



OFFICIAL REPORT
AITHISG OIFIGEIL

Citizen Participation and Public Petitions Committee

Wednesday 23 March 2022

Session 6



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CITIZEN PARTICIPATION AND PUBLIC PETITIONS COMMITTEE

5th Meeting 2022, Session 6

CONVENER

*Jackson Carlaw (Eastwood) (Con)

DEPUTY CONVENER

*David Torrance (Kirkcaldy) (SNP)

COMMITTEE MEMBERS

*Ruth Maguire (Cunninghame South) (SNP)

*Alexander Stewart (Mid Scotland and Fife) (Con)

*Paul Sweeney (Glasgow) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Jackie Baillie (Dumbarton) (Lab)

Angela Rosina Cousins

Doug Howieson (Scottish Forestry)

Màiri McAllan (Minister for Environment and Land Reform)

CLERK TO THE COMMITTEE

Lynn Tullis

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Citizen Participation and Public Petitions Committee

Wednesday 23 March 2022

[The Convener opened the meeting at 09:31]

Continued Petitions

Ancient, Native and Semi-native Woodlands (Protection) (PE1812)

The Convener (Jackson Carlaw): Good morning. I welcome everybody to the fifth meeting in 2022 of the Citizen Participation and Public Petitions Committee. Before we turn to consideration of the petitions that are before us, I note that today is the second anniversary of the first Covid-19 lockdown and is a national day of reflection.

As the Presiding Officer has said, the global pandemic has taken so much from so many. Parliament stands shoulder to shoulder with all those who have suffered, those who are grieving for loved ones, and those whose lives have been changed forever. Throughout the pandemic, we have seen communities respond with care and understanding, which should give us all hope for the future.

Accordingly, we will pause later this morning, at 12 noon, to join in with the minute's silence. I warn members about that, as we could be at any point in our proceedings, depending on the progress that we have made.

Item 1 is consideration of continued petitions. Petition PE1812, which is on protecting Scotland's remaining ancient, native and semi-native woodlands and woodland floors, was lodged by Audrey Baird and Fiona Baker on behalf of Help Trees Help Us. We heard from the petitioners in an evidence session a fortnight ago.

The petition calls on the Scottish Parliament to urge the Scottish Government to deliver world-leading legislation giving Scotland's remaining fragments of ancient, native and semi-native woodlands and woodland floors full legal protection before the 26th United Nations climate change conference of the parties. Obviously, the petition was lodged before COP26.

When we considered the petition on 9 March, we took evidence from the petitioners and from a range of interested organisations. Today, we will take evidence from Màiri McAllan, who is the Minister for Environment and Land Reform.

Welcome, minister. It is nice to have you with us. The minister is joined by Doug Howieson, who is interim head of operational delivery at Scottish Forestry. He has an honorary season ticket to the committee, having participated in the round-table discussion on the petition a fortnight ago.

Jackie Baillie was sadly unable to join us a fortnight ago, but she is joining us remotely today. I will invite her to comment when we have heard what our witnesses have to say.

We will go straight to questions. The round-table session was fascinating, lots of themes emerged from it, and there was a lot of commonality. There were some areas that the committee had not considered quite so much in our earlier review, and the petitioners submitted a comprehensive portfolio of photographs that particularly illustrated the effect of invasive species in our native woodland.

In the most recent progress report on "Scotland's Biodiversity—a Route Map to 2020", the targets for native woodland were identified as areas in which "insufficient progress" has been made. People are wondering what the Scottish Government is doing to enhance efforts in that area.

The Minister for Environment and Land Reform (Màiri McAllan): It is good to be with you all to discuss this really important topic, as reflected in the number of signatories to the petition. I share their views on the importance of the issue.

I will split your question into two parts. The first relates to our efforts on new woodland creation and the native component of that, and the second is about the actions that we are taking to protect, restore and grow the remaining natural and semi-natural ancient woodlands.

The Scottish Government's woodland creation objective is to manage our woodlands for the number of co-benefits that they can provide for the country. That spans economic and environmental opportunities, as well as social opportunities. Our challenge is to manage their creation in ways that reflect all those things.

We have ambitious targets for creation that reflect our ambitious climate change targets. We also have targets within that. For example, we had a target that, as a minimum, 3,000 hectares of all woodland planted in Scotland should be native broad-leaved woodland. We have been meeting and exceeding that target and therefore have taken action to increase it. We have moved the floor from a minimum of 3,000 hectares to a minimum of 4,000 hectares.

In our biodiversity strategy, which is currently being worked on, we have committed to look at

the evidence, to see whether that target could be more ambitious still. We also carry out other activities. For example, the forestry grant scheme has supported 12,000 hectares of native planting in the past three years. That is about efforts to create, and if we think about—

The Convener: Could I ask a question, because that is interesting?

Màiri McAllan: Of course.

The Convener: The petitioners are concerned about the native content in new forest planting. It is interesting to hear that the Government is seeking to increase the percentage of native trees. What is the balancing act in that? It would be helpful if people could understand why it is not all native. What calculation is made in determining the percentage that can be native species?

Màiri McAllan: That is an excellent question, and something that officials and I grapple with all the time. We are in a fortunate position in that woodland can deliver across many objectives, such as carbon sequestration, biodiversity growth and socioeconomic outcomes, including the creation of good jobs in rural areas.

The types of woodland that we create have to be balanced across that. For example, we need to plant fast-growing commercial species, because they provide the greatest opportunity for carbon sequestration, and allow us to prop up the successful timber industry, which supports many jobs in rural Scotland. Then there are the types of trees that support our biodiversity objectives: native broad-leaved trees that will help us to reverse the decline in biodiversity.

There are other objectives that we build into the picture. For example, there is a requirement that 10 per cent of new woodland should be open space. That serves the socioeconomic objective of supporting wellbeing, as it allows people to spend time in forests and to enjoy the health and wellbeing aspects that come with that. We must start from a position where woodland can deliver, and we have to judge how best to match the objectives with the types of trees that we grow and the types of forests that we develop. All that is underpinned by the United Kingdom forestry standard, which is about all those things and managing forests for their multiple values.

The Convener: I interrupted you, but thank you for that helpful clarification.

Màiri McAllan: That is fine. Do you want me to talk about—

The Convener: Please do.

Màiri McAllan: That was very much about new woodland creation. I have previously thought hard about woodlands that already exist, and even

more so before coming in today, and I admit that it is a complex set of rules and regulations that determines the protection of ancient and native woodlands. For example, we have a system of sites of special scientific interest where native and ancient woodlands of a particular size or antiquity are protected by those environmental designations. If there was an application to fell something in an SSSI, felling permission or an SSSI consent would have to be sought.

The Forestry and Land Management (Scotland) Act 2018, which strengthened the relevant legislation, provides for the management of potential felling of those woodlands. Again, that means that any felling between 0.1 and 0.5 hectares would have to get felling permission.

Both of those routes therefore take us to felling permission, and we might ask in what circumstances felling would be allowed in our ancient woodlands. Ultimately, there are very few circumstances in which felling of any ancient woodland would be approved. The regulations are in almost the strongest possible terms without providing for a total ban. You can understand why there is not a total ban when you consider the exceptional circumstances in which felling might be approved. Doug Howieson can correct me if I am wrong, but it could be in relation to breaking up the canopy of the forest to allow light in to support the woodland floor and growth of the ancient woodlands. It could also be about removing invasive non-native species.

There is a very robust, albeit complex, web of protections, which, when they operate correctly, should absolutely protect our ancient woodlands. However, there are threats. I am sure that we will come on to this, but there are threats from overgrazing, invasive non-native species and climate change generally. I will pause there, but we can come on later to talk about how the Government is trying to rise to some of those challenges.

