP*

However, a number of MSPs argued that this type of restriction had resulted in them using committee reporter(s) instead; a system which was shown in Chapter Five to have been relatively successful in involving particularly hard-to-reach or marginalised groups of young people.

We tend to have slightly informal sessions: you'll have perhaps three MSPs and a note-taker or scribe, and that works better, and it's cheaper!

*MSP*

In addition to committee meetings, there was a keenness among youth representatives to see the Parliament as a whole move outwith Edinburgh. This has happened only once, when the Parliament met at King's College in Aberdeen in 2002. However, during this time, the Education Service was particularly active, dealing with double the number of schoolchildren that would usually be involved in the Education Service in Edinburgh during the same period (Scottish Parliamentary Corporate Body, 2002: 3.1).

Another principal means through which the CSG suggested information might be brought to people across Scotland was through the use of 'schools, libraries, Citizens' Advice Bureaux, and other organisations, groups and individuals' (Consultative Steering Group, 1998: Annex F). In the shape of the Partner Library network, this recommendation has been at least partly enacted. By the end of Session Two, each constituency across Scotland had a public library which was designated as a Scottish Parliament Partner Library. This meant that it provided free internet access and free access to Scottish Parliament publications in hard copy. At each library, at least one member of staff is designated as a Partner Librarian, able to offer members of the public advice on the Scottish Parliament, navigating its website and redirecting

parliamentary enquiries to the relevant information service within the Scottish Parliament.

Although the Partner Library network clearly represents a proactive approach to accessibility by the Parliament, the work of the libraries themselves was thought by research participants to be very passive. Whilst those who knew of the scheme supported its work in principle, concerns were expressed about the utility of such a passive approach. Youth representatives in particular saw enormous untapped potential within the network. This was particularly the case among those who earlier suggested the establishment of 'outreach centres' across Scotland, with Partner Libraries seen as a potential focal point within each constituency for the Parliament. Although the Parliament's website asserts that 'Partner Libraries act as focal points in local communities for information from and about the Parliament' (Scottish Parliament, 2007d), it was believed that the potential of the Partner Library network was not being exploited to its maximum, and that more should be made of it in a *proactive* sense: a parallel was drawn with Wales, where a network of National Assembly Regional Public Information Coordinators works proactively to develop the ability and capacity of local networks and community / voluntary groups to engage with the Assembly (National Assembly for Wales, 2007). Indeed, the use of such a service to target children and young people has already been suggested in research conducted for the Parliament's Public Petitions Committee (Ipsos MORI, 2009), whilst it was also suggested by a number of interviewees in this research that this type of approach might be one way in which to address the need for local or regional centres, and the Partner Libraries' typically low levels of usage.

This under-use of the Partner Library network appears to be borne out by statistical analysis (see table 6.11). On the basis of composite Scottish Parliament statistics covering the period from May 1999 to May 2002, the Partner Libraries were visited on 113 occasions, and directed 201 enquiries to the Scottish Parliament itself (Scottish Parliamentary Corporate Body, 2000; 2001; 2002; 2003). This equates to a mean frequency of just over three visits per month and just over five enquiries each month across all 80 Partner Libraries. It is likely that these statistics fail to capture the full range of Partner Library activity (such as unregistered use of the facilities, or work

other than facilitating organised visits and redirecting enquiries). Nonetheless, the youth representatives interviewed believed that more could – and should – be made of this valuable and readily-accessible nationwide resource.

**Table 6.11:** Partner Library Details, Session One<sup>23</sup>

<b>Year</b>	<b>Number of Partner Libraries</b>	<b>Total Visits To Partner Libraries</b>	<b>Enquiries Directed to Parliament</b>
1999 <sup>24</sup>	78	23	66
2000	79	29	73
2001	79	45	46
2002 <sup>25</sup>	80	16	16
2003 <sup>26</sup>	80	N/a	N/a
<b>Total</b>	<b>80</b>	<b>113</b>	<b>201</b>
Source: Scottish Parliamentary Corporate Body (2000; 2001; 2002; 2003)			

The focus groups held with children and young people confirmed that awareness of the Partner Library scheme was very poor – the very small number of young people who did express awareness remembered having heard it mentioned during their involvement in the Parliament’s Outreach / Education work and not as a result of any prior knowledge. In order to raise its profile and make better use of a resource which was thought to contain enormous potential, a significant number of youth representatives suggested that Partner Libraries might be able to play a role in the delivery of the Parliament’s Outreach work, using trained staff in each location. The Parliament’s website<sup>27</sup> suggests that such usage is already acceptable and feasible, but none of the MSPs or youth representatives interviewed (or indeed any of the young people involved in the focus groups) were aware of any such work having taken place in their local Partner Library. It should also be stated that the Parliament *has* already attempted to increase the impact of the Parliament’s Education Service through

<sup>23</sup> Extracted from *Scottish Parliament Statistics* (Scottish Parliamentary Corporate Body, 2000; 2001; 2002; 2003). Similar statistics for Session 2 were not published, although the SPCB has twice stated that they would be published, either in annual or composite format before the end of 2007. At time of final revision (July 2009), these statistics are yet to be published. See Scottish Parliament (2006b) and Procedures Committee (2006).

<sup>24</sup> Data covers period from May – December 1999 (inclusive).

<sup>25</sup> Data covers period from January – May 2002 (inclusive).

<sup>26</sup> Data on visits and enquiries to Partner Libraries is not provided in *Scottish Parliament Statistics 2003*.

<sup>27</sup> <http://www.scottish.parliament.uk/vli/partners/servicesResources/index.htm>. Link checked 1st May, 2008.

dissemination of its educational materials through Partner Libraries. However, research has raised questions about support for the network among MSPs, the degree of rigour with which the network's success is assessed by the Parliament and the low (but reportedly increasing) level of public usage of resources on offer at Partner Libraries (e.g. Sheehy and Sevetson, 2001). In addition, it was acknowledged by research participants that any moves towards significantly increasing the role played by Partner Libraries would necessarily have important resource implications for the Scottish Parliament.

One final related suggestion made by a number of youth representatives with a view to increasing a sense of physical accessibility to the work of the Parliament was to have some form of permanent (or at least long-term) parliamentary roadshow which could tour various different areas of Scotland in order to provide members of the public with more information upon the work done by the Parliament and the ways in which they could get involved. It was acknowledged that some such work had already been done by a number of the committees of the Parliament – most notably the Public Petitions Committee – but that more could be done from a holistic institutional perspective, particularly towards children and young people.

## **6.5 SUMMARY**

In general, it was felt by all research participants that significantly more progress had been made towards delivering accessibility for children and young people than participation. Overall, the Parliament's work in this respect differed significantly from the work in relation to participation in terms of the widespread normative approval it commanded. In this case, approval related to the Parliament's obligation to educate not just the general public, but young people specifically. Whilst there existed heterogeneous interpretations of what participation entailed and whether or not the Parliament should support its implementation, the *principle* of accessibility was comparatively well-defined and universally-supported among research participants (even if its status as a means to an end or as an end in itself were disputed).



The analysis showed differing levels of performance in relation to different dimensions of accessibility. Issues of physical accessibility did not generate significant discussion among research participants. In passive terms, the Parliament was thought to be more accessible than most comparable legislatures, particularly Westminster, although concerns were raised by youth representatives about potential access for children if unaccompanied by an adult, and a perceived division between the public and political spaces within the Parliament building. In relation to proactive physical accessibility, strong opinions were expressed about the perceived untapped potential of the Parliament's Partner Library network in terms of delivering a greater sense of accessibility throughout Scotland, and the missed opportunity which existed in relation to using them more heavily to involve young people and school groups, or using them as 'outreach centres'. Finally, many youth representatives returned to the issue of committee outreach meetings (discussed earlier in the section on committees) as a means of providing some sense of physical accessibility to the work of the Parliament throughout Scotland. However, Session Two saw a lower number of meetings held outwith the Parliament than Session One (in absolute terms), whilst there was also a notable decline in the number of such meetings featuring young people's issues in relative terms.

Issues relating to accessibility of information generated significantly more debate and divergence of opinion. Firstly, in terms of educative information, data was focussed upon the Parliament's Education and Outreach Services. Both were believed by most research participants to have performed extremely well in terms of their focus upon children and young people. There was less unanimity in relation to the methodology and impact of this work, however. The services provided were praised for being informative and enjoyable, but some MSPs expressed considerable dislike of the *MSPs in Schools* scheme, whilst even more youth representatives (and a small number of MSPs) suggested the Parliament should aim beyond simply educating young people, and try to encourage them to get involved instead.

Instrumental information shows similarities to and differences from educative information. There was a clear commitment to the principle of providing such information, but given that it is intended to elicit informed participation, the degree to

which individual interviewees believed the Parliament should redact such information for young people was largely determined by their attitudes towards young people's participation. Whilst youth representatives and young people were clearly in favour, only a small minority of MSPs were favourably disposed. As such, the Parliament's approach towards children and young people in this area has centred more upon one-off, isolated events than on an ongoing commitment of suitably redacted instrumental information. These events prompted the same criticisms levelled at the use of one-off events to facilitate young people's participation, in that they were seen by youth representatives as tokenistic and a waste of resources, and as insufficiently complemented by opportunities for more meaningful participation. Again, most MSPs believed that these events represented exactly the type of engagement which the Parliament *should* pursue.

Thus, interpretations of the Parliament's responsibility in a general sense have been relatively homogenous and a logic of appropriateness regarding the publication of instrumental information *has* emerged. However, a degree of heterogeneity emerges when considering institutional commitments to children and young people specifically. Whilst the arguments posited by youth representatives in favour of more empowering instrumental information are based upon a perception of children and young people as valid political actors who have a right to participation 'in the here and now', this conflicts with the traditional social construction of children and young people as *potential* political actors, entities on whose behalf adults must legislate vicariously. As was the case in relation to participation, this is arguably unsurprising due to the pervasiveness and persistence of the same attitude throughout other strata of society (as shown in Chapter Two). This construction appears to be more synchronous with the way in which MSPs – and the Parliament as a body – view children and young people. As such, it appears that whilst the principle of informational accessibility has reliably reproduced since 1999, it has been successful in doing so because its application accords closely with the prevailing political and social view of children and young people as 'actors-in-waiting'.

It therefore appears that whilst there is little focus upon children and young people specifically (suggesting that some degree of institutional sedimentation appears to

remain in terms of the way children are perceived), at least some of the CSG's institutional design (in the shape of a widespread commitment to the proactive provision of educative information) has reproduced. Unlike with participation, the idea that the Parliament *should* be accessible (albeit using a one-size-fits-all approach) is accepted by key actors. As per the theoretical implications (above), this appears to be the result of a combination of higher rule specification (formal rules) and wider normative support (informal rules) where formal rule specification is low; whilst the lack of coercion in formal and informal rules for a new construction of children and young people explains the inconsistent level of progress in relation to provisions made for them.

However, it should be stated that in conceiving of children and young people in this way, it is the Scottish Parliament – and not the youth representatives – who may be seen to be more 'in tune' with social norms. Whilst the CSG envisaged a more prominent role for children and young people, its recommendations were phrased in entirely discretionary terms, and whilst the legal documents creating the Parliament's formal rules prescribe a framework for accessibility, there is no unequivocal commitment to accommodating young people's specific circumstances therein.

## **Chapter Seven**

### **Barriers to Accessibility & Participation for Children and Young People**

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#### **7.1 OVERVIEW**

Chapters Five and Six have provided the results of the research into the Scottish Parliament's delivery of accessibility and participation for younger people. In doing so, they examined not only the way in which political behaviour reflects the vision of the CSG, but also the rules shaping this behaviour. In doing so, the chapters established that whilst the CSG's normative institutional design was dependent upon formal and informal rules to ensure its reliable reproduction, the rules which were found to be shaping actors' interpretation of their roles and responsibilities did not reflect the CSG vision accurately.

In the case of participation, Chapter Five showed that the CSG's intention of a participatory democracy had not been delivered. The formal rules shaping the format of the policy-making process in the Scottish Parliament actually served to actively reduce the likelihood of truly participatory governance emerging, principally as a result of the Scotland Act's apparent proscription of non-MSPs exercising any form of decision-making power in the work of the Parliament. In addition to the formal rules failing to reinforce the CSG vision, the informal rules shaping actors' behaviour were also found not to be conducive to the introduction of more participatory working. The ambiguous and contradictory way in which the CSG vision had been formally codified left actors with significant room for interpretation of the way in which it was to be operationalised. In the absence of formal rules and a well-rehearsed institutional script to provide actors with the cognitive cues required to deliver a greater degree of participation – for anyone, far less younger people – MSPs appear to have returned to a more deeply embedded institutional template which *is* familiar to them and which allows them to make sense of the demands placed upon them. The template to which

they refer when discharging their responsibilities, however, appears more reminiscent of the 'model of worst practice' from which the CSG wished to depart than the CSG template itself. Thus, MSPs continue to see their role and responsibilities through a representative democratic lens. Whilst this suggests a significant degree of institutional breakdown in relation to participation, the introduction of less traditional forms of working – such as the Public Petitions process or 'consultation plus' models of committee engagement – demonstrate that this breakdown does not appear to have been total.

In relation to accessibility, it was shown in Chapter Six that whilst the Parliament's commitments to accessibility were still somewhat ambiguous and discretionary in nature, they were nonetheless subject to a significantly higher degree of rule specification than were its commitments to participation in Chapter Five. This higher degree of rule specification was found to be complemented by an informal rule framework which treated accessibility far more benevolently than participation. As a result, the Parliament was found to have delivered a significant degree of accessibility for children and young people and at a general level. However, in relation to children and young people, MSPs exhibited a similar interpretation of their value as political actors as they did when considering participation. Thus, whilst MSPs were entirely supportive of educating younger people in their role as pre-citizens, they were significantly less prepared to consider them to be deserving of the type of instrumental information which the CSG established as being necessary for informed participation. This was posited as being a potential way of accounting for the Parliament's apparent success in providing younger people with educative information and also its unwillingness to provide them with a more constructive form of knowledge.

As such, it may be seen that at least *some* form of institutional breakdown – or failure to adhere to rules supporting the CSG – has occurred in each of the three separate conceptual areas at the heart of this research: a re-evaluation of the value of younger people as political actors; the introduction of greater accessibility; and the development of a more participatory form of policy-making. In each case, the rules being followed by key actors do not appear to reflect the CSG's aspirations in respect of these three areas.

As such, the purpose of this chapter is to consider in greater detail the breakdown which has occurred within areas of the CSG vision relevant to this research. It does this by considering in greater depth the obstacles which were thought to frustrate or negatively impact upon the delivery of accessibility and participation for young people. By doing this, it aims to establish the precise nature of breakdown involved. Chapter Three identified three principal sources of breakdown: mutability, multiplicity and internal contradictions. In order to develop as full as possible an understanding of the Scottish Parliament's experience in implementing the CSG's institutional design and to identify ways in which this breakdown can be addressed (if the Parliament is to do this at all), it is essential to consider the nature of institutional breakdown at the heart of the CSG vision.

### **7.1.1 Theoretical Significance**

As identified above, three types of institutional breakdown are commonly accepted in the neoinstitutionalist literature: mutability, multiplicity and internal contradictions. Where reliable reproduction fails, one of these processes is held to be responsible (Clemens and Cook, 1999). As such, the aim of this chapter is to establish which of these processes is at the heart of the CSG's institutional breakdown. To identify the cause of breakdown, the most apposite approach is to examine the specific barriers faced by key actors in trying to deliver accessibility and participation for children and young people: in other words, to look for the site and the symptoms of the breakdown. By moving up a level of abstraction from the specific site and symptoms of a particular barrier, the research can thus establish whether mutability, multiplicity or internal contradictions (or any combination thereof) have been behind the breakdown in reliable reproduction of the CSG vision.

This approach is premised upon the understanding that certain sites and symptoms of breakdown relate to one of the three aforementioned types of breakdown. Firstly, it is self-evident to state that internal contradictions are likely to be evidenced by barriers deriving from within an institution itself. Thus, endogenous barriers emerging as a result of key actors adhering to and 'working through' an institutional script to the point at which rule-following threatens the institution would suggest the presence of

grave internal contradictions. Breakdown would then occur either as a result of dysfunctional rules continuing to be followed (resulting in the collapse of the institution) or because key actors consciously abandon the rules due to their lack of coherence or reliability.

Mutability is similar in that it too is likely to be evidenced by endogenous barriers. However, where breakdown through internal contradictions emerges as a result of *active rule-following* (and possible *conscious* abandonment) in relation to a dysfunctional institutional schema, breakdown through mutability emerges as a result of low institutional rule specification and a subsequent *lack* of strict adherence to the constitutive rules of the newly designed institution, with the result being that heterogeneity of action is promoted. As such, through *not* adhering closely to new institutional rules, the result of mutability is usually some form of breakdown through redirection or hybridisation of the new script with older templates (Clemens and Cook, 1999: 448).

Finally, multiplicity refers to the existence of multiple competing templates, with a newly designed institutional template breaking down as a result of its incompatibility with other more pervasive institutional templates: where a newly designed institution does not 'fit' well into its wider socio-institutional context, the likelihood is the breakdown of the new institution due to the persistence of the more established, 'taken for granted' institution (Clemens and Cook, 1999: 449). Given that this type of breakdown is characterised by its conflict or lack of synchronicity with other institutions, the type of barriers indicating a problem with multiplicity would be exogenous in nature, whereby external factors associated with other institutional rule frameworks undermine the reliable reproduction of the newly designed institution.

As such, the distinction between endogenous and exogenous barriers is an important one. This classification is determined by the provenance of the barrier in question: thus, endogenous barriers are those which emanate from within the CSG's institutional design, whether as a result of inherent internal contradictions or low institutional rule specification. Conversely, exogenous barriers are those which derive from a lack of 'fit' with other, external institutional templates. By considering the existence and impact of

such endogenous and exogenous barriers, a greater degree of understanding of the issues affecting delivery of the CSG vision can be achieved.

