

The Legislative Process - Assisted Suicide (Scotland) Bill

About this Briefing Paper

This paper:-

- Describes the process by which a Bill in the Scottish Parliament may become law.
- Updates on the progress of the Assisted Suicide (Scotland) Bill through this process
- Identifies ways in which individuals and organisations may influence the legislative process.

The process by which a Bill in the Scottish Parliament may become law

Appendix 1 shows in diagrammatic detail how a Bill may become law. There are 3 broad stages.

In **Stage One** a Committee of MSPs considers the general principles of the Bill. As part of this process the Committee calls for written evidence. After considering this written evidence the Committee will normally invite oral evidence from witnesses they select. The Committee then reports to the Parliament and there is a debate and vote on whether or not the general principles of the Bill are agreed to. If the Bill falls at this stage then it cannot return for six months. If the Bill survives then it proceeds to Stage Two.

In **Stage Two** the Committee considers amendments to the Bill. Any MSP is able to submit amendments to the Bill and all relevant amendments will be considered by the Committee (although amendments designed to “wreck” the Bill are not allowed). The thrust of the process at Stage Two is about improving the legislation. During this stage only members of the Committee get to vote on the amendments. At the end of Stage Two the Committee sends the amended Bill back to Parliament for the next stage.

In **Stage Three** the Parliament considers the amended Bill. Again any MSP is able to submit amendments. The Presiding Officer decides which amendments should be considered. Often amendments which were considered by the Committee and rejected will be called again for reconsideration, particularly if the Committee’s vote in Stage Two was close. In Stage Three all MSPs get to vote on each amendment. After amendments have been considered MSPs vote on whether the amended Bill should be passed or not. MSPs who may have supported the Bill at

Stage One, but perhaps with reservations, will need to consider whether the Bill has improved sufficiently through amendment to become law.

If the Bill is not passed then that is the end of the process. If the Bill passes then it will normally become law, although occasionally senior law officers may require the debate of further amendments they consider necessary.

This is a simplified account of the normal process. More detailed information is available here:-

<http://www.scottish.parliament.uk/business/bills/billguidance/GuidanceonPublicBills.pdf>

Progress of the Assisted Suicide (Scotland) Bill

The Parliament has decided that the Health & Sport Committee will be the lead Committee for the Bill. It has also decided that the Justice Committee should have a secondary role (probably to consider any more technical legal aspects of the Bill). Sometime in January 2014 the timescale for the Stage One work of the Committees will be published including a call for evidence. SPPC will update members when this happens.

The Bill was on the agenda of the Health & Sport Committee on 17th December 2013 when it decided to appoint an expert advisor to support their work on the Bill.

The work of the Health & Sport Committee (including papers from the most recent meeting) can be followed at

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/29829.aspx>.

The progress of the Bill can be followed at

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/69604.aspx>

Ways in which individuals and organisations may influence the legislative process

In considering the Bill MSPs face complex, important and high profile issues without the usual Party guidance on how to vote. They are therefore likely to welcome informed and considered opinion which helps them to discharge their responsibilities. Given their interest in re-election MSPs want to know where their constituents stand on issues.

In Scotland everyone has 8 MSPs – one constituency MSP and 7 regional MSPs. By entering a postcode here:-