The Convener: Yes, some of those themes will emerge. You talked about when the protections operate, and one of the petitioners' questions was about whether they work and are applied. They see the forthcoming natural environment bill and the Scottish biodiversity strategy as opportunities for further protection through legislative routes. The question is whether that is envisaged at all and whether in preparing for those initiatives, as you have said, regulations could be improved if things are applied and work well in the current framework. Is there an evidence trail to show that what is there is doing the job that it is meant to do, and if not, is the Government contemplating something more?

Màiri McAllan: Yes. Although I remain open-minded to all and any suggestions about how we

strengthen and improve the protection of our ancient woodlands and rise to emerging challenges, the system as it stands, including the environmental designation and the forestry and land management route, where operating correctly, ought to be sufficient. There is a whole series of protections but we are not complacent. The Government is trying to identify all the threats to those incredibly precious trees and woodlands and we are taking action across the board.

09:45

I am particularly pleased to see the development of national planning framework 4 and some of its provisions for protecting our woodlands. They are explicit planning laws that will determine what happens throughout Scotland. The draft, which is being consulted on, says:

“Development proposals should not be supported where they would result in any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition”

or if they would have

“adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value”.

When it comes to potential felling or removal, a suite of rules is in place that ought to protect our woodlands. When that does not occur, Scottish Forestry has enforcement powers, which were strengthened in 2018 so that, for example, we would not need a successful prosecution for Scottish Forestry to step in and undertake restocking.

When the rules operate, they ought to protect woodlands, but we are always looking for new ways to do that such as through NPF4 and our work on deer and invasive non-native species, which we can come on to.

The Convener: That is helpful.

David Torrance (Kirkcaldy) (SNP): In an evidence session two weeks ago, I asked a question about how NPF4 would help to protect ancient woodlands. One of the witnesses said:

“National planning framework 4 is a tremendous opportunity that we must not lose ... We cannot afford to take risks or to have weak legislation that creates loopholes.”—[*Official Report, Citizen Participation and Public Petitions Committee*, 9 March 2022; c 12.]

In the evidence session, the witnesses said that they did not think that the language in NPF4 was strong enough to allow planners to make recommendations that the law would back them on. Is that the case? If so, will you change it?

Màiri McAllan: That is a really good question. In so far as I can, I am taking an active role in the development of NPF4 to ensure that a whole range of objectives in the environment portfolio are

facilitated through it. The protection of our woodlands is one of those objectives.

I said previously that the legal landscape is complicated, but I do not think that it is vague or ineffective. There are good reasons why, for example, you will not currently find in law a ban on the removal of certain trees in woodlands, although there are examples, which I mentioned, of when works might need to be done to support the woodland’s conservation as a whole.

We need planning documents to be direct and explicit, but we must be able to apply them right across the country, and the narrower the language in the documents, the more difficult it becomes to apply them. Having said that, I will repeat what the current draft of NPF4 that is being consulted on says. It says:

“Development proposals should not be supported where they would result in any loss of ancient woodlands”,

which is very pointed for a planning document. I am pleased about that. However, I am, of course, working with stakeholders and, if they think that the language needs to be strengthened, I will be an advocate for that.

As it stands, NPF4 is clear and unequivocal. We must now look at all the other pressures that bear down on our ancient woodlands, including deer, invasive non-native species, climate change and wildfires. I am happy and comfortable that, across the piece, we are trying to rise to those challenges. NPF4 is still in draft and is a moving document.

David Torrance: In the evidence session two weeks ago, witnesses said that there is a lack of data on where ancient woodlands are. The Scottish Government is committed to a national register of ancient woodlands. Can you update us on where that is? If local authorities and planners do not know where an ancient woodland is, how can they protect it? Will the register be created quickly so that local authorities and planners know where the woodlands are and can protect them?

Màiri McAllan: David Torrance is absolutely right that one of the first points in anything is identifying location, conservation status and threats. Developing the register of ancient woodlands is in our programme for government, and we will be taking that forward through the summer. It will be a parallel exercise with the biodiversity strategy.

There is a number of existing registers or archives showing where ancient woodlands and native, natural and semi-natural woodlands are. However, for the reasons that David Torrance gave, it is important to bring those together so that local authorities and all those who have a

responsibility for looking after them know exactly where they are.

However, it is also important that we know where ancient woodlands exist in relation to landowners. I would like to see that knowledge down to very small pockets, because everything requires to be conserved. We can use that knowledge to support, encourage and incentivise landowners even more than we already do. I hope to see that being developed in the summer.

David Torrance: I have no further questions.

Màiri McAllan: Doug, do you want to come in?

The Convener: I am sorry. We would be happy to hear from Doug Howieson again. You contributed to our discussion a fortnight ago. Would you like to come in on any of the points that we have touched on so far?

Doug Howieson (Scottish Forestry): Yes. I just want to provide some evidence for that answer. The Planning (Scotland) Act 2019 placed a requirement on local authorities to create a forestry and woodland strategy. NPF4 uses local development plans to emphasise the need for local authorities to develop forestry and woodland strategies.

Within those strategies, they also identify ancient, semi-natural and native woodlands. NatureScot and Scottish Forestry are consulted on the establishment of the forestry and woodland strategies. That process, which the minister has been encouraging us in, helps to drill further into the identification of native, ancient, semi-natural woodlands, and to ensure that they are afforded additional protection through the creation of forestry and woodland strategies connected to local development plans, where they do not already exist. Some good things are therefore being taken forward through NPF4 that will help with that.

David Torrance: Are local authorities up to date in relation to that planning legislation? If they have not done what you have just described, planners will just decide yes or no. How does the Government check that they have managed to create those strategies?

Doug Howieson: We have close relationships with all local authorities in Scotland, and Scottish Forestry and NatureScot are statutory consultees for all developments of the type that we are discussing. We are fairly certain that local authorities are aware of that requirement and the need for it.

The second thing to say is that the native woodland survey of Scotland is available on the Scottish Forestry map browser. Local authority colleagues, who generally employ forestry

specialists, are aware of the need for this, and of the need to drive it forward.

I think that only two or three local authorities in Scotland have not prepared a forestry and woodland strategy, and they are undertaking that task now.

The Convener: One of our committee members, Paul Sweeney, joins us remotely.

Paul Sweeney (Glasgow) (Lab): That was an interesting introduction, minister.

In the previous evidence session, it was identified that the Woodland Trust has already done an exercise to investigate the extent of ancient woodland in Scotland and has identified that it amounts to about 5 hectares in total. Will the Government give a commitment to undertake to protect all of that under an SSSI designation as quickly as possible?

Màiri McAllan: I am not going to make a commitment like that in this forum, because I am not a scientist or an ecologist who would be tasked with considering the characteristics of woodlands throughout Scotland and determining whether they ought to be protected under an SSSI or special area of conservation designation. As a Government minister, I am not going to pre-empt the views of scientists and ecologists in that regard. However, I can commit to being open minded to all suggestions about how we can strengthen the protection of ancient woodlands and rise to all the challenges that are bearing down on them just now.

I listed some of the challenges, but I would like to go into a little more detail. Deer pressure is accepted across the piece as one of the greatest threats to ancient woodlands. The issue has been described well to me. We have ancient trees but, because of activity on the ground over decades and centuries, as grazing has increased, the saplings that the trees have tried to produce have been consumed. The grandparent tree is left, but the rest of the family has not managed to become established, because of the overbrowsing by deer. Dealing with that issue is critical if we are to protect and grow trees.

Clearance of invasive non-native species—which we are investing heavily—is also critical, as is combating wildfire, which is a threat to our woodlands. I will take through the Parliament a separate piece of legislation on grouse moor licensing, as part of which I will consider the licensing of muirburn. Given that we are due to have warmer summers, you can imagine the immediate threat that is posed by fire ripping through the countryside.