The chapter therefore proceeds to consider the barriers experienced by the key actors involved in delivery of the CSG vision of accessibility and participation for children and young people. It should at this point be reaffirmed that the three accounts of breakdown outlined above are not mutually exclusive, particularly when dealing with a multi-faceted institution such as the CSG vision (which may in reality be better thought of as a group of several overlapping institutions). In this respect, it has already been seen that concerns exist among MSPs and within civil society in relation to each other's responsibilities and performance since 1999. This suggests that a combination of the above accounts may be the most suitable heuristic device: if MSPs are not following the rules of the CSG, this may suggest low rule specification and heterogeneity of interpretation (and thus also mutability); whereas if civil society is not delivering upon its responsibilities under the terms of the CSG vision (e.g. by providing the Parliament with a plentiful supply of young people who are willing and able to make their voices heard), this may suggest that the CSG vision is out of step with wider societal attitudinal frameworks in relation to accessibility and participation for young people (thus prompting consideration of multiplicity as an elucidatory factor).

Overall, a greater degree of understanding of the issues faced by key actors in attempting to facilitate reliable reproduction of the CSG vision (or not, as the case may prove to be) will go some way towards a better understanding of the Parliament's work to deliver accessibility and participation for young people more generally. In addition, it is worth noting that issues of mutability and multiplicity will require different types of remedial action – if, indeed, any such action is wanted by key actors. In the case of internal contradictions, any remedial action may ultimately be futile without revisiting the very premises of the design itself. As such, consideration of these barriers will also provide a more enlightened insight to the future direction of these aspects of the CSG vision.



## **7.2 KEY THEMES**

All interview / focus group respondents were able to point to a number of barriers which they felt affected children and young people and / or the Scottish Parliament in terms of accessibility and participation. In general terms, MSPs emphasised barriers exogenous to the Scottish Parliament. In other words, the principal barriers which they identified did not emanate from the Parliament itself, but rather were to be found within society more broadly, or within the specific constituency of society constituted by children and young people: for ease of reference whilst discussing the following findings, this tendency is referred to as a 'response gap' on the part of extra-parliamentary actors to 'live up to their responsibilities' or to adjust their behaviour in order to conform with the CSG vision (as a result of other, embedded institutional templates, typically composed of informal norms rather than formal rules: this is consistent with the multiplicity account of institutional breakdown).

However, young people and their representatives, whilst not denying the existence of extra-parliamentary barriers, also stressed the importance of barriers endogenous to the Parliament: in other words, aspects of the way in which the Scottish Parliament operates were thought to constitute barriers to CSG delivery. Overall though, little evidence was found of this being due to internal contradictions within the CSG vision. Rather, the endogenous barriers identified were seen to be the result of an 'implementation gap': in other words, the tendency of MSPs not to conform to the rules associated with the CSG vision, and – as a result of low institutional rule specification – to interpret their responsibilities in such a way that reliable reproduction of the CSG vision was undermined (consistent with the mutability account of breakdown). Thus, whilst youth representatives accepted that in some regards there had been a 'response gap' in civil society, the 'implementation gap' within the Parliament was seen to be more profound in nature. It was generally held that if there had been greater implementation of the CSG vision, so civil society would have reciprocated, ensuring less of a response gap.

### **7.2.1 Thematic Categories**

Prior to considering specific barriers, this section provides a brief thematic overview of the barriers identified by research participant groups. Categories are composed of a collection of subsidiary barriers whose endogeneity or exogeneity are as consistent as possible within categories, and given the already established tendency for MSPs to focus upon exogenous barriers and youth representatives to focus on endogenous ones, certain specific barriers are also quite readily attributable to a particular research participant group.<sup>1</sup> Where available, suitable qualitative quotes are used to illustrate any correlation between findings and research participant groups. However, as this analysis attempts to synthesise the perspectives of over 50 different individuals within reasonable limits, the absence of raw qualitative evidence (in the shape of direct quotations) from a particular group within a particular category does not necessarily mean that it was not mentioned.

Evidence from the qualitative data collection with MSPs, Parliament Clerks, youth representatives and children and young people resulted in the identification of a large number of barriers to young people's accessibility and participation in the work of the Parliament. In accordance with the analytical framework, these were 'distilled' with a view to decreasing specificity and increasing the generality of conclusions. As such, the various barriers were assigned to one of five thematic groupings. These groupings could then be further reduced to endogenous and exogenous categories with a view to exploring the existence of an implementation gap or a response gap (or both). Within these two over-arching categories, the five less general thematic categories created were as follows:

- **Exogenous Barriers**
  - Young people's capacity to access/participate
  - Logistical barriers
  - Lack of 'pathways to participation'

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<sup>1</sup> For example, youth representatives were overwhelmingly responsible for the evidence justifying the creation of a category relating to MSPs' attitudes towards engaging with children and young people.

- **Endogenous Barriers**
  - Systemic or process-related barriers within Parliament
  - MSP attitudes

It should be stated that significantly different volumes of data were provided by interview participants, with many participants speaking at length about the capacity of young people to access / participate and the systemic obstacles within parliamentary procedure, in particular. The individual thematic categories and specific barriers therein will now be explored in turn.

### **7.3 EXOGENOUS BARRIERS**

Firstly, exogenous barriers are explored. As stated above, the greater the proliferation of exogenous barriers, the more convincing the response gap (or multiplicity) account becomes. Similarly, the greater the profundity of these specific barriers, the more a response gap is seen as being central to the differential delivery of accessibility and participation for children and young people established in Chapters Five and Six.

#### **7.3.1 Young People's Capacity to Access/Participate**

The first category of barriers discussed relates to young people's capacity to participate in the work of the Parliament in the way envisaged by the CSG. MSPs in particular focussed upon these barriers, arguing that young people often had neither the capacity nor the willingness to participate. Youth representatives also recognised such barriers, but viewed them differently from the MSPs, as shall be seen.

##### **7.3.1.1 Political Knowledge**

Young people's capacity was strongly linked to political exclusion. However, there was a significant difference between MSPs and youth representatives in terms of the emphasis placed upon the deficiencies of children / young people and the Parliament / MSPs. Bynner and Ashford (1994) identify four key constituent factors in political exclusion: low levels of political trust, efficacy, knowledge and interest. MSPs tended

to focus upon two of these (political knowledge and interest), claiming that despite the efforts of the Parliament to educate young people and capture their interest, young people typically knew too little or showed insufficient interest in playing any role in the work of the Parliament.

Politics is all about trying to persuade people to do things. We're *trying* to persuade young people to engage, but if they're not interested, you can only go so far.

MSP

They're not interested in *party* politics, but [...] they're still interested in *politics* [...] I *do* try and point that out – given the chance – when I do schools. You're telling me about this; you're campaigning about asylum seekers: *that's* political.

MSP

Youth representatives also recognised deficiencies in young people's knowledge and agreed that this could constitute a barrier to becoming involved in the work of the Parliament. In addition to knowing too little about the Scottish Parliament's own working methods, they identified confusion over the exact role of the Parliament within Scotland (i.e. how it differed from the Executive) and within the UK (i.e. how its responsibilities and powers related to those of Westminster). There was a feeling that the Parliament itself had not carved out a sufficiently distinctive role, and it needed to make clearer to young people how they could influence policy-making through the Scottish Parliament specifically. This was a view which was also expressed by a number of MSPs.

People do *not* distinguish between the Parliament and the Executive [...] It's *all* 'the Scottish Parliament'. Whenever the Executive does anything pretty foolish – which is a daily event – the *Parliament* is blamed, so I think it's part of it that the Parliament isn't – in my view – independent enough of the Executive, and we don't spend enough time talking to people [about it].

MSP

Several youth representatives mentioned that many of the issues about which young people in Scotland held particularly strong opinions – such as international development, nuclear deterrence, asylum seekers and foreign affairs – were reserved

to Westminster. Without an informed understanding of the difference between devolved and reserved powers, children and young people were left disillusioned when told that trying to raise the issue with the Parliament was somewhat futile. Thus, the Scottish Parliament was seen as having a responsibility (not only to children and young people but also to its own reputation) to educate people more about the intricacies of the devolution settlement, and what could and could not be realistically achieved by lobbying the Scottish Parliament (or individual MSPs).

I think the Parliament could do more in terms of promoting what kinds of changes are realistic for the *Parliament* to make, and what aren't.

*Youth Representative*

In addition to this *conceptual* knowledge – which relates closely to the educative type of information discussed in Chapter Six – MSPs and youth representatives also expressed concerns over children and young people's knowledge in *practical* terms. Due to their age, children and young people were seen as more likely than adults to lack the skills required for meaningful interaction, such as knowing how to submit written evidence or present oral evidence to a committee. As a result, even under relatively unpressured circumstances, it was felt to be more productive – not to mention straightforward – to involve adult representatives of children and young people in the process. A number of the youth representatives interviewed also made reference to ability. However, in most cases, this was not expressed as being a barrier which children and young people need to overcome, but rather as simply being one of the additional demands inherent in working alongside any marginalised or disenfranchised group. Indeed, it was pointed out that many adult participants would suffer from similar issues of competency. As such, this barrier was usually mentioned by youth representatives not as a criticism of children and young people, but rather as a consideration to which the Scottish Parliament needed to pay greater attention, rather than attempting to sidestep it by automatically relying upon adult advocates for children and young people.

### 7.3.1.2 Political Interest

With regard to political interest, youth representatives pointed out that unlike political knowledge, political interest in itself was not seen as a significant barrier to children and young people's involvement. Whilst knowledge of political bodies was seen as being low, their knowledge about current affairs was much higher. Similarly, there was a perception among youth representatives that far from being disinterested, young people actually exhibited a very high level of interest in political issues. This was borne out by some of the discussions on relevant current affairs issues during focus group sessions. This interest, however, did not extend beyond political *issues* to political *bodies*, bearing out the earlier finding from Chapter Two that whilst children and young people are prepared to – and routinely *do* – engage with political issues, they do so using non-traditional forms of political participation. In this respect, the low levels of knowledge about, trust in and efficacy in relation to formal bodies were thought to outweigh any political interest which might otherwise have prompted many young people to consider pursuing issues through the Parliament.

MSPs also recognised this fundamental unwillingness among many young people to engage with traditional forms of politics. In addition to issues of trust, knowledge and efficacy, MSPs also blamed factors such as prevailing social attitudes towards organised politics and the 'stuffiness' of formal politics (e.g. political jargon, formal dress codes etc.) for disconnecting young people from formal political bodies. Young people were recognised as being more interested in direct action, and predominantly post-materialist issues, and MSPs believed that traditional political bodies did not constitute the type of arena in which such politics could or should be played out. This was expressed fatalistically, suggesting that young people and formal politics could never be reconciled due to a lack of interest on the part of young people in engaging with formal bodies, and a perceived immutability within formal politics which meant that any procedural changes designed to accommodate more contemporary patterns of participation was tantamount to 'cheapening' the process.

The process of politics bores them all rigid, and clearly single-issue politics are far more interesting and exciting. I mean, the actual process of politics is mind-numbingly boring [...] It's really hard to sex that up for an 18 year-old.

MSP

This is still *politics*. Ultimately, this is still political *parties*. Ultimately, this is still horse-trading, compromising, trade-offs, deals [...] It's never going to be anything else than that. It is a *Parliament*, so that comes with the territory.

MSP

### 7.3.1.3 Political Trust and Efficacy

It was unusual for MSPs to consider the two other factors of political exclusion (political trust and efficacy) which tend to derive respectively from the performance and image of political representatives in the case of the former, and from the (perceived or actual) receptiveness of political institutions or ability of non-parliamentarians to effect change within political processes, in the case of the latter (Fahmy, 2006). On the rare occasions that they *were* identified by MSPs as barriers, it was argued that low levels of political trust and efficacy were based not on a realistic appraisal of the trustworthiness of political representatives, but rather upon an ill-informed generalisation about politicians which was often reinforced by the media and society more widely.

When people talk about the failure of people to vote, they always say: [*sarcastically*] 'it's because of the politics, it's because of the politicians, it's all about the personalities, they're all in it for themselves, it's a gravy-train, or it's all corrupt'.

MSP

Again, where MSPs referred to low levels of political efficacy as a barrier, the problem was typically seen as resting with members of the public and not with the Parliament. A very small number of MSPs did point out that the structures and working methods of political parties, the Executive and the Parliament were to some degree partly responsible for public perceptions of the ability of non-parliamentarians to influence decision-making, citing a culture of usual suspect consultation in the Parliament and political opportunism in parties and the Executive. However, most MSPs pointed to structures such as the Public Petitions process as providing a means by which members of the public (including children and young people) *were* able to influence the work of the Parliament. That these structures had failed to induce a sense of political efficacy

was typically attributed by MSPs to poor levels of take-up among the public (particularly younger people), rather than structures failing to deliver empowerment.

The Public Petitions Committee *does* try to take the committee out to various places so that people understand how it works, how they can interact with it, but young people don't seem to think in those terms [...] You can't force people to do things if they're really not interested in doing them.

*MSP*

This disconnection between young people and formal political bodies was not thought to be restricted solely to legislatures. In addition to an unwillingness to engage with political institutions, MSPs also described a disjunction between many young people and political parties. Again, a preference for more direct, individualistic modes of political action meant that political parties were often overlooked as avenues for young people's participation. That parties were still perceived as the principal agents of participation in politics was seen as a barrier by many youth representatives, who had understood that the focus on consensus and power-sharing prior to 1999 would have meant less party politicking, and who argued that the continued prominence of political parties and the bickering with which they were often associated by young people represented a considerable barrier. Again, however, MSPs emphasised the immutability of party politics, with most arguing that the need for adaptation lay with children and young people, and not with political parties.

Unsurprisingly, youth representatives and young people focussed upon the need for political elites to cultivate and earn system support, rather than simply expect it. They actively emphasised the need for the type of institutional adaptation which MSPs rejected, arguing that formal political bodies needed to be brought more in line with broader social norms relating to modes of participation which – despite their stereotyping as 'faddy' or fashionable – are not solely the transient preserve of a small body of young people, as Chapter Two demonstrated (e.g. Parry et al, 1992; Pattie et al, 2004). As such, there was recognition among youth representatives that formal political bodies needed to be more flexible in order to better accommodate young people's participatory preferences and to demonstrate the relevance of parliamentary



participation (thereby hopefully increasing levels of political interest, trust and efficacy).

What [young people] want to do is take action. They don't really want a patronising tour of the Parliament: that's not going to make any difference!

*Youth Representative*

Thus, whilst moves such as greater accessibility were welcomed by youth representatives and young focus group participants, they argued that simply providing them with more information was not the answer. Younger people were already interested in political issues: what would convince them to engage with formal bodies was a sense that they could make an impact, and knowledge of *how* to do so. At present, young people either did not have confidence in the Parliament to act upon their concerns, or did not believe that they had the capacity to influence the Parliament in such a way as to effect meaningful change. In this respect, they argued for a greater degree of *instrumental* information on how they could make a difference (in addition to the more general, educative information on the Parliament's role in UK politics outlined above) and for the Parliament to introduce procedures which ensured that young people's views were seen to be taken seriously.

### **7.3.2 Logistical Barriers**

The second category of barriers to accessibility and political participation is composed of the logistical factors impacting specifically upon young people. The factors thus identified were time and money (or lack thereof), geography, and the transience of childhood. Surprisingly, educational barriers were *not* mentioned, despite education's prominence as one of the largest single predictors of formal political participation (Parry et al, 1992). However, Chapter Five in particular showed the importance of formal structures as facilitators of participations in terms of committee work and petitions.

The significance of logistical barriers was particularly emphasised by MSPs, due to their impact upon demand for the Parliament to create opportunities for accessibility and

participation. However, MSPs recognised that such barriers were not unique to young people, but rather could impact upon people of all ages.

The people who are disengaged or unmoved or remote in whatever way, you just pass them by. That's the biggest difficulty, because sometimes they're the ones who you *most* want to reach out to, and they're the ones who are *most* difficult to get to.

*MSP*

However, the particular combination of economic dependence of younger people upon adults, their relatively limited geographical mobility and their incomplete autonomy in the allocation of their time meant that such factors were particularly pronounced. Money and geography were not seen as being so pervasive for older members of the 'young people' age-range, but time demands were seen as particularly significant. As such, despite potentially having an interest in pertinent issues and having the requisite skills to allow access / participation, many young people faced other demands upon their resources preventing them from taking up such opportunities, or at least lessening the likelihood of them doing so. In the face of such competing demands, the low placing of politics and the Parliament in young people's lists of priorities meant that other concerns usually took precedence. Both MSPs and youth representatives argued that for many young people – as for many adults – politics would never feature among their top priorities. However, for those more likely to be involved as a result of their prior involvement in youth organisations or other similar structures, pressures of time and money were also a significant barrier to the adult intermediaries who might otherwise encourage them to participate.

Young people have got a lot of demands on their lives, and Parliament's not 'up there'.

*Youth Representative*

### **7.3.2.1 Economic Resources**

A lack of adequate economic resources was seen by both MSPs and youth representatives as being a significant barrier to participation in committee work, not

only for young people themselves, but also for the organisations (e.g. charities, advocacy groups, service providers etc.) which actively seek to convey the views of young people to the Parliament, either by facilitating their direct involvement in a committee evidence session, for example, or by using adult advocates to articulate the young people's views.

Whilst the *actual* direct costs to an individual young person submitting a petition or written evidence were seen as low, the opportunity costs were seen as much higher, with individual young people much less likely to be able to track parliamentary programmes for relevant upcoming material or submit written evidence than dedicated campaigning or service provision organisations (see Jordan, 1998 on action costs). Again, the findings here reinforce Chapter Five's conclusion that the role of such organisations is crucial as an intermediary between the Parliament's committees and young people.

I think there's certainly a willingness there, but lack of resourcing and lack of time and ability makes it very difficult for them.

*Youth Representative*

The agencies that work with children and young people and the individuals who work with children and young people are very willing to engage with the process. I don't think it's a concern with willingness so much as with resources.

*Youth Representative*

However, a number of these organisations expressed concern at the way in which this role had been filled by a fairly select array of youth organisations, based in part upon the size of their membership and geographical remit. Even more important than this were the financial resources upon which organisations could draw, with well-funded organisations seen as reducing opportunities for less well-funded organisations (and, by extension, for the children they represent).

