



The Scottish Parliament
Pàrlamaid na h-Alba

Reimbursement of Members' Expenses Scheme- Travel Application By Correspondence Reference: SPCB (2023) Paper 22

Executive summary

1. The SPCB is invited to consider a further application submitted by Emma Harper MSP to have the travel costs associated with a proposed visit for her and a member of her staff to the United States of America in April 2023 met under the provisions made at paragraph 6.1.5 of the Reimbursement of Members' Expenses Scheme. This is the second application from the Members' office to travel to the USA in relation to this matter. The SPCB will wish to note that they approved the first application for her staff member to travel on behalf of the Member in August 2022.

Issues and options

2. The Reimbursement of Members' Expenses Scheme makes provision to meet travel costs associated with a Member undertaking their parliamentary duties or a member of staff travelling in the UK in support of the member in carrying out their parliamentary duties.
3. However, in relation to travel outwith the UK, Members are required to make an application to the SPCB to have such costs met. The SPCB have in the past approved the costs of Members or their staff to travel abroad.
4. The criteria previously applied when determining such applications included where the reason for the journey was:

- a. Directly related to a specific constituency matter, where the visit is necessary in order to address the issue;
 - b. Directly related to Parliamentary business;
 - c. Something the SPCB considers the Parliament should be paying for;
 - d. Provides value for money.
5. Ms Harper is applying to the SPCB for the costs of her and her member of staff to travel to Boston, USA on 1st April, returning on 6th April 2023. She is also applying for accommodation costs for 5 nights for her and her member of staff whilst in Boston.
6. The visit relates to work the Member and her office have undertaken in relation to supporting an application from a constituent whose family member is currently incarcerated in Boston following conviction by a US court. At the time of their incarceration, they were in the United States staying with a family member and studying, they are a British citizen.
7. The SPCB approved a similar application for Ms Harper's member of staff to travel to the States in August 2022 on her behalf and agreed that such circumstances are covered by the criteria set out within the Scheme as being part of a Member of the Scottish Parliament's parliamentary duties and as per the criteria detailed in paragraph 4 of this paper.
8. This further application relates to a summons, issued by the Massachusetts Department of Corrections, that Ms Harper and her member of staff attend a final "satisfaction hearing" on 5th April 2023 to ensure the constituent satisfies the requirements and criteria for transfer back to the UK.
9. Ms Harper is attending in her capacity as an MSP as the person incarcerated is the son of her constituent, residing in the South Scotland Region and is directly related to the case that her office is pursuing on their behalf. The member of staff is a named representative to attend the meeting with the MSP, he has an extensive knowledge of the case and has been the main contact for the incarcerated constituent and with the various agencies involved in the case.
10. If the requirements are met at the final satisfaction hearing, the constituent's family member will be transferred to the UK to serve the remainder of their prison sentence in a UK prison.
11. The estimated cost of return flights to Boston is approx. £1,100 each for the Member and their staff member and accommodation costs totaling

£740. The SPCB will wish to note that the flight costs are increasing daily so we would recommend the SPCB approve a contingency figure of an additional £300 each for the flights, provided they are content to approve the travel.

12. The Member has confirmed that no further costs relating to this trip will be claimed.
13. Due to flight costs, it is more effective for the Member and their staff member to travel to Boston on 1st April, even although the hearing is not until 5th April.
14. The Allowances Office is aware that Ms Harper is arranging to meet the Massachusetts State Governor and other officials whilst in Boston as well as take part in the tartan week celebrations. The SPCB will wish to note that these additional meetings are not on behalf of the Parliament and would be in a personal capacity.
15. The Allowances office recommends that, given the previous approval of travel abroad related to this matter that this application is also approved to enable the Member to see the matter through to conclusion. However, this recommendation is made, based on our understanding from the Members' office, that no further travel will be required in relation to this matter.

Governance

16. There are no governance issues in terms of the Scheme as it provides for Members to apply to the SPCB for the costs of travel abroad to be met from the Scheme prior to travelling.

Resource implications

17. Should the SPCB determine that the costs should be met it is confirmed that there are sufficient funds available within the overall Travel Provision, the Overnight Accommodation Provision, and the Members' Office Cost Provision for 2023-24 to meet the costs.

Publication Scheme

18. This paper can be published in accordance with the SPCB's publication scheme.

Next steps

19. Advise the Member of the SPCB's decision and if the SPCB agree the travel and accommodation costs can be met from the Scheme then the Member and their staff will be advised to move forward with the arrangements for the proposed visit.

Decision

20. The SPCB is invited to consider a further application from Ms Harper for the cost of her and her staff travel and accommodation to be met from the Members' Expenses Scheme for a proposed visit to Boston, USA as detailed above.

Allowances Office

March 2023