I will not commit to the SSSI point just now, Mr Sweeney. It would not be appropriate for me to do

so. However, I commit to doing everything that I can to protect the precious trees and woodlands that we are talking about.

Paul Sweeney: Thanks. I should clarify that the Woodland Trust has identified that most pockets of ancient woodland each cover fewer than 5 hectares; they are isolated fragments and do not cumulatively provide coverage across Scotland.

Our two petitioners talked about enforcement of tree preservation orders, citing a case in Argyll that was particularly problematic. There are penalties for tree felling—I think that they said that the penalty is £5,000 per tree—but in this instance, enforcement was delayed. Argyll and Bute Council did not enforce the tree preservation order in a timely manner, which permitted the landowner to clear the area for grazing. The petitioners have heard that the national authority—I think that it is Scottish Forestry; sorry, I am just trying to find the right page of the *Official Report*—will not enforce the order and basically just came to a gentlemen's agreement with the landowner.

That raises a concern about the extent to which there is enforcement when ancient woodland is vandalised, even when protections are in place. Do you agree that such issues need further investigation?

Màiri McAllan: The point about hectareage that you and the Woodland Trust make is a good one. The Forestry and Land Management (Scotland) Act 2018 strengthened the law to cover woodlands of less than 0.5 hectares. Doug Howieson will correct me if I am wrong, but I think that felling permission is required for areas of 0.1 to 0.5 hectares. As I said, there are very few circumstances in which felling permission would be afforded in relation to ancient woodland.

Enforcement is important. I know from my ministerial and constituency roles that concerns are frequently expressed about felling being undertaken without regard to the rules or the enforcement action that might be taken as a result. Such felling is criminal offence and can result in a fine of up to £5,000. We strengthened the rules in 2018 to provide that Scottish Forestry does not require a successful prosecution to make a restocking direction. Scottish Forestry can step in and take action where the landowner is not doing so.

However, despite all of that, I understand the frustration that people feel when they see things going on that are not in line with the rules. Doug Howieson, I and our teams try to respond proactively to such cases. When they are raised with us, we investigate the circumstances. I remain open minded to any ways that we can ensure that the rules are complied with across the board.

10:00

Paul Sweeney: An interesting theme arose in discussion with the petitioners at the previous meeting when we discussed potential comparators for the kind of protection that they would like for ancient woodland. The listed buildings programme and scheduled ancient monuments arose as a basis for considering how a new scheme of protection could be introduced instead of protection simply being from an SSSI, which might require a significant burden of evidence about particular horticulturally, scientifically or biologically significant characteristics. In effect, the forestry could simply merit protection on the basis that its amenity is important to the community or that it is known as an ancient woodland of native species rather than any other requirements.

Is there an opportunity to consider something akin to the scheduled ancient monuments programme or listed buildings programme under which communities could nominate for consideration areas of woodland that they want to be protected? When the listing system and protections for built heritage were introduced in the 1960s, it required a national survey, which was done by the Royal Commission on the Ancient and Historical Monuments of Scotland, to identify the national list of protected sites. Perhaps a similar survey could be undertaken for woodlands, given the national scale the pressure that is faced. Perhaps that could be an interesting benchmark to consider.

Màiri McAllan: I will make a couple of points and then hand over to Doug Howieson, who can give a more technical overview of the existing rules and the extent to which they might already be akin to what you ask for.

You mentioned the community nominating woodlands that folks would like to be protected. I am enthusiastic about community involvement in the management and co-development of woodlands not least because any kind of development that is happening on people's doorsteps ought to involve them and they ought to benefit from it. Also, as we move in the next 20 or 25 years towards our net zero targets, the way that we use Scotland's land will change and I want communities to benefit from that. Therefore, I am always mindful of how I, working with officials, can build in greater community engagement, ownership and development.

On the question about to what extent the system that we have already is akin to the schedule of ancient monuments, I will hand over to Doug Howieson. I suspect that it is similar to, but dealt with differently from, some of the schemes that we have been talking about.

Doug Howieson: The minister said that there is a commitment to a new register of ancient woodland, which we will start to develop later in the summer. The last survey of ancient woodland dates back to the 1970s and was undertaken by the Nature Conservancy Council, so we now have a good opportunity to revisit with improved technology the distribution of ancient woodlands, as opposed to native woodland, in Scotland and, therefore, to provide a benchmark for further protection.

Where a site is designated as an SSSI, a special area of conservation—SAC—or a special protection area, it is afforded control or protection from NatureScot, whose consent is required for operations within those woodlands that could cause damage to, develop or protect them. That is very much akin to some of the protections that come from scheduled ancient monument status, so there are existing parallels within the regulatory system that I am happy to afford similar protection, Mr Sweeney.

Felling permission is required on sites that are not designated. As the minister said, felling permission would rarely be provided in an ancient woodland, save for meeting specific requirements to protect, enhance and develop that ancient woodland. Our opinion is that the protections that we have in place provide what you are asking for.

The Convener: I am keen to bring in other committee members now.

Ruth Maguire (Cunninghame South) (SNP): Good morning, minister. I welcome your comments about community ownership and development, which is important. It came across that the petitioners felt pretty disenfranchised by some of what had gone on, so it is really good to hear you champion community involvement.

We have heard from you and from stakeholders that the biggest threats are from deer and non-native species. Will you say a little more about what progress the Government is making on modernising deer management legislation? What is the Government doing, through work with landowners, to prevent the spread of non-native species into woodland?

Màiri McAllan: You have described the two greatest threats that our woodlands face. On deer, I come back to the analogy about the grandparent tree standing alone in the forest, which brings the situation to life. We need to do something to allow the natural regeneration process, which our ancient woodlands are well placed to deliver, to flourish.

The Government received the recommendations of the deer working group and we responded last year. We committed to implementing the vast majority of the recommendations, save for one—

because of welfare concerns, we do not support the recommendation on the close season for female deer. We can take non-legislative actions and we can take actions that will require primary legislation. We will take forward the non-legislative actions now through the biodiversity strategy, and we will have the natural environment bill later in the parliamentary session. I am not leading on that bill, but I expect it to contain any actions that need primary legislation. The issue is very much a focus for this session.

As with deer, dealing with invasive non-native species is laborious and requires boots on the ground for hard work to clear what is largely rhododendron. When I was in the west Highlands recently, I saw that consuming the forest floor. Our forestry grant scheme already supports landowners with funds to help with clearing rhododendron.

We are working with the Alliance for Scotland's Rainforest as part of our commitment to protecting and restoring Scotland's rainforest, and we are backing that with funds from our £500 million of investment in the natural economy. We have opened a nature restoration fund; I do not remember the exact figure, but I think that it is a multiannual fund of £60 million, from which £12.5 million is available this year. Bids are in for that and are being considered by NatureScot. I expect some of that to rise to the challenges of dealing with invasive non-native species; the bids will be confirmed in the spring.

Ruth Maguire: Thank you—that is helpful.

Alexander Stewart (Mid Scotland and Fife) (Con): Minister, you have talked about management and protection, which are vital. You have gone into detail in some of your answers. I will ask about the implementation of a number of policies that come into play. The whole idea behind protecting such woodlands is to ensure that they are sustainable and that they continue.

In our round-table session, people touched on resources—what is being spent and how that is being managed—which have implications for what can be achieved. Knowledge and enforcement are other aspects, and you have touched on enforcement issues. Resource has a massive impact on what you can achieve in the short to medium term. What is the Scottish Government doing to enhance that? How are you tackling that situation? Without the financial resource to manage the situation, it becomes unsustainable.

Màiri McAllan: That is a really interesting point, which applies here, as it does across the piece in relation to many of the actions that we need to take when faced with a climate and nature emergency. Over the next generation and beyond, the magnitude of our task will be enormous,

whether in relation to the natural environment, with the funds that it will take to do what we need to do, or in relation to homes and buildings or the decarbonisation of transport. The costs are eye watering, and the public sector cannot support that itself. We need to find ways of leveraging responsible private investment: that is a big factor of the resourcing question, because we cannot do it ourselves.