Better-funded organisations were thus able to respond more quickly (often drawing upon previously-conducted research) in order to provide MSPs with the type of information required at fairly short notice. Smaller and more specialised organisations

– some of whom, it was argued by a number of youth representatives, would be *better* placed to give an informed opinion than broader, catch-all type organisations – were often excluded due to their inability to immediately divert resources towards accommodating the Parliament’s extremely tight schedule at Stage One of Bills.

### **7.3.2.2 Time Resources**

This necessarily leads to consideration of time as a barrier, with a number of youth representatives claiming that it exerted a effect similar to economic resources in terms of attempting to involve young people. The Stage One consideration of Bills was seen to be excessively short and time-pressured across *all* committees, but particularly so when dealing with children and young people due to the additional demands involved in facilitating their participation. Whilst some better-funded organisations could cope with the short lead-in time resulting from this, many youth representatives claimed that simply slowing the parliamentary process down slightly would also allow for a wider range of organisations to bring young people in as contributors to both written and oral evidence.

We’ve been asked a couple of times actually by the Parliament, I think in the very early days, to consult [with children] [...] But it was three weeks’ notice, and we said: ‘look; this is really, really important; you can’t consult with children in three weeks, it’s just not possible’. You *could*, if it was a *very* small consultation, and you had two or three days with them, then it would be meaningful. But if you wheel children in for a one-hour session, they’ll tell you what you want to hear, because you’re just like any other adult as far as they’re concerned [...] [and] they’re used to adults not listening to them.

*Youth Representative*

If they ask us to do it, they don’t give us the time to actually achieve it, so it’s only if we’ve done the research or have some data on file that we’ll be able to contribute in that way.

*Youth Representative*

This combination of tight timescales and subsequent inability to directly involve young people was seen as a major factor in the development of the usual suspects culture which was still thought to exist in relation to the youth and children’s sector, with

some organisations enjoying privileged treatment as a result of their ability to meet the Parliament's demands and not necessarily as a result of any genuine expertise on a given subject. Whilst this may be consistent with pluralist approaches to policy-making, it is nevertheless at odds with the CSG desire to see organisations outwith the usual suspects involved in the work of the Parliament. Having discussed this issue during the course of data collection with some of the organisations branded as usual suspects, it emerged that although each of them perceived this privileged access to be good for their own organisation, they nonetheless believed that it was not the best situation in terms of facilitating a stronger brand of youth participation across the sector, and that it led to smaller and weaker – but nevertheless important – voices being squeezed out.

### **7.3.2.3 Geography**

Geography was also seen as representing a barrier to both accessibility and participation, but particularly to the latter, and particularly for individual young people. Formal participation in the Parliament's work was believed by MSPs and youth representatives to decline in inverse proportion to geographical isolation. However, a similar impact was also perceived in relation to the Parliament's on-campus accessibility work, although other aspects – for example the website – were praised for attempting to address this. However, given the importance which MSPs attached to the school visits programme in increasing young people's knowledge and understanding of the Parliament, the perceived geographical distribution in visits from schools was seen as indicative of a major barrier to children and young people from outwith Scotland's Central Belt.

There's no financial support for it [...] If you're up near Orkney, I don't know how they do it. So I think there's more could be done there, but at the same time, I suppose the Parliament says it's not their job really spending money on school trips to the Parliament.

*MSP*

Whilst the Parliament's Outreach work aims to address this issue by taking Parliament staff and MSPs out to schools, the positive impact of *combining* this with visits to the

parliamentary campus for young people was emphasised in the focus groups, with the children who *had* visited the Parliament expressing a far greater degree of interest in and knowledge of the Parliament than those who had not, whilst those children who had *only* been exposed to the Outreach programme stated that actually seeing the Parliament in action would have made a far greater impact upon them.

This factor also applied to participation in the work of committees, with a number of youth representatives in particular expressing concerns at a lower likelihood of young people from outside the Central Belt being able to present their Petition to the PPC or give oral evidence to other committees. As such, they were keen to see the Parliament engage with younger people more in their own environments rather than expecting young people to go to the Parliament. It was thought that a number of committees had set an impressive precedent in their work with young people in this way (e.g. sending MSP reporters to speak with young offenders) and that others should be prepared to follow suit. Again, the possibility of establishing regional parliamentary centres or greater exploitation of the Partner Library network was mooted by youth representatives as a means for building such links outside the Central Belt.

#### **7.3.2.4 Transience of Childhood**

The final barrier identified within the logistical category was the transience of childhood, and was highlighted by both MSPs and youth representatives. Whilst there was an enthusiasm among youth representatives for the mainstreaming of a youth perspective across the work of the Parliament, obtaining the views of specific subsets of the young population posed particular problems when compared with other marginalised or disenfranchised groups. Thus, whilst characteristics such as disability or race were almost invariably fixed, children and young people's status is constantly evolving, with their ability to speak on behalf of a particular constituency of young people changing constantly as they age. Whilst this was not a factor which would necessarily impinge upon their desire or capacity to participate, some MSPs saw a tension between the need for representativeness of participants and the fact that young people's representative claim (in terms of age, at least) was always anchored to a specific point in time in a way which other marginalised groups' claims were not.

This transience was highlighted as a specific problem in the Public Petitions process, whereby some cases may move significantly more slowly than Bills at Stage One or committee inquiries. MSPs stated that such long lead-in times could complicate attempts to involve petitioners in committee discussions, or to enter into a dialogue about satisfaction with responses received to a Petition. One MSP made reference to an example of a petition submitted by Primary Seven pupils during the Spring term: by the time the petition had been considered by the PPC after the summer recess, the children had not only advanced a year, but in doing so had moved from primary to secondary school, making any attempt to involve them directly in the PPC's consideration of the petition much more challenging. Committee Clerks also confirmed this to be a logistical factor which the PPC had to take into account when considering Petitions.

One of the difficulties [...] when engaging with young people and especially schools is that schoolchildren quickly move on, and the petitions process can sometimes take a year or six months [...] That presents quite a significant barrier.

*Committee Clerk*

Such transience served to strengthen the case in the minds of the MSPs interviewed for dealing with professional adult representatives of children and young people rather than young people themselves. However, a number of youth representatives argued that if anything, this barrier should strengthen the case for trying to encourage the development of structures which would allow the Parliament ready access at any point in time to young people who might be able to contribute. As current structures were seen as too centred around a small number of specific individual young people engaged through usual suspect organisations, a number of the youth representatives interviewed wanted to see both Parliament and Executive taking steps to work more closely with organisations such as the Children's Parliament, the Scottish Youth Parliament and even schools in order to draw upon their resources and ready accessibility to the views of children and young people.

### 7.3.3 Lack of 'Pathways to Participation'

To employ Shier's (2001) terminology, a further group of barriers highlighted is composed of two factors which relate to 'pathways to participation', or a lack thereof. This term is used to cover not only a wider sense of impetus for children and young people to access or participate in the Parliament's work, but also structures which might facilitate the emergence of participation.

#### 7.3.3.1 Impetus

The notion of impetus for accessibility and participation was one which held particular salience for MSPs, raising questions about the accuracy of the CSG's assessment of societal norms and the social construction of children and young people. A small number of MSPs suggested that rather than MSPs or the Scottish Parliament being out of step with wider society in expressing philosophical concerns about participatory democracy and greater participation for children and young people, it was in fact those most actively pushing for *greater* participation rights (both generally and for young people) whose normative standpoint was out of step with that of wider society.

As such, MSPs highlighted a lack of 'push' factors within civil society, and most were scathing of what they perceived to be a latent culture of non-participation in traditional forms of politics within society. They were critical of prevailing public attitudes towards politics, which they believed played a significant role in discouraging young people from accessing information on or participating in the work of the Scottish Parliament, whether in the capacity of a voter or of a contributor to the Parliament's ongoing work.

It's almost taken for granted that people don't [participate], and instead of that being something that people are *disapproving* of, what they're getting from all sorts of different quarters is *approval*.

MSP

A number of MSPs criticised specific agents of political socialisation. In particular, schools were singled out as failing to provide children and young people with enough information and the correct motivation to participate in politics, with some schools



criticised for conveying a message of cynicism, or failing to pass on to their pupils the kind of opportunities offered by the Scottish Parliament to schools (such as Education visits or the Parliament's Outreach programme) as a result of some teachers' attitudes.

I was going to speak to sixth-form Modern Studies kids about parliament, and I met the head teacher before I went along to the class and he told me he hadn't voted for ten years [...] If that's the example set to young people, then it's hardly surprising when *they* don't.

*MSP*

The media was also seen as playing a particularly influential role in children and young people's socialisation and, in this respect, was criticised on two counts. Firstly, and most importantly, the media was criticised for failing to convey the message that participation in politics was an important part of citizenship. There were also regular comments from MSPs about the type of 'bitch journalism' towards the Parliament against which the Parliament's first Presiding Officer had previously railed (The Scottish Parliament, 1999e). Whilst the former was seen as breeding a sense of contempt for political participation more generally, the latter was seen as eroding further any political trust young people had in MSPs.

Whilst youth representatives recognised that a lack of impetus constituted a genuine obstacle to young people accessing or participating in the work of the Parliament, they tended to focus upon 'pull' factors. Thus, where MSPs emphasised the need for civil society to push young people towards accessibility and participation, youth representatives saw the responsibility lying in the first instance with the Parliament, in that it needed to offer more and better publicised appropriate opportunities for participation in order to attract young people towards accessibility and participation. That is not to say that youth representatives saw *no* place for wider societal encouragement of participative norms, or that they believed that the Parliament was entirely to blame. However, the Parliament was seen to have a legal and / or moral obligation to drive forward the participation agenda (as outlined by the CSG and in the UNCRC). Furthermore, as a young and often maligned political institution, it was in the Parliament's best interests to create a sense of legitimacy deriving from heightened levels of political trust and efficacy.

One impetus barrier on which MSPs and youth representatives were in broad agreement was the existence of resistance within wider society to the idea of children and young people participating in decision-making. Despite a youth sector which was seen as being extremely positive about having children and young people involved in the work of the Scottish Parliament, this attitude was not seen as being reflective of wider society. Rather, the attitude of MSPs appeared to be far more in keeping with wider society in this respect.

There's not a culture [in the Scottish Parliament], if you like, of the importance of listening to the voice and experience of the child and young person.

*Youth Representative*

We're not a child-friendly society. I think children are often tolerated; not even *accepted*, but tolerated.

*Youth Representative*

As stated earlier, such a finding is interesting, as it raises important questions as to how realistic the CSG vision was and whether the working methods of the Parliament should be criticised for apparently reflecting the norms of wider society and not those of a smaller subset of the population. When questioned on this, youth representatives tended to focus upon the intended role of the Parliament in implementing a new style of politics, not merely reflecting the views of the population. That wider society was more used to a particular way of conducting politics or thinking of young people was not seen as sufficient justification for the Parliament to abandon what youth representatives perceived to be akin to a mission from the CSG.

I certainly don't think they [the CSG] were over-ambitious [...] They underestimated the pressures which would pull the Parliament in other directions [...] but I wouldn't be comfortable with just 'unrealistic' as a general label.

*Youth representative*

Thus, whilst youth representatives agreed that some degree of social reinforcement of participatory norms was required in order to enthuse children and young people, they believed that the Parliament should play a leading role in cultivating and reinforcing

such norms, even where wider societal norms were not so supportive. Again, this emphasises the general tendency in different understandings of the Parliament's role in relation to youth participation between parliamentarians and non-parliamentarians. Whereas MSPs emphasise the role to be played by civil society in creating this type of participatory culture, the civic representatives and young people interviewed emphasised the importance of the Parliament as a key driver of such a culture through the provision and publicising of opportunities.

### **7.3.3.2 Facilitative Structures**

The importance of intermediary organisations in facilitating young people's participation has emerged as a recurring theme in this analysis, with participation in the Scottish Parliament's work without the support of such gateway organisations or networks seen to be exceedingly rare. Whilst it was recognised that this was less of a barrier to participation in the Public Petitions process, participation in the legislative and inquiry work of other committees was seen as being extremely difficult for individual children and young people. This was typically the result of two factors. Firstly, as identified above, the opportunity costs involved in participating individually were seen to be prohibitive, with economies of scale making participation through formally-constituted structures more attractive to young people. In this respect, the barrier applied to people of all ages, although individual children and younger people were nonetheless seen as requiring greater levels of support than individual adults.

It's much, much more difficult [for individuals outwith networks]. I mean technically, there's nothing stopping an individual young person, but it doesn't really happen, because [...] [they don't] have the resources and ability to actually follow that through.

*Youth Representative*

Secondly, participation through formal structures was more likely to satisfy MSPs' requirement that participants in committee business be able to demonstrate some form of representative legitimacy. However, both MSPs and youth representatives identified three factors giving cause for concern about the validity of structures for young people in this way.

Firstly, MSPs stated that there were simply too *few* legitimate structures through which children and young people could become involved in the work of the Parliament and, similarly, through which the Scottish Parliament could seek to involve children and young people. As a result, many MSPs felt that they were restricted in terms of public involvement, and that such restrictions served only to perpetuate existing patterns of exclusion. The implication of this – although this was only *implicitly* voiced by MSPs – is that any diversion of further resources or institutional support towards greater involvement of members of the public (including children and young people) would only serve to reinforce what was seen by youth representatives as a usual suspects culture. Whilst such a stance is understandable, it seems hard to reconcile with committees’ already-established reliance upon a small number of usual suspect organisations.

What happens is that the more active you are, the more you engage with the same group of very active citizens. So you have the people who are already engaged being given even more preferential access, effectively.

*MSP*

Whereas this first concern related to a paucity of external structures, the second problem voiced by MSPs related to the external structures which already *do* exist. These were seen by MSPs as having performed poorly in terms of making themselves heard and pursuing opportunities offered by the Scottish Parliament to participate in its work (or demanding the opportunity to participate where this was not offered). As a result, there was a feeling among MSPs that although the Parliament did supply opportunities for young people’s organisations to participate, the demand from civil society organisations and structures (consistent with the findings immediately above) was not commensurate with the number of opportunities made available.

Thirdly, existing structures were also criticised for their dependence upon a select type of group of children and young people, whose lack of representativeness (both in terms of geography and, more importantly, demography) served to dissuade both the Scottish Parliament from approaching them, and other children and young people from attempting to engage with the network(s). The most widely lamented example of this was the Scottish Youth Parliament, which was criticised by virtually every MSP

interviewed on the basis of what was perceived to be its low profile, lack of social inclusion and degree of national representativeness (although it should be added that some MSPs praised the Youth Parliament in other respects).

I go to schools and I mention the Youth Parliament, and they're all like: 'what are you talking about?' They're not *out there*, and any events I've been at – whilst I've quite enjoyed them – it's very much [*disapprovingly*] a wee club.

*MSP*

Such opinions were also expressed by the young people interviewed in focus groups. Not one young person in any of the focus groups was aware of the Scottish Youth Parliament's activities in their area, and most had never heard of the SYP at all. Such claims echo the findings of the Being Young in Scotland 2005 survey (conducted by MORI for the Scottish Executive and YouthLink Scotland), which showed that only 1% of young people aged 11-25 had been involved in the work of the SYP or met an MSYP (Scottish Executive Education Department, 2005). In addition to criticism of the SYP's current incarnation, a small number of MSPs expressed scepticism about its potential *ever* to act as an effective vehicle for participation or representation due to the logistical difficulty of transposing democracy to the youth level.

How representative are they of the rest of their peers? Can you have youth elections? [...] Say they're elected in fifth year at school, they'll have left school before they get the chance to report back.

*MSP*

Despite youth representatives adopting a position similar to the preceding themes (whereby they emphasised the need for proactivity on the part of the Scottish Parliament), there was also a recognition that without any demand, such supply would be meaningless. As such, a consensus emerged that there was an onus upon civil society to develop and expand networks which could facilitate the type of widespread interest and participation envisaged by the CSG. Where MSPs had identified three principal problems leading to barriers to children and young people's participation, so too did the youth representatives. Again, there was perceived to be an insufficient proliferation of networks and/or permanent structures, poor performance in taking up

and pressing for opportunities to participate, and in expanding the degree of coverage of children and young people. Whilst there was almost unanimous support for some form of national youth representative body in principle, most youth representatives expressed frustration at the perceived failure of the Scottish Youth Parliament to establish itself as a representative, accountable and effective vehicle for articulating the voice of children and young people across Scotland, criticising it for being insufficiently proactive, elitist, unrepresentative and for simply reproducing parliamentary practice on a smaller scale.

They're all articulate, well-versed young people who have their career path planned out: many want to be politicians [...] Many *other* young people see them as being elitist [...] They also see it almost as if it's a closed shop.

*Youth Representative*

Similarly, the Children's Parliament (which deals with a younger age-range) also drew criticism, but of a far milder tone (due primarily to a different approach to inclusion and the difficulties faced in working with much younger children).

## **7.4 ENDOGENOUS BARRIERS**

The chapter has thus far established the existence of a number of specific exogenous barriers, which suggest the existence of at least some degree of institutional multiplicity. This section now considers the prevalence and profundity of endogenous barriers. Again, the greater the proliferation and effect of such barriers, the more convincing the claim of mutability as the source of breakdown becomes.

### **7.4.1 Systemic Factors**

The first category of endogenous barriers is composed of 'systemic' barriers and covers specific informal aspects of parliamentary practice which serve as barriers to accessibility and / or participation for children and young people. These barriers were identified almost exclusively by youth representatives, with most MSPs reluctant to consider the suitability of parliamentary practice in relation to one specific societal group, or to countenance 'special treatment' for such a group. As such, only a very

small number of MSPs voiced concerns in this regard. Such a perspective, however, fails to take into account the possible generalisable lessons deriving from a specific case, and the fact that the ‘implementation gap’ in relation to the CSG vision does not appear to be entirely restricted to young people.

As such, a number of systemic barriers are considered within this section. They are:

- Lack of compulsion;
- Lack of time;
- Lack of expertise; and
- Lack of relevance

These are now considered in turn.

#### **7.4.1.1 Lack of Compulsion**

The preceding chapters showed that significantly different opportunity structures exist for children and young people in relation to accessibility and participation. With regard to the former, children and young people – in certain respects – seem disproportionately privileged by the Parliament’s approach. For the latter, however, Chapter Five showed that opportunities for children and young people (and their adult representatives) to participate were confined to certain committees, certain types of activity and certain types of issue<sup>2</sup>, although this was less evident in relation to the Public Petitions process.