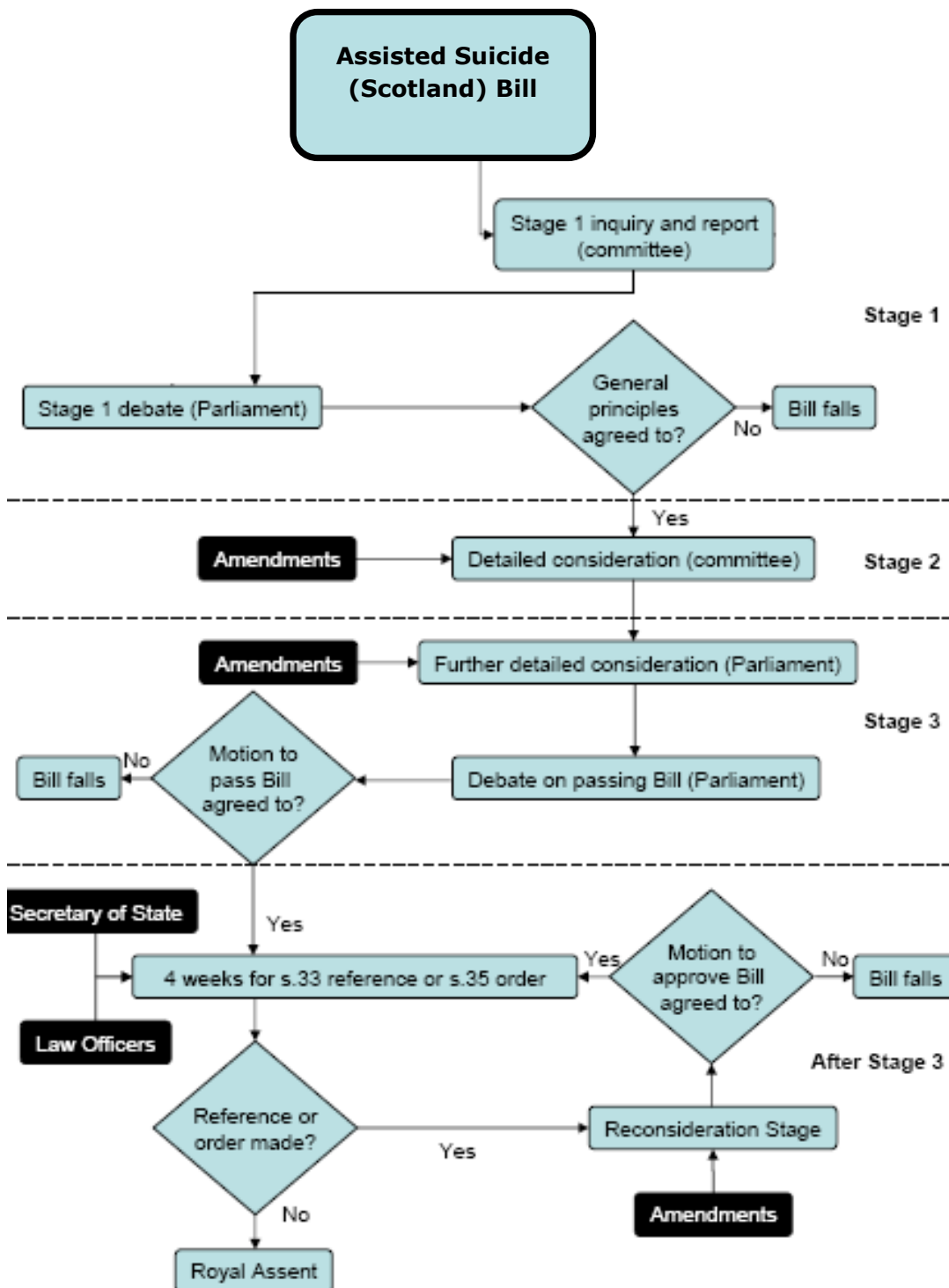
<http://www.scottish.parliament.uk/msp/membersPages/MSPAddressPostcodeFinder.htm> relevant local MSPs can be identified.

In addition to writing to MSPs with views, individuals can also ask to meet them, either locally or at the Parliament. This will have more impact than simply writing a letter. MSPs are likely to value an invitation to visit relevant organisations and this can be a high impact way of them learning more about an organisation's work and its relationship to the proposed legislation.

In Stage Two and Stage Three individuals/organisations can ask MSPs to table specific amendments to the Bill.

In addition to direct contact from individuals and organisations MSPs are of course influenced by media coverage. This may be an option which some organisations are able to exploit to promote their views. Individuals may write to local and national press. It is easy to get coverage in the former and they are assiduously read by MSPs.

Appendix 1 – The Process by which a Bill becomes Law in the Scottish Parliament



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 December 2013