Going back to the point about community empowerment and community benefit, I am keen to ensure that private investment is responsible private investment, but it has to be leveraged, and we can do that through carbon markets. That applies to woodlands, as it does to peatland restoration, which is a really important action, although it is very expensive.

On a different subject, in the Government, we are trying to provide funding for peatland restoration that will bring confidence into the market, which will allow others to come in and support that work. That applies across the piece.

Alexander Stewart: Given the timescales, are many of the existing policies that the Government has already advanced now at the stage at which they need to be reassessed? You spoke about resource. To make things happen, there perhaps needs to be a refresh as to what can be achieved. The situation becomes worse year on year. Given the amount of resource and staffing that are required, as well as the implementation, some of the policies that you put in place are just not fit for purpose in today's society and in today's market, when we are considering how we manage woodland. There has been an erosion in that area, and those policies might have had an impact on that.

Màiri McAllan: I think that you are quite right. That is another aspect of the fact that we are dealing with an emergency. We can never stop, pat ourselves on the back and just say that what was good a year ago is still acceptable now. That will not be the case up to 2045, and it will not be the case beyond 2045. We need to keep reviewing what we are doing. A good example might be our targets for the percentage of our planting that must be native, which I talked about at the beginning of the evidence session. I mentioned that we had the 3,000-hectare minimum, which we were meeting and exceeding, so we raised that minimum. As part of our biodiversity strategy, we will now do an evidence-based assessment of that minimum to see whether it needs to be upped again.

We are always challenging ourselves to ensure that what we are doing is up to speed. If we are not sufficiently challenging ourselves, Parliament and the stakeholders we work with will challenge us. That is all the better, as we do not have time to mess about.

Alexander Stewart: The partnership working that is already taking place in some areas has been pioneering, but that is not the case across the piece in Scotland. Things are working well in some locations, but other communities have a long way to go to catch up. Do you feel that some communities are being left behind?

Màiri McAllan: Yes, I think that they probably are. As MSPs, we probably all feel that, across the areas that we represent, there are some exceptionally active communities that are able to advocate on their own behalf and get organised, whereas there are others that are not able to do that. I think that we all need to address that disparity.

Last week, I visited Loch Arkaig with the Woodland Trust Scotland and the local community development group, which are undertaking a joint venture for the restoration of the woodland at Loch Arkaig. That is a prime example of communities that are really organised and doing exceptionally well, which you just talked about. You are also right to say that there are other communities that are less well organised, although not for the want of trying, I suspect. As I mentioned, I am really keen to ensure that communities are supported. I take that very seriously.

There probably is a lesson for us in how accessible much of this is. I talked about the complex networks of rules. I am comfortable that those protect the woodlands but whether they are accessible is a different question. The work that we are trying to do on the register should help to open that up and make it something that everyone can be involved in.

10:15

The Convener: You made reference to all the things that you would like to do and the enormous public purse resource that that would represent. One of the things that the petitioners are seeking to encourage is the provision of incentives to landowners to protect natural woodlands on their land. Is that something that falls into the desirable but perhaps hard to achieve category, or is there potentially room to accommodate it?

Màiri McAllan: We are already accommodating it through our forestry grant scheme. Doug Howieson will have more information on that at his fingertips. That scheme already supports landowners with funding to undertake management of their woodlands for conservation and other purposes. There are opportunities coming down the track to look again at how well we are doing that. For example, there is the design of post-European Union exit agricultural policy, and I hope to introduce a land reform bill during this session of Parliament. In all those

ways, we can assess both the incentives that are available to landowners and the requirements.

A big part of the land reform portfolio is the land rights and responsibilities statement, which makes clear that with rights come responsibilities. In an emergency, perhaps we could do more to make clear to landowners their rights and responsibilities and our expectations about how land is managed.

The Convener: Mr Sweeney wants to come in and then I will invite Jackie Baillie to make a statement to the committee based on what we have heard this morning.

Paul Sweeney: I have a quick point about something that was raised in the previous evidence-taking session. Since 1999, 270 woodlands have been lost or damaged by development, which is significantly more than in other parts of the UK—although, obviously, Scotland has more forestry coverage per hectare. Has a lessons-learned exercise been undertaken to understand why those 270 woodlands were lost and what can be done to arrest the cause?

I understand that one of the biggest threats is coniferous seeding and contamination that leads to conifers impinging on the ancient woodland sites. However, the forestry industry is exempt from the UK forestry standard on monitoring and addressing contamination. Do we need to put obligations on the forestry industry to do more to prevent contamination from conifer plantations?

Màiri McAllan: Those are two important, technical questions. I will try to answer them, but I would also like to go away and get you a fuller answer. I will ask my colleague Doug Howieson whether there is anything that he would like to add. We will come back to you with a response that is detailed enough to reflect the questions.

I will quickly pick up on the point about the contamination by different species of trees and the extent to which that is a threat to our ancient woodlands. For our part, Forestry and Land Scotland, which manages the public forests and estate on behalf of Scottish ministers, is undertaking restoration on 60 per cent of the sites that they manage where there has been historical planting on ancient woodland. That often means removing the non-native species that are planted in and around an ancient woodland site to prevent that cross-contamination and to allow the ancient woodlands to develop as they naturally would.

I will now hand over to Doug Howieson and we will both come back to you with further detail in response to your questions.

Doug Howieson: Thank you, minister. Mr Sweeney, I think that the loss that you refer to is a result of deer and invasive non-native species, including the seeding in of conifer trees. That is

how we understand and articulate that loss, as opposed to the built environment being placed on ancient woodlands.

Some of the proposals in NPF4 are a direct result of lessons learned; policy 34, which covers ancient woodland, is a good example of that. In the biodiversity strategy that is to be released later in the year, there will be evidence of those lessons learned and a statement of intent on that.

Scottish Forestry, Forestry and Land Scotland and NatureScot are working with the Alliance for Scotland's Rainforest to pool resources as best we can to reverse some of the decline that you have eloquently referred to. We are doing things to understand that decline, to learn from it and to start to reverse it.

Màiri McAllan: In the natural environment bill that we hope to introduce, we expect to include statutory targets for nature recovery and nature growth, akin to the climate targets, which I think we would all agree have been a turning point for action on emissions reduction. Within that, we are also committed to protecting 30 per cent of our land for nature by 2030. In both of those pieces of work—I am not leading on them; my colleague Ms Slater is—I will be arguing strongly for the inclusion of the greatest possible protection for our ancient woodlands.

The Convener: Thank you very much, minister and Mr Howieson. Jackie Baillie, who has supported the petitioners in the development of the petition, has been listening to proceedings. Jackie, would you like to make a statement that the committee can consider along with the evidence that we have heard this morning?

Jackie Baillie (Dumbarton) (Lab): Yes, indeed, convener, and thank you very much for the time afforded to me at the committee. My apologies that I could not be with you when you last considered the petition.

As well as a statement, I also have some questions for the minister. To be frank, I do not doubt the minister's good intentions, but the issue is that those good intentions are at odds with the direct experience of the petitioners. I acknowledge that the minister's language was very careful; I think that she herself recognises that there is scope for improvement.

At the heart of this is the difference between what existing legislation and guidance says and the reality of the implementation of that on the ground. Let me be candid: people are not seeking permission to fell ancient woodland—they are just doing it. Reports have been made to Scottish Forestry, but enforcement action has not been taken. Reports have been made to councils and they have been asked to put in place tree preservation orders, but, a year on, that has not yet been done.

Does the minister accept that that all demonstrates that the existing framework is insufficient in terms of its practical implementation?