Some of the foregoing barriers suggest that part of this may be due to low levels of enthusiasm on the part of young people. However, youth representatives also identified significant systemic barriers which were thought to play a role. Firstly, they identified issues with regard to the translation of MSPs’ support for the CSG in principle into the creation of the meaningful opportunities for young people in reality. Despite stating support for the CSG, many MSPs did not believe it appropriate to make the type of concessions which would be necessary in order to implement the

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<sup>2</sup> Respectively, their participation was concentrated in committees whose remit related strongly to youth issues; in inquiry and not Bill work; and on youth issues.

participatory vision of the CSG. Arguing that such MSPs' attitudes were strongly linked to a persistent representative democratic mindset, youth representatives stated that in the absence of a formally codified approach to public participation (particularly for young people), relying upon individual MSPs to prompt a committee to consider participation was unlikely to begin bearing fruit. As such, rather than changing attitudes (although it was hoped that attitudes would later evolve accordingly), youth representatives argued that a less discretionary and more prescriptive approach was needed, ensuring that young people's views were heard in the way the CSG intended.

It's the parliamentary *structures* which need to be more responsive, rather than the individual Members [...] Some Members *are* quite good, but we're talking about the Parliament itself and the way it structures its work, rather than saying: 'right, each individual Member: *you* need to try harder'.

*Youth Representative*

You need to look at changing the *procedures* that you use; changing the processes and actually trying to reach out to them, rather than forcing them [young people] to come and fit in with the existing system.

*Youth Representative*

This claim has demonstrable links back to the theoretical framework and its recognition that without formal prescriptive rules, the opportunity for institutional misdirection is heightened. In practice, the most frequently cited example of this was the lack of regular participation of children and / or young people (or even their adult representatives) in the work of the Parliament's committees, with most of the youth representatives interviewed asserting that when participation *had* taken place, it was *despite* the procedures of the Parliament's committees, rather than *because* of them. As seen in Chapter Five, committees have no systematised commitment to considering the perspective of children and young people (or even that of their adult representatives), and as such their input was only considered extraordinarily. Even on youth issues, some MSPs reported not having involved children and young people directly. On legislation *not* related specifically to children and / or young people, it was rare for a youth perspective to be sought by the Parliament, even – according to some youth representatives – when children's organisations had submitted written evidence in the hope of being invited to provide oral evidence. Whilst the lack of mainstreaming



in itself was thought to constitute a significant barrier, its effect in marginalising opportunities for young people to participate was compounded by three further barriers. Firstly, as outlined above, given the lack of prescriptive rules to mainstream youth participation, MSPs' attitudes (which take on added importance where the institutional framework is non-prescriptive) were cited as presenting a barrier. This is discussed in the next discrete section. For now, this section focuses upon the other compounding factors: the logistical demands of time and expertise.

#### **7.4.1.2 Lack of Time**

The issue of time related principally to the workload placed upon committees by legislative proposals from the Executive. This pressure often meant that little time was available to allow for divergence from anything other than the most straightforward, familiar format of consultation involving key stakeholders. Even though the Parliament itself schedules legislative timescales (as opposed to the executive at Westminster), the sheer volume of legislative proposals with which committees had to contend resulted in severe limits being placed upon the likelihood of either innovation or participation, both of which involve greater timescales than traditional consultative processes of legislative scrutiny (see Bradbury and Mitchell, 2001).

We don't spend enough time talking to people [...] We've become a legislative sausage machine. To start with, there was an excuse for it, because we hadn't had a parliament for 300 years [...] [but] the Communities Committee – which I was on for a couple of years – in the course of this four-year Parliament will virtually do nothing but [Executive] legislation.

*MSP*

Select committees [at Westminster] can spend their time examining how the government is doing X, Y and Z, and they can put the boot in pretty severely [...] We don't have enough of that, because the committees are too busy dealing with the legislation.

*MSP*

Particularly in relation to children and young people, where additional help or expertise may be required to secure meaningful and effective participation, this lack of

time meant that opportunities to participate directly were often few and far between, whilst the requirement to process legislation timeously also meant that their adult advocates were often not involved in legislative consideration unless the subject matter explicitly demanded it. Even then, this was no guarantee that they would be involved.

The emphasis upon legislation also meant a vast reduction in the amount of time available for independently timetabled inquiry work in committees.<sup>3</sup> This aspect of committee work drew considerable praise from youth representatives, and a number of examples of good practice in terms of involving young people were mentioned (such as the Education Committee's inquiry into the need for and remit of a Children's Commissioner in Scotland). Youth representatives were clear that they wanted to see the Scottish Parliament engaging in more work of this nature, but realised that unless Executive demands upon the committees of the Parliament were drastically reduced, this was unlikely to be a realistic aspiration. Again, some youth representatives referred to traditional institutional templates underpinning the operation of the Parliament and Executive, making any sort of voluntary reduction in legislative demands unlikely.

I would be quite happy if the Parliament confined itself to five pieces of legislation and no more per year, and systematically reviewed all the legislation that has been passed, and do some more listening to people [...] It is a very traditional structure, because it is governed by party politics [...] It can't go on legislating forever, one hopes.

*Youth Representative*

The reality of a parliament [is that] it needs to be given enough time to do its own job [but] central to its role is engaging with people, and young people are a big proportion of that population.

*Youth Representative*

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<sup>3</sup> Whilst the Parliamentary Bureau determines the timescale for a committee's consideration of a Bill, committees themselves determine the timescale for inquiries, and are therefore more able to schedule the additional time usually required for more innovative forms of public participation.

In addition, MSP attitudes towards quality and quantity of legislation were also thought to diminish the likelihood of this. This is discussed in greater depth in the section on MSPs' attitudes. Again, however, the need for less discretionary approaches to younger people's involvement in policy-making was seen by many youth representatives as being the only way of overcoming the barriers of time, workload and attitudes.

#### **7.4.1.3 Lack of Expertise**

There was also concern among youth representatives that the Parliament relied excessively upon a very narrow range of tools and activities when gathering evidence, particularly (but not exclusively) with regard to legislative consideration. There was thought to be too much of a 'one size fits all' aspect to committees' approaches to Bills and Inquiries. Although this was compounded by a number of other factors (such as a lack of time or MSPs' attitudes), it was also acknowledged by a small number of MSPs (those who were favourably disposed to the idea of adopting alternative approaches to facilitate young people's participation in committee work) that they simply did not know the most effective ways of engaging with children and young people, and that the result was that they were not engaging with them as profitably as they would like. This was echoed by all of the youth representatives interviewed.

Some examples of good practice *were* mentioned (with the Children's Commissioner Inquiry again serving as the most prominent recurring example) and praised not only in terms of enthusing the young people involved, but also in terms of the evidence generated and its subsequent impact upon policy-makers. However, it was regularly stated that such work was dependent upon advice provided by youth sector organisations. Where this was not done, committees tended to remain within the 'question and answer' approach to evidence-taking. Youth representatives and focus group participants in particular emphasised the potential benefits to the Parliament in terms of involving a larger number of enthusiastic young people in consultations if they were prepared to adopt a more age-appropriate approach. Whilst there was a recognition that committees should not devalue their work by engaging in 'frivolous'

exercises, youth representatives argued that alternative approaches did not necessarily yield inherently inferior results.

The Free School meals stuff is important, and it is a serious issue, but there are ways you can engage with that, with some – if not humour – with some fun attached. They could have been running an online ‘please fill in what you’re eating’ survey from the start of the process.

*Youth Representative*

As outlined in Chapter Five, numerous youth representatives and a smaller number of MSPs recommended the creation of a proactive Public Participation Unit within the Scottish Parliament to provide recommendations upon how and when to involve children and young people (as well as members of the public more generally). Whilst previous advice had been made available to committees in the shape of research commissioned by the Education, Culture and Sport Committee (Borland et al, 2001), youth representatives believed that it had not had the intended impact. Whilst consultation processes had been adapted slightly in some circumstances – with a particular proliferation of site visits – the changes usually involved in ‘consultation plus’ were of a more superficial nature than fundamental in the way which was often required with children and young people. As such, youth representatives envisaged the coupling of a dedicated Public Participation Unit and a more prescriptive framework for the mainstreaming of young people’s perspectives as being essential to overcoming this.

#### **7.4.1.4 Lack of Relevance**

A further issue identified by youth representatives as preventing youth participation from taking place was that many youth organisations, networks and structures purposely choose to target the Executive rather than the Parliament in terms of agenda-setting and contributions to legislation. This phenomenon typically derived from a belief among youth representatives that the Executive remained the venue of choice for agenda-setting, due primarily to the ability to shape proposals at a more fundamental pre-legislative stage rather than at Stage One, by which time many youth representatives believed proposals were relatively fixed.

Most of the decisions are made *before* Parliament [...] The Executive writes what it wants to write, they send it to the Parliament. It's only if there's a rebellion that you really get significant change, and a rebellion will very rarely happen. So if you're looking at whose is the influence, it's the Executive's.

*Youth Representative*

This fixedness of legislative proposals at Stage One was seen to have been further compounded by the existence of a governing majority in Sessions One and Two. This move not only allowed the Executive to impose a legislative agenda upon committees, but also provided the opportunity for the Executive parties to benefit from whipped majorities in committee; a phenomenon reported with great distaste by a number of youth representatives, who saw the majority coalition as being an enormous barrier to even beginning to consider a new style of politics, far less consider the technicalities of implementing the CSG's recommendations. Such findings echo warnings from Chapter Two that the CSG was wrong to focus all of its efforts upon the Parliament and none upon the Executive (e.g. Mitchell, 2000).

#### **7.4.2 MSPs' Attitudes**

The final group of barriers was identified almost exclusively by youth representatives, and relates to persistent attitudes among MSPs as barriers to participation (and – to a lesser degree – accessibility) for young people and their representatives on a mainstreamed basis. Five barriers in total are examined.

The first three barriers cover general attitudes towards youth participation of all but one of the MSPs interviewed. They represent varying modes of opposition to young people's participation, with most MSPs falling into either an 'opposition in principle' or an 'opposition in practice' category, with a very small number falling into both. Although qualitatively different, both result in the perpetuation of an adultist perspective (Dalrymple and Burke, 1995; Qvortrup et al, 1994). Whilst in some cases opposition to young people's participation (either in principle or practice) was made explicit, in many cases it was less overtly expressed, with most MSPs expressing their opposition through the adoption of a position referred to here as 'benevolent adultism': the subjugation of younger people's own views and experiences, and the

well-meaning privileging of adult opinions on their best interests, solely upon the basis that doing so is ultimately in the best interests of younger people (although Chapter Two showed that this is the matter of debate among theorists of childhood).

The final two attitudes covered here relate less to MSPs' perceptions of children and young people and more to the continuing omnipresence of Westminster as a template for the Scottish Parliament. As such, the section also considers the emergence of a 'business as usual' attitude in the Parliament and the ongoing use of Westminster as a comparative benchmark.

#### **7.4.2.1 Opposition in Principle**

A large number of youth representatives believed MSPs to be resistant to the general principle of young people's participation in parliamentary work, or of public participation more generally. In reality, few MSPs expressed diametric opposition to the concept of young people's participation, particularly where participation was viewed in purely consultative terms. However, where participation went beyond consultation, a small number of MSPs politely questioned the premise of the research and the extent of the role which young people's participation (and public participation more generally) was intended to play in the work of the Scottish Parliament. It was established above that low institutional rule specification can lead to competing interpretations of obligations under the new framework: this is one example of this, with MSPs' opposition deriving from a qualitatively different interpretation of their obligations under the CSG report and the UNCRC than that held by youth representatives. The latter understood the situation very differently, as this unequivocal assertion demonstrates.

[Youth participation] is something that the Parliament's already agreed to do, by virtue of the UK ratifying the Convention on the Rights of the Child, and by virtue of the way in which the Consultative Steering Group set up the Parliament to be a participatory parliament [...] I don't think it's unrealistic to expect those commitments to be fulfilled.

*Youth Representative*

As such, there was a perception among youth representatives that MSPs were openly resistant to a more participatory style of politics, and that they continued to view their role through a pluralist representative democratic lens, whereby elected representatives act as arbiters of competing demands within the civil and professional spheres of society. Such findings have also been voiced by other researchers (e.g. Winetrobe, 2001; Bonney, 2003; McLaverty and Morris, 2007). Many youth representatives believed that the CSG had envisaged a more participative (as opposed to representative) democracy, but found that the mindset of many MSPs enflamed tensions between representation and participation. There was a lack of clarity among youth representatives as to how this tension could be reconciled, but there was a widespread belief that rather than confronting the challenge, it had been largely ignored and replaced with a 'business as usual' approach (this attitude is discussed in greater depth later in this section). One recurring example of this during interviews was the disappointment felt by youth representatives at the drawn-out decline of the Scottish Civic Forum<sup>4</sup> and, more specifically, at the refusal of both the Parliament and Executive to contribute to its core funding (although recent years have seen a number of smaller grants awarded to the Civic Forum by the Scottish Executive). Thus, youth representatives argued that MSPs' attitudes remained very much of a classic representative mindset.

[I have a problem with] them saying: '*we* are elected and *we* make the decisions; *you* aren't and this is all a bit strained'. I *don't* see [participation] as a huge problem constitutionally, because I really do reject the idea that an elected member can take a mandate and say: 'right, that's my mandate; I'm elected for the next four years; I can do whatever I want, and I'm only accountable on one day every four years'.

*Youth Representative*

In addition, MSPs' interpretation of their obligations was also thought to have contributed to the persistence of adultist perceptions of children and young people. The interaction between Scotland's Commissioner for Children and Young People and

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<sup>4</sup> The Civic Forum was an initiative endorsed by the CSG as a means through which the Parliament should encourage Scottish civic society to play an active role and to ensuring the effective involvement of groups traditionally excluded from the decision-making process in Scotland. See Consultative Steering Group (1998: 2.20).

the Parliament's Finance Committee in 2005 was identified by several youth representatives as indicative of this mindset. At the evidence session (at which the Commissioner was laying out her annual budget proposals), concern was expressed by MSPs in relation to the Commissioner's claim that young people had the *right* to participate:

*MSP: You are suggesting to us that, on participation, you endorse the approach to participation that is described in article 12 of the UN Convention on the Rights of the Child, which says that children and young people have a right to express an opinion and to have that opinion taken into account on all matters and procedures that affect them. You are making a judgment on how that should be done, but the right could, in theory, be extended to almost all children and young people in Scotland.*

*Scotland's Commissioner for Children & Young People: The right applies to all children and young people in Scotland. What is more, that is stated specifically in the Commissioner for Children and Young People (Scotland) Act 2003. It is not something that I have just decided.*

(Finance Committee, 2005: Col.3187; emphasis mine)

Overall then, youth representatives believed that the interpretation by some MSPs of their obligations in terms of public participation and youth participation relied strongly upon traditional institutional templates of a clear delineation between representatives and the represented, and of an adultist approach to policy-making.

#### **7.4.2.2 Opposition in Practice**

The other position adopted by some MSPs in terms of their opposition to younger people's participation was based upon negative personal experience of young people's participation or – more commonly – a perceived lack of evidence to justify the positive discrimination which they felt involving children and young people necessitated. Again, this view was based largely upon a limited interpretation of participation. Nonetheless, MSPs adopting this position were not inherently opposed to young people being allowed to play their part, but rather sceptical as to whether doing so was a sensible use of resources.



Very few MSPs were wary of involving young people on the basis of negative personal experience. Where taken, this stance was again defended in terms of benevolence towards children and young people. Thus, whilst involving children and young people may be admirable in principle, many children and young people were seen as unlikely to take participation seriously. As such, youth participation was resisted on the basis that it could result in unrepresentative input to an issue on which MSPs thought it more judicious simply to exercise their own judgement of what was right for young people.

Young people only appear in the press in a very defined set of circumstances. They're either indulging in anti-social behaviour or they're filling in what I suspect to be spoof questionnaires [...] There is a danger of assuming that you can define a policy on the basis of the one third of kids who have answered in a certain way; and you can probably discount half of *them* as just taking the piss.

*MSP*

This was an isolated view. Far more MSPs voiced a degree of opposition to youth participation due to the fact that it required a degree of proactive remedial work which was seen as being tantamount to positive discrimination where similar provisions would not be made for other marginalised and / or disenfranchised groups. As such, MSPs saw their role not as being to engage in positive discrimination, but rather to provide equality of opportunity.

Returning to the Finance Committee's session with the Children's Commissioner in 2005, a further incident was again cited by youth representatives in which the tone and line of questioning was thought to typify the mindset of MSPs in relation to young people's *capacity* to participate. On this occasion, concern was expressed by an MSP (also serving on the Education Committee) at the Commissioner's suggestion that young children's views might be allowed to affect policy:

*Scotland's Commissioner for Children & Young People:* [...] I have recently made it my job to listen to organisations such as Learning and Teaching Scotland and play-scheme associations to gather views on why we should listen to pre-school children and how best to do it. Again, we are blazing the trail with our proposals for engaging with that group.

*MSP: What outcomes do you expect from that? Do you expect the views of nought to four-year-olds to affect legislation?*

(Finance Committee, 2005: Col.3176; emphasis mine)

From the perspective of many of the youth representatives, such incidents typified this type of opposition among MSPs. Whilst the youth representatives recognise some degree of willingness to engage with the concept of youth participation, many MSPs were perceived as restricting its scope on the basis that they deemed children and young people incapable of contributing in a meaningful manner.

Additionally, some MSPs mentioned that there was insufficient evidence to justify the type of resource commitment which would accompany greater participation of children and young people, making the point that results would need to be demonstrably superior when involving young people. Youth representatives also recognised a need to demonstrate the legislative benefits of involving children and young people, but many believed that the evidence which was available lacked the comprehensiveness and coverage required to convince MSPs.

We've got a long way to go to convince Members that there is a need there, and I think that will only change once we [...] can illustrate that taking these things on board is actually going to make the Parliament's decision-making process better and is actually going to improve their work and actually assist them in their work [and] make their job easier.