I hear what the minister and her official have been saying about what is coming—there is NPF4, the biodiversity strategy and other work—but there is a sense of urgency here that I am not sure is fully appreciated, because we are losing ancient woodland. There was very little of it left to start with and we are losing it at pace, so I am genuinely concerned about the timescale for this. I would therefore urge immediate action that could be taken now, while we are waiting for all the things that are coming down the track.

I very much welcome the register of ancient woodlands; nobody would dispute the value of that. I hear that it is starting in the summer but I did not hear from the minister when it will be completed, which is the key issue.

The committee was shown—and I am sure that the minister has seen—the images of non-native species such as conifers invading and effectively destroying ancient woodlands. The minister spoke about investing in removal. Just yesterday, the Scottish Wild Land Group reported its concerns about the Highlands, in particular, and modern commercial forestry practice. It said:

“There is also the ever-increasing problem of non-native conifers, particularly Sitka spruce, seeding out of these plantations and beginning a takeover of the wider landscape. If no action is taken, in a hundred years or so the hills will no longer be open moorland but transformed into spruce forest.”

We have heard about New Zealand removing non-native conifers, where they have seeded in ancient woodlands and elsewhere. The minister spoke about investing in removal. What is the scale and pace of that? My fear is that what is being done is simply insufficient.

Finally, but perhaps most importantly for me, is the impact on local communities. Tax haven companies, such as Gresham House, are taking advantage of the tree-planting programmes that are encouraged by the Government in Scotland. They are about tax avoidance funds for wealthy clients, not preserving the environment. Those companies outbid local communities for land. Farmers are concerned about the loss of productive land, and haulage lorries thunder through small roads in tiny villages, but their concerns are simply swept aside. Therefore, I was really encouraged to hear the minister’s comments about ownership, management and co-development. Those are absolutely the right sentiments, but I need to know what, practically, is going to happen. There was no mention of that in any legislation. Will you give communities the right to buy on a first-refusal basis before any of those

companies come in? Those are the practical things that might make a difference.

Without fail, everybody agrees that ancient woodlands are particularly important for Scotland and that they contribute to our biodiversity. Nobody disagrees with any of that. It is clear to me that there is a need for a much more robust action to match the minister’s and Government’s good intentions, so that we actually see that work on the ground. That is not just about legislation and guidance, but about enforcement action.

I am grateful to the committee for considering the petition and to the minister for taking the time to respond today.

The Convener: Thank you, Ms Baillie. I do not think that it would be quite right for members of the Parliament who are not members of the committee to cross-examine the minister, but, if the minister would like to say anything to the committee before we draw the session to a conclusion, we would be very pleased to hear that.

Màiri McAllan: If you do not mind, I will use this opportunity to respond to Ms Baillie’s points, all of which I note and think helpful.

She asked about some specifics, and I will start with the community engagement point. I have been in post for approaching a year, which I can scarcely believe. In that time, I have tried to stress the community element of the portfolio. Officials and I have been working with the Scottish Land Commission to understand exactly how best we can embed community engagement, development, management and ownership within our ambitions for woodlands. Of course, I hope to take forward a land reform bill in this session. As well as continuing Scotland’s land reform journey, specifically, I will be trying to rise to the challenge of what are colloquially termed “green lairds”. We are all conscious of that issue, as the value of Scotland’s natural capital rises in the climate emergency.

Ms Baillie asked about what action is currently being taken on clearing the ancient woodlands that are potentially planted with other species. I am not sure whether I said this before, but I confirm that FLS, which manages land on behalf of Scottish ministers, is currently undertaking restoration of 60 per cent of plantation on ancient woodland sites—PAWS—and I expect that to increase when it is possible.

Ms Baillie made a point about the extent to which the forestry grant scheme is supporting those who could readily afford to undertake work in any case. I will correct this if I am wrong, but I think that, in recent years, 60 per cent of all the scheme’s grants have been for projects of fewer than 20 hectares. For example, we have a real focus on working with farmers, to help them stitch

woodland into their farming business. Therefore, there is a focus on the smaller players as well, although, in the support that we offer, our mantra is “right tree, right place, for the right reason”.

Finally, I understand the point about the extent to which everything that we have discussed today—and what the Government is doing—feels at odds with what communities are experiencing, because, as I said, in my constituency capacity, I have experience of that occasionally being the case. However, in this role, I see the national picture and, when I look at the national picture, I am comfortable that the rules, as they are, are robust.

However, as with anything, there are circumstances in which people will not comply with the rules. Very frequently, when that happens, people get in touch with me and Forestry and Land Scotland. We try to get actively involved, often by visiting sites to see what is happening and what we can do to help.

Doug Howieson and I discussed this before coming to the meeting today. We would like to offer visits—with Doug, NatureScot officials or a local conservancy officer—to any sites where Jackie Baillie and her constituents would like us to see what has potentially gone wrong in that circumstance.

The Convener: I thank the minister and Mr Howieson for their time this morning. It has been an incredibly helpful discussion.

Do members agree that we will consider at a subsequent meeting the evidence that we have heard this morning?

Members indicated agreement.

The Convener: Members are content with that, so we will have a short suspension to allow everyone to regroup.

10:31

Meeting suspended.

10:38

On resuming—

Child Sexual Abuse Allegations (Religious Organisations) (PE1905)

The Convener: Welcome back. Our next continued petition is PE1905, which is on the response of religious organisations to allegations of child sexual abuse since 1950. The petition was lodged by Angela Rosina Cousins on behalf of UK XJWs Support and it calls on the Scottish Parliament to urge the Scottish Government to order a public inquiry into the actions taken by

religious organisations in response to child sexual abuse allegations since 1950.

Today, we will take evidence from our petitioner, Angela Rosina Cousins. On behalf of the committee, I extend a very warm welcome to Angela and thank her for coming to speak to us about something that is obviously very personal to her and, I imagine, difficult to talk about. We very much appreciate that she has taken the time to come and speak to us this morning.

We know, from our previous consideration of the petition, that the Scottish Government’s view is that to extend the public inquiry would in some way undermine its ability to make progress in the short term, whereas other parts of the country are perhaps taking a different view.

We will move straight to questions. Angela, by way of helping with our understanding for our discussion, will you explain a bit about your background, what led to the petition, and the issues that you have raised in relation to child abuse in religious organisations?

Angela Rosina Cousins: Yes. I was raised as a Jehovah’s Witness from a very early age. I was a baby when my parents were recruited on the doorstep by a couple of doorstep callers. That went on for 19 years. I suffered abuse from my father and one of the elders in our congregation, and nothing was done about it. It is my firm belief that this organisation is a paedophile’s paradise, because they do not do anything about allegations of child abuse. They do not phone the police. That is why I am bringing my petition here today.

The Convener: What benefits do you think a public inquiry, the scope of which extended to those who have suffered abuse by religious organisations in Scotland, would have for the pursuit of the injustice that you feel you have suffered?

Angela Rosina Cousins: The main benefit would be for the children, because they are silenced, particularly in the Jehovah’s Witness community. They are not allowed to speak up. The little lamb that I have with me represents the little lambs of the community. They do not have a voice. They are silent, but that should not be the case. Someone should speak up for them, and that is what I am here to do today.

The Convener: What response did you receive to your endeavours to have the situation that you were facing addressed?

Angela Rosina Cousins: The response that I received was from a judicial committee in the Jehovah’s Witness organisation. Three elders had my father and me in a room with them. They asked me very provocative questions about what

had happened, and then they sent me and my younger sister home with my parents.

The Convener: Was that, as far as they were concerned, as much as they were prepared to consider or pursue in relation to the matter?

Angela Rosina Cousins: That was pretty much all that they did. They did not do anything else apart from giving my father a mild reproof. He was allowed to continue coming to the congregation and mixing with youngsters and other people. He was not allowed to hold the microphone. That was one thing that he was not allowed to do.

The Convener: What age were you when you sought to pursue these matters through the congregational process?

Angela Rosina Cousins: I was 16 years old.

The Convener: Okay—thank you.

David Torrance: Thank you for attending the committee meeting today, Angela. It must be extremely difficult for you. What is your opinion on the Scottish Government's view and its argument that expanding the remit of the inquiry would only delay it and extend the time that it will take to fulfil its commitments to other sexual abuse survivors?

Angela Rosina Cousins: I empathise with other abuse survivors who have been in care. My view is that there are children out there who are hidden in plain sight, and they need to be heard as well. Whether that extends the inquiry or whether a separate inquiry is brought forward for this, something needs to be done.

David Torrance: On that point, you have lodged a petition for a public inquiry but would it be acceptable to you if a separate inquiry was launched?

10:45

Angela Rosina Cousins: I think so. There is a difference between being in care and being out in the world with everybody else watching us but still being hidden.

Ruth Maguire: Convener, I note for the record that Angela Cousins is my constituent and that we met in 2018 to discuss the matter.

Angela, thank you for being with us this morning. I am sorry for what happened to you. Thank you for being so brave in speaking up for other people.

I will ask you about the suggestion that the Scottish Government has made that it will consider and address any future recommendations made by the current inquiry to improve legislation, policy and practice. Will recommendations from the current inquiry be able to address the concerns

that you have about what happened to you in the religious organisation of which you were part?

Angela Rosina Cousins: Unless the recommendations involve mandatory reporting for religious leaders, I do not think that that will be the case.

The Scottish Government has introduced the named person scheme, which is fantastic. However, a Jehovah's Witness child will not speak to a named person. They are required to remain silent. Unless it is made mandatory for a religious leader to speak to the police and child protection services in instances where such allegations are made, those children will forever remain silent.

Ruth Maguire: I will ask you a little bit more about mandatory reporting. We explored it before. The Scottish Government—these are its words, not mine—says:

“there is not a compelling case for the introduction of mandatory reporting in Scotland and previous evidence has suggested that there could be some significant unintended consequences for wider child protection issues.”

You gave the example of why the position for a child within your previous religious organisation would be different. Will you expand a little bit more on that and on why mandatory reporting would be helpful for a child in that situation?

Angela Rosina Cousins: The state of Illinois in America has mandatory reporting and, just yesterday, the elders who did not report the abuse of a child from six years old right up until the age of 18 were sentenced for a year each.

Ruth Maguire: You say that children within the organisation would not talk to anyone outside it. Is that why you feel that mandatory reporting should be introduced?

Angela Rosina Cousins: Yes, that is exactly why mandatory reporting should be put in place. Children in the organisation are taught that everybody outside it is part of the devil's world. They are taught that they are all controlled by the devil—the Government and the police are controlled by the devil—so it is nerve wracking for a child to say anything to anybody outwith the organisation. They are isolated from normal, everyday life.

Alexander Stewart: Thank you for your testimony in response to questions so far. How disappointed are you that the Scottish Government is not prepared to extend the inquiry? The First Minister and Deputy First Minister made comments about that in the chamber. How do you feel about the fact that they do not see the need to progress it any further?

Angela Rosina Cousins: I think that the First Minister is unaware of what has been going on under her and everybody else's nose. Of course I

am disappointed, but, at the same time, I think that education for the First Minister and other governmental officials is key, so that they are aware of not just my story, but the stories of a number of children who are now adults across the world. There have been 30 documentaries in 15 different countries on this issue over the past 20 years. I think that it is time that the First Minister and other governmental officials were educated on this.

Alexander Stewart: You touched on the idea that other authorities are perceived as not being supportive, or that people are brought up in that regime to believe that they are “the devil”. Do you feel that you have been listened to by other authorities and other organisations and individuals?

Angela Rosina Cousins: After I came out and met my partner, he told me that this is what I should do—speak to the police about what had happened to me. Therefore, I have been supported by authorities. I have been supported by social workers in our area, by health therapists, and by education—I am an art student in college at the moment.

The Convener: As we know, the child sex abuse inquiry in England and Wales is going to look at the issue more broadly than the one in Scotland did, which focused just on care homes; they are going to look at religious organisations as well. You made reference to there being 30 documentaries in 15 countries. Have you been able to meet or speak with others who might potentially find that their own circumstances are going to be addressed in the public inquiry in England and Wales, or is that a difficult kind of exchange to have?

Angela Rosina Cousins: I have, because our group is mainly online to help survivors of abuse who come out of the organisation and feel very fragile. We have over 1,000 UK members in our Facebook group. There is lots of support being given, every day.

The Convener: That is interesting. If the Scottish Government will not expand the remit of its inquiry or, as has been suggested, if a separate inquiry were not to take place, is it possible that some of the themes, lessons and recommendations that emerge through that inquiry in England and Wales could crystallise into actions that campaigners could pursue more directly with the Scottish Government here? In other words, is it possible that that inquiry will lead to recommendations of which Scotland should be taking note, too?

Angela Rosina Cousins: The inquiry has concluded and it put forward its report. I could

bring that information to the committee, if you do not already have it.

The Convener: Okay. Paul Sweeney, you have been listening quietly. Are there any questions that you would like to put?

Paul Sweeney: I have been quite taken aback by the testimony today, as I think that we all have. It is obviously disappointing to hear the Government’s position on this. On the suggestion that the Scottish Government might consider addressing future recommendations made by the inquiry to improve legislation, policy and practice, do you think that will be sufficient to address any of the concerns that have been raised in your petition, or do you feel that that would not come close to dealing with the issue? Is there at least some element of what the Government is saying that might be helpful, or do you think that it is not adequate at all?

Angela Rosina Cousins: I do not think that it is adequate. If there is not mandatory reporting for religious leaders, there is no way forward.

There have been cases, such as the one in America that we heard about just yesterday, where they have not reported. It is about bringing accountability for people to report abuse to the authorities, because they are the people who know how to deal with this in a kind and empathic manner without asking children provocative questions.

Paul Sweeney: That is very helpful. You are calling for mandatory reporting. You described the way that you were treated, which was appalling. It was almost gaslighting. Will you describe what you think mandatory reporting should look like? How would it play out? What would it be like in your ideal scenario?

Angela Rosina Cousins: In my ideal scenario, it would be just like what teachers have to do. Teachers have to report any allegation of child abuse to the police and the social work department. If religious leaders are mandated to report as well, that will go a long way towards bringing out the voices of the little lambs.

Paul Sweeney: Thank you very much.

The Convener: You met Ruth Maguire a few years ago. I know that you have met many politicians in the period since then, and you will have raised your concerns directly with Scottish Government ministers. Everybody will have been very sympathetic but, of course, you are looking for outcomes as much as anything else. Am I right to say that the key outcome that we can take from our discussion this morning is on the issue of mandatory reporting? Does that sit above or on the same level as your desire for the scope of the current Scottish Government inquiry to be

expanded, or are the two things parallel and equally important to you?

Angela Rosina Cousins: They are parallel and equally important, because they will both help the Scottish Government to understand not just my former religious organisation, but others. My former religious organisation is a group with a very high degree of control, but I suppose that there will be others that are hidden in plain sight.

The Convener: Your life is being rebuilt with the support of your partner, Ian, who we are very grateful to have with us this morning as well. His support has obviously been hugely important to you.

In concluding, I would like to give you an opportunity to make any additional remarks to us as a committee that will help us going forward. If you have anything that you would like to read to us by way of a statement, that will be equally valuable.

Angela Rosina Cousins: I will quote something that I heard while learning at college:

“Experience is, for me, the highest authority. The touchstone of validity is my own experience. No other person’s ideas, and none of my own ideas, are as authoritative as my experience. It is to experience that I must return again and again, to discover a closer approximation to truth as it is in the process of becoming in me.”