*Youth Representative*

If people asked us: 'how do you know that you get any better results?' [then] the evidence is almost non-existent [...] The tools of engagement are not well developed, if you like. Not that they aren't there: there *are* people that have done work consulting with five year-olds.

*Youth Representative*

#### **7.4.2.3 'Benevolent Adulthood'**

These attitudes were thought by youth representatives to contribute to a mindset among MSPs which constituted a barrier to the creation of opportunities for youth participation in committee work. As demonstrated earlier, such impetus was one of

the key factors in creating opportunities in the absence of a prescriptive framework for participatory opportunities. However, whilst this adultist mindset does not deny that young people are important stakeholders, it privileges adult interpretations of young people's interests, usually obtained through consultative measures at the expense of young people's direct participation.

Thus, MSPs – in common with many adults within wider society, as evinced above – were reported as believing that because they themselves had experienced childhood, it was possible for them to see things from a youth perspective simply by drawing upon that personal experience. As such, whilst there was believed to exist a widespread benevolence towards children and young people within the Parliament, too many MSPs were thought to believe themselves capable of seeing legislation or inquiry subjects through the eyes of a young person without actually having involved them (or their adult representatives). Whilst the benevolence was welcomed by youth representatives, the assumption that it was possible to know the mind of young people was criticised as naïve, due to the ever-changing nature of childhood and the pressures associated with being a young person.

We need to be clear that if we're consulting with children, we're finding out something new and we're finding out what they think, not what adults *think* they think.

*Youth Representative*

Although this was seen as being particularly pronounced in committees whose remit did not relate directly to children and/or young people, every committee was perceived to be culpable of this trend to some extent. Often, committees were seen as depending too much upon organised professional interests and not enough upon the direct views of children and young people. Indeed, some of the adults representing those youth organisations most routinely asked to provide a youth perspective to committees were among those to express genuine concern about this trend during the interviews. This dependency was seen to perpetuate traditional constructions of children and young people, whereby they are treated as objects of policy and not valued policy actors.

They focus on professionals advocating the best interests of the child [...] For them, it's not necessary to have independent advocacy, or to encourage the child to advocate for themselves. While they wouldn't say that out loud and they *do* make noises about recognising and valuing children's views, [...] the processes *are* biased towards professional judgement of best interests.

*Youth Representative*

It was, however, acknowledged that such involvement was not *always* to be avoided. There were circumstances under which youth representatives also believed it best to involve adult representatives, such as when requiring witnesses to revisit particularly delicate or harrowing circumstances. However, it was felt that there was too much of an automatic presumption that adult representatives should be involved (instead of children and young people themselves) for reasons of convenience. Thus, it was often seen as more straightforward and less resource-intensive to involve adult proxies for children and young people than to bring in the expertise to facilitate direct participation in committee work. Given this tendency, even those youth representatives who argued that the Parliament should not be condemned outright due to its use of adult proxies nonetheless also argued that such a policy had become commonplace even in instances where children and young people *should* be involved directly.

#### **7.4.2.4 'Business as Usual'**

A further barrier – identified by youth representatives and a number of MSPs – preventing the development of an ethos of participation was the adoption of a 'business as usual' attitude in the early days of the Parliament. Whilst the CSG was clear that its spirit and principles should pervade all of the Parliament's work, youth representatives identified a belief among some MSPs (particularly those from the coalition parties) that whilst the CSG had been a worthy departure point for the Parliament, it was more important to deliver results than to focus upon the way in which these results were delivered and legitimised. As a result, youth representatives believed that because MSPs had debated and endorsed the CSG report and principles in plenary (Scottish Parliament, 1999e), it had somehow been dealt with and it was

possible to simply 'move on'. The same perception also applied to the type of rights entailed in the UN Convention on the Rights of the Child.

They think that because they've *said* it, it's happened; that because people say: 'we value children's rights', they're implemented somehow, by osmosis [...] It *hasn't* happened. It needs to filter down the entire process, and yet they say: 'we believe in children's rights, but we're not going to consult them on this piece of legislation'. [...] It's just rhetoric.

*Youth Representative*

Everybody comments about the UNCRC. If you mention it to them, they all nod. But when it comes to actioning the UNCRC, they're *very* reluctant, and for some reason don't think it needs to be put on the face of various Bills, because it's in one Bill ten years ago.

*Youth Representative*

It should be stated that this attitude was broadly seen to be confined to MSPs. There was a belief that the Parliament and its employees (particularly clerks) exhibited far more of a commitment to mainstreaming the CSG principles, that youth participation in committee work was often prompted by clerking staff suggestions, and that the Parliament's Education and Outreach Services embodied a genuine commitment to accessibility. However, due to the prominence of MSPs' attitudes in shaping the participation agenda, this was seen to have impacted particularly upon children and young people as a societal group.

This attitude was thought to stem largely from three key factors early in the life of the Scottish Parliament. Firstly, the formation of a governing majority coalition was cited as being an immediate blow to any prospect of 'new politics' emerging in Scotland (see also Jordan and Stevenson, 2000). This immediately subjected the Parliament to the whim of the Executive, a move which ran counter to the CSG vision of consensus and power-sharing, and which exemplifies the persistence of certain aspects of the confrontational Westminster template. This problem was exacerbated by the second factor identified: the continuity between the Scottish Office and the Scottish Executive in terms of civil servant employment. With a dominant executive branch and an absence of prescription in terms of how the commitment to participation should be

operationalised, some youth representatives believed that without a new and prescriptive template, the 'default option' for civil servants was the continuation of 'business as usual' according to the established and well-embedded template.

The final factor identified was the need for the Parliament as a whole to justify its existence and utility to a public becoming increasingly unsettled with the spiralling costs of devolution (particularly that of the new parliament building). Whereas the CSG perceived the Parliament's legitimacy flowing from the way in which it legislated (i.e. according to the guiding principles), the Executive was thought to favour an emphasis upon *volume* of legislation, resulting in an overburdening of committees before they were ever able to realise their potential as powerful organs in the new governance setup.

The Parliament is at its strongest when it's initiating, whether it's an inquiry or whatever, but I think it's stifled by lack of money and the way it's organisationally-designed, because if you look at how much free time they have in any one session, it's teeny; because it's all got to be gobbled up by *reacting* [i.e. considering legislation].

*Youth Representative*

As a result, there was a belief that MSPs had 'moved on' from the CSG principles, name-checking them only when it suited them. This was seen to be the case particularly for participation, which – in combination with power-sharing – represented a genuinely ambitious challenge to traditional patterns of UK policy-making. However, the belief among youth representatives was that MSPs in particular had moved on from trying to implement a new style of politics, and instead were happy to tinker with the existing familiar model in order to improve it not by introducing a more participatory element, but rather by introducing a greater – but more abstract – sense of 'engagement' and an occasional element of 'consultation plus': in other words, traditional consultation procedures complemented by a degree of more direct engagement of civic (as opposed to professional) stakeholders with parliamentarians.

#### 7.4.2.5 Frame of Reference

The final attitudinal barrier identified emerged naturally from virtually every MSP interview. That it was mentioned by only a few youth representatives is perhaps attributable to the fact that is far more of a theoretical consideration. It relates to the way in which MSPs measure their performance in relation not only to accessibility and participation for children and young people, but also to the ethos of the founding principles of the Scottish Parliament more generally.

Whilst the Parliament may not have formally prescribed the role which youth participation (and public participation more generally) should play in the work of the Parliament, there exist clearly articulated expectations in relation to public participation and the rights of younger people in the shape of the CSG report and UN Convention on the Rights of the Child respectively. However, given that the CSG provides the normative foundation for the Parliament and the UNCRC prescribes legal rights for young people's participation, it was surprising to discover that remarkably few MSPs based their assessment of the Parliament's performance in relation to accessibility and participation for children and young people upon either of these documents. Whilst many MSPs were aware that the CSG had envisioned a more accessible and participative legislature than that which had emerged in practice, they tended to issue their ultimate judgement upon its performance based not upon its own merits, but rather through a continuing comparison to Westminster. Thus, Westminster served as a constant point of reference for individual MSPs, for the provision of Education and Outreach Services, for committees, for Cross-Party Groups and for the Parliament as a whole.

Be careful not to be *too* down on us, because we *are* streets ahead of Westminster. We're just not where we wanted to be. We're not where we expected to be.

*MSP*

I'm not saying we're perfect by any stretch of the imagination, but having spoken to people who have engaged [...] with the Westminster Parliament, I'm convinced they find the Scottish Parliament much more open and accessible.

*MSP*

This finding is noteworthy for two reasons. Firstly, it raises questions about the level of ambition of MSPs. Secondly, it confirms the continuing presence of Westminster as a comparative benchmark and template according to which actors interpret their obligations, whereas implementation of the CSG vision would have made such comparisons (between participative and representative democratic legislatures) moot. Continuing to conceive of the Parliament's progress relative to Westminster appears only to strengthen the fundamental shared approach to democracy between the two, rather than allowing for the Scottish Parliament to carve its own path.

## **7.5 SUMMARY**

This chapter has provided an overview of the barriers to children and young people's accessibility and participation in the work of the Scottish Parliament. In addition to the value intrinsic to having a clearer understanding of the obstacles to the delivery of a certain aspect of 'new politics', this exercise has been useful in establishing the more fundamental reasons behind the breakdown in reliable reproduction of the original CSG vision. It was established that the type of barriers experienced would provide an indication as to the type of breakdown which had taken place in the CSG's institutional design. Relative to the CSG's rule template, endogenous barriers emerging as the result of rule-*following* were seen to indicate the presence of internal contradictions, whilst endogenous barriers emerging as a result of rule-*avoiding* were indicative of low rule institutional rule specification (and thus mutability). Finally, exogenous barriers were seen to be the result of friction between the CSG institution and extra-parliamentary institutions relating to accessibility and participation, suggesting the existence of institutional multiplicity.

Five broad categories of barrier were identified. Of these, three represented exogenous barriers, with the remaining two constituted by endogenous barriers, which appear to derive more from MSPs following rules other than those of the CSG template, rather than from any inherent contradiction emerging as a result of following the CSG template's rules. In relation to the barriers identified, a number of broad general trends were evident. Firstly, far fewer barriers were identified in relation to accessibility than to participation, adding weight to the earlier finding that



accessibility has been less problematic conceptually than participation, which represents a far more fundamental break from political tradition.

Secondly, clear patterns emerged in terms of support for the two types of barrier. MSPs overwhelmingly identified exogenous barriers as being more significant. Most believed that the Parliament itself provided few barriers to the involvement of children and young people, and that any shortfall in relation to the CSG vision was the result of a 'response gap' in civil society. MSPs expressed convincing arguments in relation to a number of barriers facing children and young people, with which most youth representatives also agreed. However, this was typically based upon a more limited interpretation of the CSG vision in general and of the concept of youth participation specifically. Whilst the CSG explicitly suggested participatory innovations such as the direct involvement of members of the public alongside parliamentarians, in reality the vast majority of MSPs saw such suggestions as undermining their mandate, which related strongly to the traditional representative democratic model.

Youth representatives argued strongly that focussing too much upon civil society's responsibilities was to abrogate the wider social responsibilities vested by the CSG in the Scottish Parliament, such as restoring legitimacy and avoiding replication of Westminster practice in Scotland. As such, a role for the Parliament was also envisaged in overcoming exogenous barriers. However, they identified a number of endogenous barriers relating to standard operating procedures and MSPs' attitudes, which perpetuated a representative mindset and an adultist approach to policy-making which was dependent upon using adult proxies to speak for children, usually only on matters directly impacting upon them. Furthermore, the replication of Westminster practice (e.g. an assumption of majority government and executive dominance; committee whipping; reliance upon traditional 'Q&A' consultation etc.) engendered an approach which failed to allow the Parliament to focus sufficiently upon the *process* of policy-making as opposed to simply its *results*.

Whilst the CSG had sought to avoid this, the discretionary and ambiguous translation of the CSG's participatory vision into formal parliamentary procedure means that no rigid institutional template or set of widely-recognised standard operating procedures

was put in place to support reliable reproduction. In the absence of formal rules, the principle of participation has thus been dependent upon the commitment of key actors' adherence to informal rules in order to reliably reproduce itself. This has not been forthcoming due to key actors' competing interpretations of their obligations. The result of this is a sense of mutability, whereby the absence of coercion has resulted in MSPs interpreting their obligations in accordance with an institutional template which is reminiscent of Westminster's 'model of worst practice' in relation to adultism and participation. Thus, the competing interpretations of the CSG vision have generated multiple institutional templates. Establishing this allows for a deeper understanding not only of the differential implementation of accessibility and participation, but also of key actors' differing interpretations of the principle of participation. Thus, whilst youth representatives argue the case for young people to be given a more participative role in the policy process, many MSPs question the very premise of public participation despite the CSG's clear endorsement thereof. Given the role of MSPs in ultimately determining the participation agenda, this appears to have resulted in the replication of key practical and ideological elements of Westminster practice. Whilst opinions vary as to how wilful this was, what is certain is that it has reduced the likelihood of a new form of participative policy-making emerging. It is for this reason that so many youth representatives argued for revisiting formal parliamentary *structures* rather than trying to change individuals' *attitudes*. Where the barriers to reliable reproduction of institutional design through informal rules become insurmountable, so the importance of formal rules is heightened.

In addition, the presence of exogenous barriers also raises issues of multiplicity and the degree to which the CSG template was compatible with wider society. Although many of the youth representatives interviewed suggested that a latent demand for participatory opportunities existed in Scotland but had simply not been tapped by the Parliament, MSPs' views to the contrary and the well-publicised decline of the Scottish Civic Forum (which attempted proactively to engender such links between people and Parliament, subsequently finding an apparent lack of appetite from both sides) suggest that the CSG's vision of a participatory Parliament being designed for a society ostensibly hungry for widespread popular participation may have been an overly-optimistic appraisal of wider societal enthusiasm for participatory democracy. Whilst

the views of the youth representatives seem better aligned with the original CSG vision than do those of the MSPs, those of the MSPs seem better aligned with those of wider society than do those of the youth representatives. These competing interpretations, breakdown of reproduction and apparent departure from the Parliament's original founding vision all raise important questions for the future of the CSG vision. These questions are now dealt with in the thesis' concluding chapter.

## **Chapter Eight**

### **Conclusions**

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#### **8.1 OVERVIEW**

##### **8.1.1 Introduction**

Over the course of the foregoing chapters, this thesis has aimed to consider the way in which the Scottish Parliament has progressed towards implementing the CSG's 'cornerstone' recommendation of accessibility and participation, looking specifically at the way in which it has been implemented for children and young people. Having outlined the findings from both primary and secondary data in Chapters Five, Six and Seven, this chapter now aims to provide a conclusion to the research. Doing so requires several areas to be addressed. The chapter firstly restates the key points from Chapter Three, showing how the neoinstitutionalist theoretical framework uses the concepts of rule-following, reliable reproduction and institutional breakdown to make sense of the findings. The chapter then moves to restating the results found for participation and accessibility before examining the way in which the rule-following has supported or undermined the institutional design of the CSG.

On the basis of the degree to which the CSG's rules have been followed, the chapter then moves to consider what has caused breakdown in reliable reproduction. This is done by revisiting the barriers explored in Chapter Seven. Then, having considered the degree of adherence to the institution's rules and the reasons behind its breakdown, the chapter is able to provide suggestions on where the CSG vision is likely to proceed in future. The chapter finishes by outlining the thesis' original contribution to knowledge and possible research priorities for the future.

## **8.2 THE THEORETICAL FRAMEWORK REVISITED**

### **8.2.1 Institutional Reproduction and Breakdown**

The neoinstitutionalist literature holds that institutions only survive as long as they are able to exert some degree of influence over actors' actions. This influence takes the form of pressure upon actors to follow certain rules, which may be formal or informal in nature. In ensuring its survival over the course of time through compelling actors to follow its constitutive rules, an institution is said to engage in a process of 'reliable reproduction'. The degree to which it is able to do this is dependent upon its 'institutional rule specification' value: in other words, the *degree* to which it prescribes certain actions and proscribes others (Lindner and Rittberger, 2003). Thus, in order to ensure *reliable* reproduction, rules are most reliable when expressed clearly, consistently, prescriptively and in non-discretionary terms (whether formal or informal) (Clemens and Cook, 1999). Those institutions with high institutional rule specification clearly define the way in which actors should behave, thus leaving little room for ambiguity or alternative interpretation. Those with low rule values encourage heterogeneous interpretations of the institution in question. Under such conditions, the institution is left open to contestation or redirection.

As such, in cases of institutional design, the onus is upon the newly-designed institution to begin reproducing reliably immediately, a task which is most likely to be achieved if the designed institution has a high rule specification value. As with any other institution, if this is *not* the case, it risks either partial or total breakdown. Such breakdown typically derives from one of three sources: mutability (whereby low rule specification produces the potential for hybridisation of templates), multiplicity (whereby competing institutional templates exist, either within an organisation or in a broader societal sense) or internal contradictions (whereby an institution is clearly dysfunctional or contradictory) (Clemens and Cook, 1999). In each case, the breakdown arises as a result of heterogeneous interpretations or contestations of obligations and expectations within the designed institution. The resultant uncertainty arising where there is no single, clear, rule-based template on how to act means that political actors often return to embedded, familiar templates (collections of learned rules) to guide their action. The result is typically one of gradual change, as actors'

competing interpretations shape and reshape the templates guiding political action (Streeck and Thelen, 2005b).

Thus, the chances of the CSG vision being attained would be maximised where overall rule specification is consistently high: in other words, where formal rules are used to codify (in non-discretionary terms) the CSG vision relating to accessibility, participation and young people, and where informal rules (i.e. standard operating procedures or identifiable, repeating patterns of informal activity) are endorsed this through the implicit or explicit support of key actors, and vice versa for low rule specification. However, whilst *either* low formal *or* informal rule specification lessens the likelihood of the CSG vision being attained, neither necessarily precludes it entirely. As the basic matrix provided in Table 8.1 shows, in circumstances where few formal rules exist to prescribe behaviour, such behaviour may nonetheless emerge as the result of a passionate normative commitment to the CSG among key actors. Similarly, where such informal rules (in the shape of attitudinal support) are unforthcoming, strongly prescriptive rules may be sufficient to ensure at least some degree of institutional implementation.