That is by Carl Rogers, the psychologist.

The Convener: Obviously, personal experience has been the basis of your understanding of these issues and the way in which you have sought to pursue public redress and public action to try to help others, potentially, and to have the issue tackled directly at source.

It has been very brave of you to join us this morning. I am very grateful to you both. I know that it was a long journey to get here and it will probably be a long journey back.

We take the petition seriously and I know that members will want to consider in further detail the evidence that we have heard. As you will be aware, we have gone back to the Scottish Government on the inquiry and, having heard your evidence this morning, we will consider the points afresh.

I thank you very much for the time that you have taken and for your courage in speaking with us today.

I suspend the meeting.

11:00

Meeting suspended.

11:03

On resuming—

Rape Charges and Convictions (Record of Sex) (PE1876)

The Convener: We move to consideration of further continued petitions. PE1876, which was lodged by Lucy Hunter Blackburn, Lisa Mackenzie and Kath Murray, calls on the Scottish Parliament to urge the Scottish Government to require Police Scotland, the Crown Office and the Scottish Courts and Tribunals Service to accurately record the sex of people who are charged with or convicted of rape or attempted rape. There have been some developments on the petition, so I have a slightly long introduction before we consider potential ways forward.

At our last consideration of the petition, the committee agreed to write to a number of bodies. We have now received responses from Police Scotland, the Crown Office and Procurator Fiscal Service, the Equalities and Human Rights Commission, and the Scottish Courts and Tribunals Service. We also have an additional submission from Lesley Warrender and a further response from the petitioner.

Since issuing our papers, we have received a submission from Michelle Thomson MSP, which was published and circulated to members yesterday. Unfortunately, she cannot join us as she is participating elsewhere in the Parliament this morning. In her submission, Ms Thomson highlights concerns about the failure to consider the experience of victims in the responses that the committee has received. She also highlights an evidence gap in qualitative research on the impact of the approach to recording the sex of perpetrators on those who have suffered from rape or sexual violence.

Police Scotland states that, under current operational and recording practice, sex and gender are used interchangeably, and identification is recorded based on how individuals present. However, it indicates that there are

“circumstances where the issue of biological sex may require to be explored for a legitimate policing purpose”,

such as in the case of sexual offences.

Police Scotland’s submission also states that, in considering a crime, it is irrelevant whether the perpetrator is legally defined as, or self-identifies as, male or female. It is only relevant whether they have a penis, including a surgically constructed penis, which has penetrated one of the defined bodily orifices. The submission sets out specific circumstances in which a woman might be recorded on police systems as having committed contraventions of sections 1 and 18 of the Sexual

Offences (Scotland) Act 2009. In concluding, Police Scotland states that its data governance board has been instructed to review Police Scotland's internal policies and recording procedures.

The Crown Office and Procurator Fiscal Service advises that information that is used in criminal proceedings originates from Police Scotland, and therefore it is a matter for Police Scotland to record the data. The Scottish Courts and Tribunals Service indicates that information relating to sex is not displayed in court papers.

The Equality and Human Rights Commission states that

"Any public body collecting data, including Police Scotland, should have a clear and transparent policy relating to the data they collect and the use they put it to"

and that that

"policy should be equality impact assessed".

Collection of data

"must be necessary and proportionate".

That means that

"where a body carries out a number of functions, the data they collect and the way it is collected will vary, depending on"

the intended purpose. For example,

"Police Scotland may collect information on the protected characteristics of those to whom they are providing a service, or who are the victims of crime, differently from those charged with serious offences".

The commission also states that how best to record data on the sex of people who have been charged or convicted of rape or attempted rape will depend on how that data is to be used, and it is important that that

"is clearly defined and stated".

The commission considers that the chief statistician's recently produced guidance on data collection and publication provides

"helpful information on an appropriate balance to be struck in relation to the recording of data in relation to those charged with or convicted of rape or attempted rape".

The petitioners have responded to Police Scotland's submission and have highlighted two recent rulings of the inner house of the Court of Session. The petitioners consider that the rulings place a duty on Police Scotland to collect data on biological sex in relation to people who are charged with rape or attempted rape. The issues of the messaging to victims of sexual offending, the experience of those victims and the need to put them at the centre of consideration are also highlighted by the petitioner and included in the submission by Lesley Warrender. The petitioners have also submitted a further response, which was

circulated to committee members yesterday. It references the submission from the commission and the guidance from the chief statistician.

Apologies—that is quite a comprehensive package of updates that we have received. I wonder whether, on reflection, having read these responses, members have any thoughts.

Ruth Maguire: What you have informed the committee of helpfully covers the main points that I was going to make, convener. I think that, in summary, two aspects of the petition are important and there are two reasons why we should keep it open.

The first aspect is around data. Obviously, public bodies have a duty to collect and use data appropriately. The second aspect is highlighted in the submission from Lesley Warrender and the submission from our colleague Michelle Thomson MSP, and that is about the centring of victims. Sometimes when we talk about data in such matters, it can all be a bit cold. At the centre of this issue are women who have been raped, and the consequences of some of the practices that are being spoken about here are, frankly, devastating for victims of that particular crime.

I suggest that the committee ask the Scottish Government for its consideration of the recent rulings of the inner house of the Court of Session and what implications they have for the recording practice of Police Scotland, the Crown Office and the Scottish Courts and Tribunals Service in relation to people who are charged or convicted of rape and attempted rape. The petitioner considers that the recent rulings of the inner house of the Court of Session place a duty on Police Scotland to collect data on biological sex in relation to people who are charged with rape or attempted rape. Can we ask the Scottish Government for its position on that?

Can we also ask whether the draft guidance on collecting data on sex and gender has been updated or finalised since it was published in December 2020, and whether there are plans to consider the potential need for further revision of the guidance following those recent rulings?

I would like us also to contact Police Scotland, the Crown Office and the Scottish Courts and Tribunals Service. As you stated, convener, we need to be clear about whether they have a clear and transparent policy relating to the data that they collect and the use that they put it to. Importantly, has that policy been equality impact assessed and is the equality impact assessment a public document? Have they defined in a clear statement how data is collected in relation to the sex of people who are charged or convicted of rape or attempted rape and how it is used?

The Convener: Thank you, Ruth. That is a very comprehensive series of recommendations, which I am happy to endorse. I wonder whether the committee is. Would any other member like to comment or add further recommendations? I see that they do not, so we are content to proceed on that basis. We will keep the petition open and write as suggested by Ruth Maguire to the various bodies concerned.

Whole Plant Cannabis Oil (PE1884)

The Convener: PE1884, which was lodged by Steve Gillan, calls on the Scottish Parliament to urge the Scottish Government to make whole plant cannabis oil available on the national health service, or to provide funds for private access for severely epileptic children and adults where all other NHS epileptic drugs have failed to help.

When we last considered the petition, we agreed to write to the Cabinet Secretary for Health and Social Care to seek information about the progress of clinical trials and further information on his discussions with the UK Government. The cabinet secretary's response stated that he thinks that

"the lack of evidence on the quality, safety and efficacy"

of cannabis-based products for medicinal uses is "the main barrier" to them being prescribed by NHS clinicians, and he stressed the importance of development of the trials. He outlined plans to undertake two randomised and controlled trials of their use in early-onset epilepsy. The trials will compare medicines that contain only cannabidiol with ones that contain CBD and tetrahydrocannabinol and with placebos. That is to help answer the question of whether adding THC to CBD improves anti-epileptic properties. He also indicated that commercial discussions about the supply of products to the trial are under way, and that further details of the trials, including the timetable, will be dependent on the conclusion of those discussions.

The cabinet secretary stated that a meeting was scheduled for early February with the UK Minister for Patient Safety and Primary Care, Maria Caulfield MP. It was to include a consideration of ways in which the trials can be expedited.