**Table 8.1:** Likelihood of CSG Implementation by *Overall* Rule Specification<sup>1</sup>

		Informal Rule Specification	
		Low	High
Formal Rule Specification	Low	Low	Medium
	High	Medium	High

Using this approach, consideration of the CSG vision may be broken down into three separate but overlapping aspects, each made up of expectations and obligations which would – if implemented and reproduced – constitute an institution. Firstly, delivery of the CSG principles required actors to reconsider the role and nature of *public participation* in democratic politics. Secondly, the principle is also reliant upon the development of a new template which encourages greater *accessibility*. Finally – but

<sup>1</sup> Overall rule specification determined as a function of formal plus informal rule specification.

with implications for both of the previous two – is a new template covering *the role of younger people* in the political process. Ultimately, achieving the CSG’s ambitious vision required change in all three of these overlapping areas.

## **8.3 THE KEY FINDINGS REVISITED**

### **8.3.1 Participation**

Having outlined the way in which rule-following contributes to the survival (or otherwise) of an institutional design, the chapter now returns to the findings of Chapters Five and Six, briefly restating their key findings before moving on to consider the degree of rule specification within accessibility and participation.

#### **8.3.1.1 Participation: Quantity**

The quantitative overview provided in Chapter Five identified a number of noteworthy tendencies in relation to younger people’s involvement in the work of the Parliament’s committees and Public Petitions process. The key findings deriving from this stage of the analysis are summarised below in Figure 8.1.

**Figure 8.1:** Summarised Research Findings: Participation (Quantity)

- The Parliament’s legislative and inquiry work has shown a strong focus upon issues with a distinct impact on younger people.
- However, across all issues, levels of direct involvement of younger people in committee work have been extremely low.
- Rather, parliamentary committees have relied upon a small number of large youth sector organisations to provide a youth perspective – this is typically either ‘participation by proxy’ or entirely suppositious representation.

(Continues)

- Where younger people (and their proxy participants) *have* been involved, it has been concentrated in specific issues, committees and types of work.
- Opportunities for participation are not mainstreamed, but almost always depend upon a combination of a relevant issue and pressure from MSPs, Clerks or non-parliamentarians.
- The Public Petitions Committee has been more proactive than other parliamentary committees in trying to involve young people more deeply.
- This involvement is still very low in absolute (if not relative) terms.

Having established the *quantity* of participation engendered by informal rules, consideration then moved to the *quality* of participatory opportunities offered to younger people by the Parliament in Sessions One and Two.

### 8.3.1.2 Participation: Quality

Chapter Two established that the *way* in which participation takes place is as important as the *amount* of participation which takes place: poor participatory processes may ultimately do more harm than good, potentially provoking disillusionment among participants who feel that their input has not been recognised. In this regard, Chapter Five identified a number of key findings in relation to the Parliament's work. These are summarised below in Figure 8.2.

**Figure 8.2:** Summarised Research Findings: Participation (Quality)

- The standard approach to involvement is no different for young people: it tends to be in a formal, Q&A session before committee.
- This is also the case for Public Petitions.

(Continues)



- However, on a few occasions, committees have adapted approaches significantly in a way which is consistent with literature in Chapter Two.
- Despite this, a fundamental commitment to representative rather than participatory democracy remains.
- However, within this remit the Parliament has developed a model of ‘consultation plus’ committee involvement.
- Certain aspects of participatory process do not suggest a commitment to the value of participation e.g. poor feedback processes.
- The use of ICTs to overcome exclusion from participatory opportunities has been patchy.
- The impact of participation has been low: it has only rarely impacted upon political outcomes or on the personal development of participants. This is exacerbated by the fact that too uncritical an approach appears to be taken to what constitutes ‘valuable’ participation.

Having briefly revisited some of the major findings of Chapter Five, this chapter now turns to consider the degree to which such findings are the result of high or low institutional rule specification values. As implementation of an institutional design is dependent upon its reliable reproduction, the degree to which rules governing actors’ behaviour support or undermine this process is crucial to understanding the extent to which an institutional design has been delivered, and why.

### **8.3.1.3 Participation: Overall Rule Specification**

It was established at the outset of Chapter Five that the Parliament’s constitutive legal documents show little evidence of formal, non-discretionary codification of the type of public participation envisaged by the CSG. This is particularly the case with regard to younger people’s role: they are not mentioned at all in the three documents which constitute the Parliament’s formal ‘rules’. Indeed, further scrutiny of these three documents (without including age as a consideration) reveals a more fundamental (and thus far unreconciled) tension between the formal structural framework of the

Parliament and the vision which the CSG had of a qualitatively different *type* of democracy. Whilst the latter envisaged a more participatory democracy involving a *deepening* of current levels of participation in the work of the Parliament (through such suggested mechanisms as citizens' juries and consensus conferences), key parliamentary documents make it clear that the approach of the Parliament towards 'participation' is to treat it as a *widening* of participatory opportunities within a representative democratic framework (e.g. Scottish Parliament, 2004b). However, this understanding is not only asynchronous with the CSG's understanding of participation, but also with the theoretical literature explored in Chapter Two, within which the widely-accepted conceptual models of authors such as Arnstein (1969) and Hart (1992, 1997) make it clear that developing a more participatory approach to policy-making depends upon ceding some degree of power to participants, and not simply widening access to existing opportunities. Indeed, to take such an approach almost encourages a conflation of participation with accessibility.

As such, rather than encouraging the Parliament to work *towards* a greater degree of civic participation, the Scotland Act appears to do the opposite, apparently *precluding* the participation of non-parliamentarians beyond mere consultation, a particularly weak form of participation (Arnstein, 1969; Hart, 1992, 1997; Shier, 2001). Thus, even for adults, the degree of participation envisaged by the CSG appears incompatible with the formal rules shaping political action in the Parliament. The situation for children and young people is therefore not a unique one. Despite the CSG's keenness for children and young people to be given 'every opportunity' to make their voice heard, the approach taken by the Scotland Act, the Transitional Standing Orders or the adopted Standing Orders to participation at an abstract level means that there is no need for this to be considered further at operational level in these documents.

On this basis, it becomes clear that – in accordance with Table 8.1 (above) – any progress towards putting in place a Parliament offering greater participatory opportunities for younger people is dependent upon standard operating procedures or rules adhered to by actors sympathetic to the CSG vision whilst also exercising a degree of individual agency to overcome the formal structural framework. As shown

earlier, this was recognised by the CSG's Chair even before the Scottish Parliament had begun sitting (HM Government, 1999b).

Among youth representatives and young people interviewed, there was a great deal of enthusiasm for a more participative Parliament which would listen more directly to younger people. However, such support for the CSG vision was rarely forthcoming among the MSPs interviewed: whilst all were aware of the CSG's work, there was very little active normative subscription to the participative aspect of the CSG vision. In fact, where the CSG prescribes participative democracy and an active role for young people, attitudes towards young people also remained rooted in a benevolent adultist tradition, whilst most MSPs interpreted their responsibilities through a representative democratic mindset reminiscent of the Westminster model. This resulted in the aforementioned interpretation by MSPs of participation as being virtually synonymous with accessibility, with the principle of 'accessibility and participation' often referred to as 'accessibility and openness', or with 'participation' redefined as 'engagement'. Rather than active participation in decision-making structures, this denoted a more widespread knowledge of and interest in the work of the Parliament and, to a far lesser extent, a slightly increased sense of political efficacy. However, although any increase in levels of political knowledge, interest and efficacy would undoubtedly be welcome, the more literal interpretation of participation (and more akin to the CSG vision) by youth representatives meant that they believed any such 'engagement' should be seen as a means to more participation, rather than a replacement for it.

However, whilst the attitudes of many of the non-parliamentarians interviewed appeared to match more closely the rhetoric of the CSG than did those of many MSPs, the theoretical framework expounded in Chapter Three highlighted the role of power as being a crucial factor where multiple institutional interpretations or ambiguities exist. It therefore appears that whilst many of the youth representatives were keen to see deeper levels of participation in policy-making, determining that the policy process should work in such a way was not their choice to make. As MSPs (in conjunction with Clerks) determine the participation agenda for committees, so the way in which this work is structured is in accordance with *their* attitudes towards participation and not those of the youth representatives.

On this basis, whilst issues relating to younger people may have been considered frequently, young people themselves tended not to be involved due to the persistence of (usually benevolent) adultist assumptions about young people's ability to participate or even to know their own best interests. In addition, there was also concern among most MSPs about the prospect of privileging one group over another (although such privileges already *do* exist for certain communities: on a Bill's Policy Memorandum, for example). As a result, where youth opinions were to be sought, MSPs have generally preferred to continue doing so through adult representatives rather than introducing any new and consistent method for dealing with younger people themselves.

Nevertheless, there was clear evidence of a desire to be – and to be seen as – different to Westminster. As such, MSPs exhibited a keenness to innovate in terms of public involvement within their work, so long as the essential representative dynamic went unchallenged. This has resulted in the emergence of 'consultation plus' approaches to committees' legislative and inquiry considerations. However, given MSPs' continued focus upon 'consultation' as opposed to 'participation', some of the markers of good practice associated with meaningful participation have not been addressed. In this regard, the two most prominent are a focus upon some form of outcome for participants (whether tangible, developmental or implicit) and – crucially – feedback.

In the absence of formal prescription requiring committees to involve young people in their work, the differing experiences of the committee system as a whole and the Public Petitions Committee specifically are illustrative of the way in which outcomes are shaped by the political will of the relevant actors. Whilst the informal rules evolving around other committees saw relevant subject matter and the need to be 'nudged' into taking a youth perspective cited as the conditions which would trigger committees to involve younger people, the informal rules implicitly adhered to by members of the PPC see them treating a young person's petition as sufficient in itself to warrant an invitation to participate more directly in the work of the committee (although final decision-making power remains with the PPC). Anecdotal evidence from MSP interviews suggests that the lack of previous cognitive templates among MSPs in relation to a properly functioning petitions process may be a useful elucidatory factor here: whilst other committees were believed by many youth

representatives to have slipped into a Westminster style of working, the archaic nature of the petitions process at Westminster meant that there simply was no equivalent familiar template into which members of the PPC could slip with a view to directing their work. Additional anecdotal evidence also suggested that the prominence of the PPC as a symbol of the envisaged 'new politics' stimulated a more civic-minded approach among PPC members, partly in order to distinguish the system from its impotent Westminster counterpart, and partly as a result of a feeling of responsibility to the legitimisation of the new Parliament.

Overall then, the participatory aspect of the CSG vision appears neither to be supported by the formally codified structural context, nor by the informal rules to which the most powerful actors (MSPs and Clerks) adhere in committee work. The case is slightly different for Public Petitions. Whilst some aspects of genuine participation (e.g. the need to provide feedback on petitions) introduce a degree of rigour to the dialogue between petitioner and PPC, it is also clear that the informal rules used by PPC members to guide their work – and the degree to which young people are involved therein – in Sessions One and Two have been conducive to the implementation of a culture whereby younger people are more readily involved.

Thus, even within the concept of participation, there is a differential in terms of success. Whilst the committees appear to be committed to the furtherance of a representative democratic model, the rules governing the work of the PPC appear to confirm Carman's (2006) claim that it represents a mechanism more reminiscent of advocacy democracy. Whilst neither the PPC nor the committees have delivered the participative democracy envisioned by the CSG, the PPC's higher rule specification means that it has moved further from representative democracy than have the other committees, whose low formal and informal rule specification remains grounded within a representative democratic context, despite the introduction of a 'consultation plus' model of involvement. Given that the committees were seen by the CSG as the 'motor' of the new politics, serious thought must be given to the fundamental conflict underlying the feasibility of participation in the work of committees. However, the suggestion that a deeper degree of participation in decision-making processes should be considered provoked surprise and even affront in some interviews with MSPs, as if

the concept of public participation in that manner was beyond the pale or entirely antithetical to democracy.

### **8.3.2 Accessibility**

Chapter Six considered the degree to which the Scottish Parliament had implemented a culture of accessibility which took account of children and young people in the way envisaged by the CSG. Firstly, it addressed the way in which accessibility had been delivered in informational terms, before considering the physical accessibility of the Parliament. This section now briefly restates these findings.

#### **8.3.2.1 Accessibility: Information**

When exploring the work done in relation to the accessibility of information, the chapter distinguished between educative information and instrumental information. The former related to the type of descriptive information required to teach people about what the Parliament does and how it works. This work was found to have been carried out principally by the Parliament's Education and Outreach Services. Instrumental information, on the other hand, related to information on work being done by the Parliament and which – if couched at the correct level – would provide young people with the type of information required to become involved in the substantive policy work of the Parliament.

The results of the primary research showed that the Parliament was thought to have performed more strongly in relation to the former type of information than to the latter. In this respect, the key findings are summarised below in Figure 8.3.

**Figure 8.3:** Summarised Research Findings: Accessibility (Information)

- There is an overwhelming focus upon younger people in the work of the Education and Outreach Services. Though both are available to work with other communities, their workload is dominated by sessions with younger people.
- Support for this work is generally high among MSPs, although significant tensions were found in relation to the *MSPs in Schools* scheme – these may ultimately threaten support for it.
- Support for this work is granted more conditionally outwith the Parliament, with many arguing that the Parliament should be aiming higher than simply ‘describing’ its work. Focus groups in particular emphasised the need for tangible outcomes.
- In contrast with educative information, there appears to be less consideration of the possibility of making more instrumental information available in a youth-friendly format, even though precedents have been set elsewhere.
- In addition to this, a number of one-off events have involved younger people in scenarios which go beyond descriptive information but fall short of true participation. MSPs in particular expressed satisfaction with events like these.
- These events were seen less favourably by a significant number of non-parliamentarians, who believed many such events to be tokenistic.
- In addition, these events were thought to be exclusive in terms of the younger people who are actually involved. As with opportunities for participation in policy work, the Parliament was seen as still needing to widen the range of people involved.

### **8.3.2.2 Accessibility: Physical**

The chapter also considered the degree to which the Parliament had made itself physically accessible to children and young people, although it was acknowledged that

this was seen by the CSG as a more minor concern than the accessibility of information. Nevertheless, consideration was given to the way in which the Parliament had sought firstly to deliver a passive sense of accessibility by making the Parliament campus physically accessible for younger people, and secondly to deliver a more proactive sense of physical accessibility by taking the Parliament out to communities across Scotland and by using the Partner Library network to promote the Parliament's work. Little evidence was found of any work being done specifically to target young people in this respect, but overall, the key findings relating to physical accessibility are summarised below in Table 8.4.

**Figure 8.4:** Summarised Research Findings: Accessibility (Physical)

- The Parliament's Education Centre – and the degree of usage – is testament to the fact that younger people are made to feel welcome in the Parliament.
- However, concerns were raised about how welcome younger people would be if not accompanied by parents, teachers or guardians.
- At a more general level, concerns existed about the strict division between public and parliamentary spaces in the Parliament building: this was not seen to be an embodiment of accessibility or openness.
- Committees have made some efforts to meet outwith Edinburgh, but concerns exist about the feasibility of doing this regularly. Few such meetings have had *direct* relevance to younger people.
- The Parliament was praised for developing its Partner Library network, but it was felt by many youth representatives that its potential had not been fully tapped and that more could be done on a regular basis involving younger people.

As was the case with participation, attention now turns to the way in which formal and informal rules support or undermine reliable reproduction of the CSG vision.



### **8.3.2.3 Accessibility: Overall Rule Specification**

Whereas the experience of implementing participation resulted in processes apparently contradicting the CSG vision, accessibility proves to be much less problematic. This is for two principal reasons. In the first instance, its essential meaning is less open to contestation than participation, whose fundamental essence was – according to a number of research participants – too ill-defined to operationalise. Accessibility, on the other hand, was far more widely understood and seen as being more ‘value-free’ than participation. As such, interpretations of the term were broadly homogenous across data participant groups. Secondly, unlike participation, the introduction of accessibility is seen as entirely compatible with existing modes of democracy and conceptualisations of young people. It was simply about providing greater openness to the same procedures rather than altering the procedures themselves. As such, it was generally seen by data collection participants as a far less disruptive concept than participation.

This greater homogeneity of interpretation suggests the existence of a higher degree of institutional rule specification than was evident for participation. Indeed, Chapter Six has already shown that some of the success in providing informational accessibility is attributable to its formal codification. Thus, the Scotland Act, Standing Orders and the Parliament’s Information Strategy were shown to commit the Parliament to the provision of both educative and instrumental information. In this respect, it may be said that the higher formal rule specification for accessibility meant that some degree of implementation was *always* likely to be less problematic than with participation.

However, it should be noted that these commitments are made at a general level and as such, any work done to deliver a degree of accessibility specifically for younger people is likely to be due in large part to an underlying formal structure, but also to a set of informal rules which recognise the value of providing physical accessibility and accessible information for younger people. Indeed, support for accessibility among MSPs was far more widespread than for participation. Informal normative support for accessibility was particularly forthcoming when considering the provision of educative information for younger people. This – along with the Parliament’s formal commitment to educative information – may be seen as the driving force behind the

Parliament's significant volume of work with younger people through the Education and Outreach Services. Whilst the Parliament's Information Strategy may prescribe some form of education provision, the MSP interviews demonstrated that in this respect more than any other, MSPs showed a genuine enthusiasm and normative commitment. However, by comparison, support for the provision of instrumental information for younger people is significantly lower.

Whilst such educative work is clearly encouraging, it appears that it is supported because it does not challenge the representative democratic mindset (addressing issues of political knowledge and interest) or perceptions as to the ability of younger people to make a difference (opportunities for children to develop greater political efficacy were often thought to be lost as a result of MSPs not taking their concerns seriously at Education Service or *MSPs in Schools* sessions, for example).

This compatibility with adultism in particular is clearly less applicable to instrumental information for younger people, the provision of which would be predicated upon an understanding that younger people are capable actors deserving of suitably redacted information with a view to providing them with the type of knowledge required for informed participation. Because of this, MSPs opposed to more participation for young people were understandably more reluctant to support the redaction of instrumental information into a child-friendly format. Thus, whilst MSPs were happy to encourage schools in their constituency to sign up for the *MSPs in Schools* scheme, they were more reluctant to see more consideration given or concessions made to young people in relation to instrumental accessibility. An exception to this was found in the enthusiasm among MSPs in relation to the one-off 'supporting events' which go beyond simply describing the Parliament to younger people, but aim to involve them more closely with MSPs, other political figures or aspects of parliamentary process (albeit falling short of genuine participation). The most prominent example of this – the Festival of Politics – was lauded by MSPs for its commitment to and work with younger people, although again it is notable that events such as this are short-term in nature and do not necessarily challenge the prevailing representative democratic or adultist paradigm.

When discussing the issue of *physical* accessibility with research participants, further evidence emerged of rule-following which did not serve to reliably reproduce the CSG vision. Whilst these rules may have helped to implement the ideal of accessibility at a *general* level, it was often felt that such rules also needed to take into account the specific circumstances of younger people. Thus, whilst the Parliament was praised for its delivery of a passive form of accessibility to the Parliament building, it was felt that this access was conditional on an adult chaperone being present: this was felt to be a distinctly youth-unfriendly policy. In addition, the ethos of accessibility envisaged by the CSG included the use of public organisations throughout Scotland as disseminators. Whilst the Parliament's Partner Library network *is* a clear embodiment of this commitment, research participants felt that its creation had been insufficiently supported by regular use of the Libraries as proactive education or Outreach centres.

## **8.4 KEY FINDINGS: INTERPRETING THE PAST, PREDICTING THE FUTURE**

### **8.4.1 Sources of Breakdown**

The foregoing sections have restated the key empirical findings of the thesis and have situated these in a more explicitly theoretical context by exploring the way in which the Parliament's work on accessibility and participation for young people has been supported or undermined by the formal and informal rules guiding the actions of key actors. This chapter aims to build upon that by providing a theoretical perspective upon the way in which these have led to at least partial breakdown of the CSG's institutional design.

It is clear that the rules being followed do not support *full* CSG implementation. However, if any remedial action is to be taken, establishing the malady is the first step towards prescribing the remedy: understanding the rules which *are* followed enables identification of the source of breakdown. In the first instance, where rules being followed point to internal contradictions as the source of breakdown, the determinism inherent in this perspective (e.g. Marxism) suggests that regardless of remedial action, an institution is condemned to ultimate breakdown over the long run. However, where rule following suggests mutability or multiplicity, the prognosis may be more

optimistic. As mutability typically emerges as a result of low institutional rule specification, the most straightforward remedy may simply be to increase formal rule specification in such a way that there is less room for heterogeneous interpretation of institutional obligations among the actors responsible for its reproduction. Similarly, multiplicity may exist where competing interpretations of an institution coexist. On this basis, the key actors failing to contribute sufficiently to the CSG vision's reliable reproduction may not be MSPs, or even parliamentary staff: as the CSG report makes clear, the success of its design was contingent upon civil society (young people and their representatives, in the case of this research) assuming partial responsibility. Thus, whilst the Parliament might create opportunities for participation, a refusal within wider society to accept a more participative template may see the vision failing at the hands of competing interpretations of the public's role in policy-making. It is therefore important to consider the implications of the overall rule specification in relation to children and young people's accessibility and participation, as laid out in the foregoing sections.

As shown in Chapter Seven, the most apposite means for understanding this was to explore in greater depth the barriers faced by key actors (MSPs, Clerks and youth representatives) when attempting to follow the rules which they associated with the CSG vision. As such, both the *nature* of the barriers reported by interviewees and their *provenance* were considered with a view to determining the type of barrier and whether it pointed to the existence of internal contradictions, mutability or multiplicity. In general, barriers exogenous to the Parliament were seen as stemming from some degree of shortfall on the part of extra-parliamentary actors to follow the rules associated with the CSG institution (thus suggesting a lack of societal 'fit' or reciprocation, deriving from multiplicity), whilst those endogenous to the Parliament were seen as stemming from parliamentary actors' non-adherence to rules associated with the CSG vision. In the case of the latter, this could be as a result of low rule specification (suggesting mutability) or self-destructive institutional behaviour (pointing to internal contradictions).

Ultimately, MSPs, Clerks and youth representatives identified several types of barrier, which were assigned to thematic categories as summarised in Figure 8.5 below.

**Figure 8.5:** Summarised Research Findings: Barriers to CSG Implementation

- A lack of capacity among younger people to access or participate in the work of the Scottish Parliament.
- Various external logistical barriers, including the geographic and financial circumstances of young people, as well as the high degree of control exercised over their time.
- A lack of encouragement for young people to participate, and a lack of suitable structures to act as entry routes into the Parliament.
- Systemic or process-related barriers, such as a lack of compulsion, time or expertise on youth participation within the Parliament.
- MSPs' attitudes, which were seen as working against the adoption of a participatory working ethos, particularly with regard to younger people.

Investigating the rules underpinning accessibility, participation and the role of younger people not only allowed for an enhanced understanding of the outcomes reported in Chapters Five and Six, but also of the flaws in the CSG's design or implementation which diminish the likelihood of reliable reproduction (i.e. the internal contradictions, insufficiently high rule specification or 'fit' within its broader societal context which were outlined earlier). However, on the basis that the first three barriers identified are largely exogenous whilst the final two are endogenous to the Parliament, Chapter Seven found that rather than any inherent internal inconsistency, the mutability and multiplicity accounts together form a more convincing account of the failure to reliably reproduce the CSG vision. Whilst the varying levels of rule specification throughout accessibility and participation point to the importance of low institutional rule specification as an elucidatory tool for the areas where implementation has been less successful and resulted in the emergence of new forms of advocacy democracy within a representative democratic framework (i.e. as a result of mutability), so too the apparent inability of civil society to provide the requisite degree of reciprocal activity demonstrates that the CSG may have overestimated the latent desire for a more participatory form of democracy in Scotland. Thinking more specifically about children and young people, whilst mutability may account for the persistence of adultist

attitudes among MSPs, so institutional multiplicity suggests that whilst the youth sector in Scotland may be enthusiastic with regard to a template which values and encourages greater youth participation, this desire is inconsistent with more pervasive adultist norms throughout wider society.

#### **8.4.2 Results of Breakdown**

What, then, are the implications of this for the future of the CSG vision? Again, the prognosis depends upon the diagnosis. It has just been shown that this research believes the CSG vision to have failed to reproduce reliably due to mutability and multiplicity, demonstrating that problems have arisen as a result of low institutional rule specification and an apparent miscalculation as to the latent desire for participation and – albeit to a far lesser degree – accessibility, particularly among younger people. As such, if the CSG vision has broken down and is not reproducing reliably, what is happening to it?

To answer this question, the research returns to Streeck and Thelen's (2005b) five modes of gradual institutional change: displacement; layering; drift; conversion and exhaustion.<sup>2</sup> By identifying the path taken by the CSG's institutional vision and determining the way in which it is changing, it is possible to propose possible future outcomes. However, rather than examining the CSG vision at an aggregate level – even just aggregated to the level of accessibility and participation – this section considers the three component institutions which together constitute the overarching principle of accessibility and participation for younger people. Given the differential performance in overcoming barriers to accessibility, participation and adultism, it makes sense to consider them individually before attempting to draw more general predictions from this.

The institutionalisation of accessibility has been the least problematic of the three aspects outlined above. This is thought to be due in large part to its relatively high degree of reliable reproduction at a general, non age-specific level, which in turn derives from a formally-codified commitment to accessibility in the Parliament's

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<sup>2</sup> See Chapter Three for an elaboration of these modes of change.

constitutive legal documents, with any prospect of ambiguity in key actors' interpretations of their obligations further reduced as a result of strong informal rule frameworks. Thus, the accessibility dimension of the principle being studied has been subject to relatively reliable reproduction: it is only when considered in the context of young people that departure from the CSG emerges, and in this respect, the institutionalisation gap has come about not as a result of key actors failing to subscribe to an institutional template of accessibility, but rather of their unwillingness to adhere to a new institutional template which seeks to overcome adultism and deal with younger people as having equal political value to older people, albeit with significantly different requirements.

It is therefore in the promotion of non-adultism and public participation that change has taken place. Indeed, from a distance, the net change which has taken place relative to the pre-devolution era with regard to these two may appear to be negligible in the sense that they have never been *truly* institutionalised in the first place. Whilst much rhetoric surrounded the devolution process and the early days of the Parliament, the evidence gathered here suggests that at a general level, the notion of public participation was never truly subject to sufficiently pervasive formal or informal codification to ensure its reliable reproduction. This is particularly the case for young people, although this is as much a reflection upon the lack of institutionalisation of a non-adultist approach as it is on the lack of institutionalisation of a participative approach to policy-making. Rather than becoming embedded and institutionalised, the CSG's envisioned template of participatory and youth-friendly parliamentary processes have been subject to a process of significant institutional drift (Streeck and Thelen, 2005b: 26-29). This mode of change is characterised by an omission of action as opposed to any purposive attempts to challenge an institutional template. Particularly in the case of institutional design, new institutions may be a poor fit for the political or social context onto which they are grafted. Without active 'tending' or 'recalibration', such institutions risk slippage through actors' *laissez-faire* attitude or passive-aggressive non-adherence to certain aspects of an institution's logic.

However, it should also be recalled that civil society was considered to be a key actor in the CSG design by the designers themselves. In that the thesis also reports an

apparent lack of demand for participation among younger people and suitable facilitative structures for those that *do* wish to participate, the concept of institutional drift is able to account for shortfalls in ‘tending’ of these aspects of the CSG vision among parliamentarians and civil society. The exception to this process of drift is the Public Petitions process, although the formal codification which this aspect of the CSG vision was accorded means that ‘non-decisions’ or a lack of tending would be unlikely to result in its being diminished. That it has clearly emerged as a form of advocacy democracy rather than truly participatory democracy (Carman, 2006), however, attests to a lack of *active* maintenance of its role with regard to the original CSG vision. However, where aspects without the benefit of such formal codification are subject to a lack of active maintenance, the likely result is atrophy, or ultimately even total decay (Streeck and Thelen, 2005b: 24-26).

#### **8.4.3 The Future of the CSG Vision**

This therefore concludes the analysis of the CSG principle at the heart of the thesis. Whilst the research throughout has a clear focus upon the applicability and implementation of accessibility and participation for younger people, the conclusions ultimately contain findings which are generalisable to the delivery of accessibility and participation in the work of the Parliament for people of all ages.

The Parliament has shown a clear formal and informal commitment to accessibility, and indeed has been lauded for its efforts to educate younger people. This is paralleled by the internationally unprecedented development of accessible instrumental information at a non-age specific level. However, its work with regard to participation has suffered as a result of insufficient conceptual clarity, ultimately deriving from the CSG’s participatory vision not having been formally codified, combined with the effects of a lack of active ‘tending’. In cases such as this, the wilful abandonment which characterises institutional drift can be organisationally and / or politically expedient, allowing actors to abdicate problematic responsibilities associated with an institutional design when gaps emerge between that design and its implementation (Streeck and Thelen, 2005b: 25). Thus, the problematic concept of participation has been allowed to



recede in prominence, being replaced with a more vague and less challenging notion of 'engagement' or 'openness'.

Of course, the thesis' central focus is the work done in relation to the combined principle for children and young people. In this respect, the CSG's vision of a youth-friendly policy process has also been subject to significant institutional drift. Like participation, the role of young people in the policy process of the Scottish Parliament is subject to significant sedimentation from previous institutional templates, whose embeddedness and ready availability as cognitive scripts has made the process of moving away from the CSG aspirations all the more straightforward and politically expedient.

The diagnosis of institutional drift is not a positive one from the perspective of the original CSG vision. However, in that the CSG always saw civil society activity as fundamental to the success of the CSG vision, so it must be restated that a degree of responsibility for preventing drift lies with civil society. In this respect, whilst the CSG's vision of an accessible parliament already appears to have been delivered at a general level, the prognosis for both accessibility *and* participation for younger people is that significant institutional tending and recalibration is required. Given the difficulties already seen in delivering participation and a non-adultist approach when relying solely upon discretionary means, this 'tending' will require more than occasional references, one-off engagement events or rhetoric about valuing younger people, but rather a genuine dialogue – in which younger people must be accorded a role commensurate with their stake in society – between Parliament and people as to the desirability and possible implementation of the CSG principle of participation, regardless of the age of the would-be participant.

## **8.5 ORIGINAL CONTRIBUTION TO KNOWLEDGE**

The thesis has investigated the implementation of the CSG's 'cornerstone' principle of accessibility and participation for children and young people. In doing so, it makes a number of original contributions to the literature. This section provides a brief

overview of the substantive and methodological contributions to knowledge made by the research.

### **8.5.1 Substantive Knowledge Contributions**

In Chapter Two, two main bodies of literature were considered. Firstly, literature describing the background to and work of the Scottish Parliament was reviewed. This literature showed that most studies thus far have found that the Scottish Parliament has not succeeded in delivering the type of 'new politics' envisaged by the CSG. In addition, the criticism faced by the Scottish Parliament in terms of not delivering the CSG was questioned on the basis that the underlying premise was misguided (the stereotyping of Westminster practice), and that the idea that the Parliament could simply transform its working practices was naïve.

Secondly, it was shown that although there exist powerful arguments supporting the participation of young people in political decision-making from both instrumental and normative perspectives, decision-making processes are often run according to an adultist paradigm: in other words, younger people's views are dismissed or simply not sought on the basis that they are deemed incapable of contributing meaningfully.

This section aims to map the contribution to knowledge made by this research in respect of each of these bodies of knowledge.

#### **8.5.1.1 'New Politics'**

The first major contribution to knowledge made by this research is its quantitative overview of the work done by the Parliament's principal mechanisms for the delivery of participation and accessibility. With regard to the former, the thesis provides a quantitative introduction to the Parliament's committees and Public Petitions process. For the latter, the thesis provides quantitative data (where available) for the Education and Outreach Services as drivers of the provision of informational accessibility, whilst a similar overview is provided of the Partner Library Network (in addition to meetings outwith the Parliament campus) in relation to physical accessibility.

Whilst this mapping exercise represents a significant first for young people in particular, the same is true across participants of all ages. Whilst some research has focused upon quantitative examinations of the Public Petitions process (e.g. Carman, 2006; Ipsos MORI, 2009), this research adds to this by also exploring the work of the committee system as a whole.<sup>3</sup> Although the primary data collected in relation to these mechanisms delivers conclusions which are primarily applicable to young people, these can also be seen to apply more widely. By disaggregating the central idea of accessibility and participation for young people into three distinct institutional constructs<sup>4</sup> rather than treating the CSG vision as a coherent whole, the research is also able to offer conclusions relating to accessibility and participation at a general level as well as for young people specifically. Furthermore, the research also explicitly considers ‘headline’ findings from the parliamentary audit in relation to a number of other marginalised and disenfranchised groups. Whilst restrictions on space preclude a fuller comparative discussion of these groups and their circumstances, the thesis nonetheless hopes to catalyse scholarly interest in the experience of devolution for other marginalised groups.

Overall, in relation to ‘new politics’, the conclusions support the findings of the earlier research reviewed in Chapter Two. In particular, the thesis finds evidence of greater progress towards the CSG vision in relation to accessibility than to participation, which is posited as more conceptually problematic than accessibility. However, where previous studies have typically accepted tensions between participation and representation as inevitable or as a given (resulting in a somewhat deterministic view that they are irresolvable), this research emphasises that rather than just being the inevitable product of a formal framework which diminishes the likelihood of participation taking place, any such tensions may have been exacerbated by the informal rules which have come to constitute standard operating procedures for MSPs.

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<sup>3</sup> This is particularly apposite given the relevance of the committees as the ‘motor’ of the CSG’s vision of ‘new politics’. The contribution which this quantitative work makes as a methodological aspect of the research is discussed further below.

<sup>4</sup> A rule-based framework supporting the implementation of parliamentary accessibility is conceptually and empirically distinct from that of a framework supporting the implementation of a participatory approach to the work of the Parliament (i.e. one may be achieved without the other). Similarly, delivery of either of these for younger people is contingent upon the existence of a third new institution: a rule-based framework which supports an understanding of young people as political equals deserving of inclusion in accordance with their capacity.

This is demonstrated by the PPC compared with other committees, which – despite demonstrating only slightly higher rule specification – has shown itself to be more progressive in terms of youth participation. This is not merely the result of a formal framework, but also of the informal rules underlying political action. Thus, where public participation has a low *overall* institutional rule specification, this results in less progress towards the CSG vision than is the case for accessibility, whose relatively greater formal codification *and* normative support among MSPs ensures a higher rule specification.

However, the research also emphasises that such rules are malleable and may be open to redirection in accordance with the CSG vision, if the will to do so exists. Thus, for example, a committee agreeing in advance to uphold the decisions of non-parliamentarians at a civic participation event (such as a consensus conference) is one example of ways in which committees might bypass the restriction imposed by the Scotland Act upon non-parliamentarians being able to participate in official proceedings of the Parliament. However, ten years of devolution have shown that the CSG vision has proved difficult to operationalise and that the need for malleability remains strong. In this respect, the research establishes the existence of a clear commitment at present by the Parliament (in its formal rules) and by MSPs (in the informal rules they follow which shape their behaviour) to the continuation of the representative democratic model, with the possible *potential* to redirect its operations towards advocacy democracy, as evidenced by the Public Petitions Committee (Dalton, 2004).

However, perhaps the most significant original contribution of the thesis is its advocacy of the use of an explicitly theoretical approach to studying the Parliament's progression towards working methods which reflect the goal of 'new politics' (particularly with regard to the more challenging aspects of the CSG vision, such as public participation). Previous contributions to the field have been perceptive and illuminating, but have typically been under-theorised. This research is original in that as well as providing an empirical overview (and theoretical interpretation) of what has *already* happened, it uses recent developments within the new institutionalist

paradigm to demonstrate the way in which the process of reliable reproduction of the original CSG vision has been diverted and – crucially – how this bodes for the *future*. This use of a mixed inductive-deductive approach is at odds with most previous studies, which have investigated the implementation of the CSG vision using a heavily descriptive-inductive approach, basing their opinions upon a snapshot of the working methods of the Parliament at a given moment. Where this research differs is not only that it covers the longest time-span of any other investigation of the Parliament, but also that it goes beyond a purely descriptive-inductive approach. Rather than looking simply at the superficial operation of the mechanisms, the thesis attempts to look at the dynamics *within* the Parliament's work. By obtaining a greater insight into what has driven or frustrated the Parliament's work towards the CSG vision, it is able to provide a more considered conclusion as to future prospects than other studies whose conclusions are drawn from less deductive approaches.

#### **8.5.1.2 Adulthood**

There are few studies in the UK which consider – far less assess – young people's role in policy-making at national level. This is the first dedicated study of the way in which young people in Scotland have engaged with the work of the Parliament, and therefore represents a significant contribution to knowledge about experiences of young people's political involvement. In addition, the focus upon institutional design also allows for contributions to be made in relation to the framework of reliable reproduction required to embed an institutional design which aims to value younger people's contributions.

However, as the first study of its kind in Scotland, an important aspect of originality is quite simply the 'basemarking' exercise which emerges from the audit data. By challenging traditional adultist interpretations of young people's capacity to participate, the research distinguishes between occasions on which their interests are represented by adults and when they are articulated by young people themselves. Implementing a further qualitative distinction between those adults who act as a direct conduit for young people's opinions and those who articulate a detached opinion on their perception of young people's interests also allows for a greater degree of

sensitivity in considering how far removed (and adultist) the evidence given on younger people's behalf really is. These distinctions provide a more expansive investigation of young people's participation, but perhaps more importantly, they provide an overview of supply-side opportunity restrictions for young people's direct participation by considering the tendency of committees to involve adult representatives of young people than young people themselves. Thus, they reveal extremely low levels of direct youth participation, with the concentration of such participation (particularly direct participation) in the work of certain committees and on certain issues demonstrating conclusively that a youth perspective is *not* mainstreamed across the work of the Parliament and is considered only where subject matter is relevant, despite evidence from Chapter Two and from primary data reinforcing the idea that most policy will ultimately have *some* form of impact upon children and / or young people. However, whilst there is undoubtedly an onus upon the Parliament to put in place suitable provisions for participation if it is minded to deliver the participatory vision of the CSG, this research also delivers originality by considering the extent of demand for participation in the work of the Parliament within wider society.

### **8.5.2 Methodological Contributions**

Although the majority of the thesis' originality derives from its substantive knowledge contributions, the methodological approach has also yielded a degree of originality.

Firstly, in line with Mitchell's (2000) criticism that consideration of 'new politics' as a whole is too abstract and unwieldy a concept, the approach specifically aims to consider *one* of the four CSG principles: accessibility and participation. The CSG made it clear that this principle had informed all of their work and permeated all of their recommendations. In addition, it is impossible to conceive of other of the CSG principles – power-sharing and true accountability in particular – to be possible in the absence of accessibility to the Parliament's work and the ability to participate therein where appropriate. As such, this research disaggregates the notion of new politics with a view to considering the principle of accessibility and participation in isolation. In doing so, it further deconstructs the principle to specific types of accessibility

(information and physical) and specific dimensions of participation (quality as well as quantity). As such, despite arguing that it is unhelpful to think of accessibility and participation together as they are fundamentally different concepts with very different degrees of compatibility with UK political tradition, the research nevertheless presents a wide consideration of the Parliament's experiences with accessibility and participation at a youth-focussed level but also – albeit to a lesser degree – at a general level as well.

The second methodological contribution to knowledge is one which has also been discussed in the context of the substantive knowledge claims which it has yielded. The cataloguing of the work of the committees, the Public Petitions process, the Education Service, the Outreach Service and the Partner Library Network over the first two sessions of the Parliament constitutes a unique, single-source quantitative compilation of the work of the Parliament. Whilst much of the source data used has been published elsewhere, this has been done in a diffuse manner using a variety of media. Particularly with regard to modelling the behaviour of parliamentary committees as time proceeds, this database offers exciting potential for future studies of the Scottish Parliament's legislative work.

The final source of methodological originality lies in the thesis' intended and actual involvement of children and young people. Whilst the research stops short of adopting a participatory action approach, the role of younger people was always intended to be central to the research. As has been shown, this involvement was ultimately lower than originally intended. Despite being of a lower magnitude than hoped, a priority for the research was to avoid any hypocrisy inherent in criticising adultist tendencies elsewhere whilst replicating such tendencies in the methodological approach. In addition, the unique perspective brought to the research process by the young people participating in interviews and focus groups represents a valuable counterbalance to the perspectives offered by the adults interviewed from the parliamentary sector and youth sector.

### **8.5.3 Research Limitations and Future Research Priorities**

Despite the contributions to an understanding of the two areas of literature described above, the research has also been subject to limitations which have helped to clarify future research priorities relative to the two themes of delivering ‘new politics’ and younger people’s political participation.

The first limitation is a temporal one. With only two full parliamentary sessions’ worth of data to consider, the relative pessimism expressed in conclusions about the delivery of ‘new politics’ is located in a very specific temporal context. Despite its apparently settled approach to public participation, the Parliament is still relatively young and as such, there still exists the potential for institutional redirection to occur, regardless of the degree of sedimentation of the representative mindset and reliance upon traditional consultative mechanisms reported here. Further monitoring of the Public Petitions process and committees’ work with non-parliamentarians would allow for the emergence of trends which might prompt reconsideration of the findings reported here.

Additionally, although this would be recommended regardless of the political composition of the Parliament, the current situation of minority government offers a significant opportunity for exploration of the degree to which the reported executive dominance in Sessions One and Two interfered with CSG delivery. In this regard, control of the legislative agenda was seen as a significant factor in reducing opportunities for participation by MSP interviewees. Under a minority government, the potential for executive dominance is substantially weakened, thus meaning – in theory – more of a role for parliamentary committees to flex their muscles in terms of reducing the workload on committees, and allowing more time for innovative practice. Whilst this may not necessarily affect adultist attitudes, there is potential for one of the most prominent barriers mentioned by MSPs to their preparedness to countenance public participation to be diminished. The extent to which this has been the case will shed further light upon the degree to which MSPs’ opposition to public participation is a deeply embedded one, or merely a pragmatic solution to a crowded committee timetable in Sessions One and Two.



In relation to young people, whilst this research highlighted a tendency for previous studies to focus upon the Executive, it has become clear during the course of this research that the primary national body for young people in Scotland – the Scottish Youth Parliament – is similar to many other bodies in focussing its lobbying efforts on the Executive. Whilst this lends weight to Mitchell's (2000) claim of naïveté within the CSG in its focus upon the Parliament and not the Executive, it is also clear that complementary research on the role played by young people in the work of the Executive would be useful. Furthermore, anecdotal evidence emerging during the interviews with young people's representatives suggested that efforts have been made at local authority level to involve younger people in more participatory forms of decision-making. There is a paucity of research on this subject in post-devolution Scotland, despite the direct influence which councils have over many of the issues which matter to younger people. On this basis, an audit of the work done by the Executive and local authorities with regard to participation for children and young people would allow for a far more comprehensive understanding of youth participation in Scotland to be produced.

However, a key consideration emanating from the parliamentary interviews was a lack of confidence that using such participatory methods could ever be effective. In Chapter Two, Kirby and Bryson's (2002) assessment of participation guides and toolkits reported that the literature available on young people's participation is overly-descriptive, under-theorised and too uncritical. Since then, few studies have emerged to challenge this assertion. Although there is no definitive answer as to what works in a given situation, the general benevolence towards younger people among MSPs saw some of them reporting a willingness to consider young people's participation – *if* they were convinced that it would work.

Such reluctance and insistence on being convinced of the value of youth participation appeared to be rooted in adultist assumptions or prejudices. Even where there is an awareness of obligations and – in the case of the UNCRC – a stated commitment (albeit one which is not enforceable legally) to young people's right to be heard (if only on matters which affect them directly), this is not necessarily sufficient to facilitate young people's participation moving from rhetoric to reality, even in cases of

purposive institutional design. Rather, the attitudes of key actors towards young people is also central to the success of any intended participatory ethos. Further evidence of this is provided by the youth representative interviews, in which it was suggested that the Scottish Executive had performed little better than the Scottish Parliament in terms of meaningful youth participation, despite a Child Strategy Statement and a bespoke youth participation toolkit designed by Save the Children.

As such, the degree of fixedness of adultist beliefs represents a key focus for future research. The anti-foundationalist ontological paradigm common to the social sciences would suggest that the firmness of belief among many adults that younger people are incapable of contributing meaningfully is – to at least some degree – socially constructed. Overcoming this mentality is clearly a challenge which affects people other than those involved in this research, but which must be addressed if younger people's involvement is to become a non-tokenistic reality in any organisation. As such, future assessments of participation opportunities at any level of decision-making should aim to build into their methodology an assessment not only of the young people involved, but crucially also of the attitudinal changes in the *adults* involved. At present, too much focus lies upon young people's capacity to participate, despite the fact that it is well known that their requirements are different to those of adults. What has been manifestly under-researched is whether sceptical adults *can* be sufficiently convinced of the merits of young people's participation to support it. If this is possible, attention can then focus on *how* this takes place. Exploring the transformative potential of youth participation for adults will not only serve as an important evidential base from which instrumental claims for youth participation may be strengthened, but will also contribute to future consideration of the 'fit' of a proposed participatory interaction with the adults involved: employing too ambitious a strategy may not only be unproductive from the point of view of demanding too much of children, but for an inexperienced adult, it may also serve to reinforce existing prejudices about young people's incapacity.

A final limitation to be reported here is the lack of representative structures for the articulation of young people's perspectives to the Parliament. In addition to being highlighted by the MSPs and youth representatives interviewed, the lack of a

representative voice aiming to influence the work of the Parliament was experienced at the methodological design stage of this research when options were investigated for involving young people directly in the research. As the only national body aiming to represent the views of children *and* young people on a wide range of issues, the Scottish Youth Parliament seemed the most logical option. However, further exploration of quantitative data and observation findings revealed that their policy approach focussed almost exclusively upon Scottish Executive Ministers rather than upon parliamentary committees, thus rendering their intended contribution less instructive than it had initially been hoped. Whilst the focus groups conducted with young people were certainly informative, they related more to accessibility than to participation. As such, the evidence base on participation here draws significantly – although not entirely – upon the experiences of the type of proxy participants identified above: those who act as a conduit of young people’s voices rather than those who offer their own perspective on young people’s interests. For reasons explained earlier, this was a pragmatic choice on the basis that so little direct youth participation had actually taken place: as such, there were few ‘visible’ direct participants with whom such research could be conducted. Whilst their contributions as experienced ‘proxies’ were invaluable, future research should aim to address this shortfall, potentially through youth sector organisations signposting researchers to youth forums or service user groups who *have* been involved in the Parliament’s work. Although the rate at which it might occur is open to debate, as time passes, it is inevitable that this population *will* grow, and as such, future research must aim to draw upon the experiences of this population more directly than was possible within the bounds of this research.

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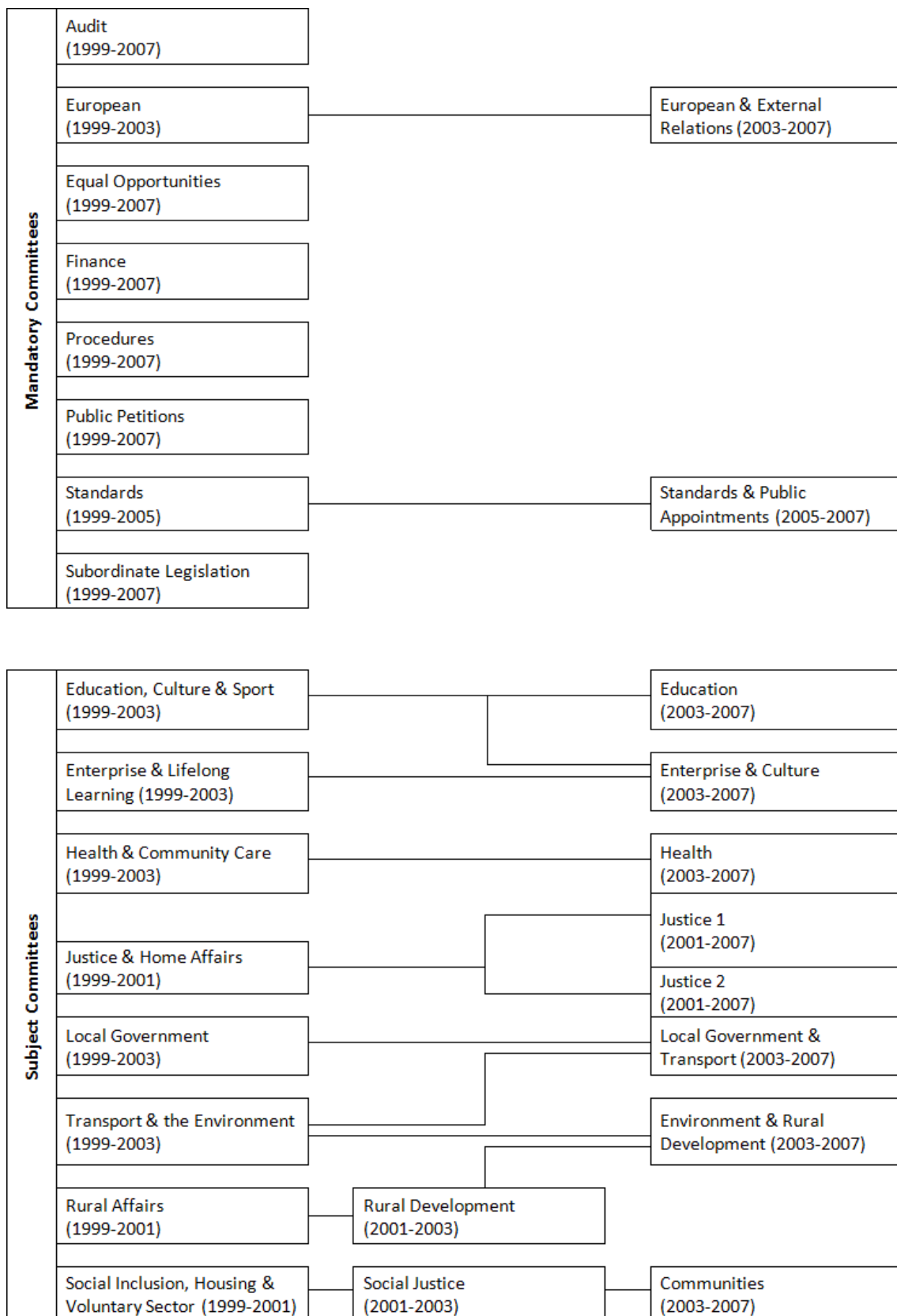
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## Appendix A

### Evolution of the Scottish Parliament's Committees




# Appendix B

## Clearance Certificate from Disclosure Scotland

**STRICTLY PRIVATE AND CONFIDENTIAL**

### Disclosure SCOTLAND

MR IAIN MACLEAN MACLEOD



556600

#### Applicant Personal Details

Surname: MACLEOD  
Forename(s): IAIN MACLEAN  
Date of Birth: 15/11/1979

#### Convictions

Date	Court	Offence	Disposal
NONE			

#### Reprimands, Warnings and Cautions


Date	Court	Offence	Disposal
NONE			

#### Other Relevant Information


NONE  
END OF DISCLOSURE

### BASIC DISCLOSURE


Disclosure Number: 110100025596923  
Date of Issue: 25/04/2005  
page 01 of 01



SCOTTISH CRIMINAL RECORD OFFICE



SCOTTISH EXECUTIVE



1592074

# Appendix C

## Sample Research Participant Consent Form

**ABERDEEN BUSINESS SCHOOL**  
THE ROBERT GORDON UNIVERSITY

### **Research Participation – Declaration of Consent** *Youth Participation & the Scottish Parliament*

**Name:**

I hereby authorise the digital recording of my comments, and understand that these comments may be used at a later date in the thesis (and possible related academic research publications) emanating from this research project.

In every case where comments are to be reproduced, they will be reproduced anonymously. Attributing quotes to named individuals may take place only with the express, written permission of the research participant concerned. Consent will be sought on a case-by-case basis when identification of the individual in the research can be justified.

Only the interviewer will have access to the original audio recordings. All original audio files and written transcripts will be stored securely.

With the exception of the thesis and possible related publications specified above, under no circumstances will either the original audio files or the transcribed scripts (or any part thereof) be released to any third party, anonymously or otherwise, unless the express written permission of the research participant is sought – and obtained – in advance.

Any other stipulations should be detailed in the space below, and initialled by both researcher and research participant:

	<b>Signature</b>	<b>Date</b>
<i>Research Participant</i>		
<i>Researcher</i>		

Thank you very much for your contribution – your help is very much appreciated.

## Appendix D

### One-Off Accessibility Events for Children & Young People

Scottish Parliament Badge Design Competition (1999)
Seminar: 'What the Parliament Can Do for Children and Young People' (1999)
Doors Open Day (2000)
Young Person's Health Congress (2001)
Open Day (2001)
Commonwealth Day Celebrations (2001)
Children's Commissioner Event (2001)
Doors Open Day (2002)
Scottish Youth Parliament Meeting (2002)
North-East Sittings Competitions (2002)
Europe Day (2002)
Reality of Life in School (2003)
Edinburgh International Book Festival Schools Gala Day Event (2003)
Hansard Society Mock Elections (2003)
'Open House' Event (2004)
Education Centre Opening (2004)
Schoolchildren audience with the Dalai Lama (2004)
'World's Biggest Lobby - Global Education Crisis' Event (2004)
Doors Open Day (2005)
Scotland – Malawi Partnership Conference (2005)
World Youth Congress Closing Ceremony (2005)
J8 Edinburgh Summit (2005)
Festival of Politics (2005)
Scottish Youth Parliament Meeting (2006)
Speed Dating with MSPs (2006)
Donald Dewar Memorial Schools Debating Competition Final (2006)
CPG on Learning Difficulties Event (2006)
Festival of Politics (2006)
'Our Voice on Europe' Youth Forum (2006)
Single Transferable Vote and Young People (2006)
Hansard Society Mock Elections (2007)
Source: Multiple <sup>1</sup>

<sup>1</sup> Data based upon media reports and parliamentary news releases and prior knowledge of subject area. Although rigorously collected, the information here may not be exhaustive due to inconsistent reporting of events.