The committee also requested information on existing evidence from other countries from the Scottish Parliament information centre. Its review is included in your papers pack at annex D. It provides information on current guidelines from Australia, America, Ireland and Canada. It highlights that a review on medicinal cannabis in Australia was examined by the UK Government. The UK Government stated that the review showed

"limited but high quality evidence for the use of medicinal cannabis products"

to treat epilepsy.

The use and efficacy of THC treatments is addressed in the guidance from Australia, Ireland and Canada. It indicates that the evidence base for THC is complex in that it may have either pro or anti-epileptic properties.

Much of the guidance in other jurisdictions acknowledges that limited evidence is available for the use of cannabis-based products for medicinal use and frequently advises that such products should be prescribed as an add-on treatment with existing anti-epileptic drugs.

The petitioner points to three existing prescriptions across the UK, and reiterates that he does not accept that there is a lack of evidence for prescribing. He explains that the prescriptions have been in place for three years, and he considers that to be an example of "reliable evidence" for its use by the NHS.

Again, that was quite a long introduction. Do colleagues have any comments that they wish to add?

11:15

David Torrance: In light of the meeting with Minister for Patient Safety and Primary Care, Maria Caulfield, having been held in February, could we write to the cabinet secretary to ask him for an update on how that went? Can we also ask when commercial discussions about the supply of the products to trials are likely to conclude; whether the trials will include patients, including children, with severe epileptic conditions and whether patients in Scotland will be recruited for the trials? Can we also ask for further information on the timescales for trials and how they can be expedited, and, depending on the outcome of the trials, the timescales for achieving authorisation?

The Convener: Thank you. Again, that is quite a comprehensive series of recommendations. Would anybody like to add to that, or is the committee content to support that?

Paul Sweeney: I think that it is also important to raise the fact that people are self-medicating with THC's already, where they have got a supply from unofficial sources. It might be worth engaging with the Minister for Drugs Policy, Angela Constance, about the pattern of illicit access to substances that are cannabis-derived products.

That might also illustrate that, where health and social care partnerships have introduced programmes such as herb-assisted treatment, it is actually seen as a public health benefit that people are medicating themselves in that way, as it is much more satisfactory that people do that in a

controlled environment. Perhaps there is an angle that is not simply about the context of prescribing by a general practitioner or a clinician but about instances in which people are already self-medicating, and recognising that there is a public health interest in ensuring that harms are reduced in that situation.

The Convener: Are members content to add those recommendations to our actions?

Members *indicated agreement.*

Self-employed People in Travel Industry (Financial Support) (PE1889)

The Convener: PE1889, which was lodged by Nikki Peachey, calls on the Scottish Parliament to urge the Scottish Government to provide tailored financial support to self-employed individuals working in the travel industry whose businesses have been affected by the Covid-19 pandemic.

We have received a submission from the Cabinet Secretary for Finance and the Economy, who explains that on 10 February the Minister for Business, Trade, Tourism and Enterprise met the Scottish Passenger Agents Association and the Association of British Travel Agents to hear directly the challenges that the outbound travel sector faces. The cabinet secretary also confirms that she has written to the UK Minister for Business and Industry on the issues that were raised in the petition but has not received a response.

In her submission, the cabinet secretary sets out details of support packages that the Scottish Government has made available to those in the travel sector who are most affected by the Covid-19 pandemic. The support includes further funding for tourism businesses that have been impacted most by the omicron public health advice and a top-up scheme to provide additional funding to Scotland inbound tour operators.

We are advised that officials are working with stakeholders to set up a sector-specific scheme to target funds to those who are most impacted, including self-employed individuals who do not have premises. The cabinet secretary's submission indicates that details of eligibility and of how and when to apply will be published on the Scottish Government website and on the Find Business Support website as soon as they are available.

In the light of that, do members have any options to consider?

Alexander Stewart: Given all that, I think that it is probably time to close the petition. A lot of work has already been done, as you have just described, by the Scottish Government. However, in closing the petition under rule 15.7 of standing

orders, it would be useful to write to the Scottish Government to ask when it expects that a new sector-specific scheme will become available; when details of that scheme, including how to apply for it, will be published; and how the scheme will be publicised to ensure that self-employed individuals in the sector will have the opportunity to ensure that they are supported and will be given the means that they have been requesting for some time.

The Convener: As no other members wish to add anything, are we content to proceed as recommended by Alexander Stewart?

Members *indicated agreement.*

We will close the petition. We thank the petitioners for raising it with us. In closing it, we will write to the Scottish Government to get the timeline for the items that it has agreed to pursue.

War Memorials (PE1893)

The Convener: PE1893, on introducing legislation to protect Scotland's war memorials, was lodged by James Watson on behalf of the friends of Dennistoun war memorial. The petition calls on the Scottish Parliament to urge the Scottish Government to introduce legislation that recognises desecration or vandalism of war memorials as a specific criminal offence.

At our most recent consideration of the petition, the committee agreed to write to the Commonwealth War Graves Commission. We have received a detailed submission from the commission, which concludes by making clear that it does not believe that it has the authority to consider action in respect of the petition, because that would fall outside its scope, given the war memorials that are directly within its responsibility.

Members might recall that the Scottish Government said in its submission that it is content that

"there is legislation currently in place to deal with the vandalism and desecration of statutes and memorials, including war memorials ... Scottish Government has no current plans to introduce new legislation for the specific purpose requested in the petition."

Do members want to recommend a route, given what we have heard from the Commonwealth War Graves Commission and the Scottish Government?

David Torrance: Given that the Scottish Government has no plans to introduce new legislation and thinks that there is sufficient legislation to deal with vandalism and desecration of war memorials, I suggest that we close the petition under rule 15.7 of standing orders.

The Convener: If colleagues are content to pursue that route, I thank Mr Watson and the

friends of Dennistoun war memorial. In closing the petition, perhaps we could draw their attention to the legislation that the Government thinks is appropriate, so that they know that they have recourse to it.

Detainees in Custody (Access to Medication) (PE1900)

The Convener: PE1900, which was lodged by Kevin John Lawson, calls on the Scottish Parliament to urge the Scottish Government to ensure that all detainees in police custody can access their prescribed medication, including methadone, in line with existing relevant operational procedures and guidance. At our most recent consideration of the petition we agreed to write to relevant drug treatment charities. A co-ordinated response has been received from the new chair of the Scottish Drug Deaths Taskforce.

Before I come to that submission, I highlight that we received additional correspondence from the Scottish Government this week, which relates to earlier questions from the committee about a register of prescribed medicines in police custody. Members will recall that, as part of our consideration, it was identified to us that that information is not collected; in the absence of the information we were not persuaded that it is possible to assert with accuracy that no issues are arising.

The Scottish Government confirmed again that there is no central monitoring of the provision of prescribed medication in custody, and that that is not something that it is currently able to collate. As a consequence of our pursuit of the matter, the Government has confirmed that there is an "evidence gap" and says that it

"will consult with stakeholders in Justice and health to establish the best method of filling that evidence gap. We will report to Committee when an appropriate information gathering process has been put in place."

The clerks have alerted the petitioner to that development.

In its submission, the DDT confirmed that

"all relevant individuals, including detainees in police custody, should have access to prescribed medication. This includes the consideration of opiate substitution therapy such as methadone."

It also referenced

"the relevant Guidance for Police Scotland and Health Care Professionals"

and the

"Police Standard Operating Procedure"

that

"makes provision for providing access to methadone in custody and states that only NHS healthcare staff can

administer methadone, although ... police can administer other medications."

The DDT suggested that the committee might find it helpful

"to learn more about the availability of healthcare staff to administer methadone in police custody as there may be some areas where healthcare staff have a significant geographical area to cover which could impact on availability to administer methadone, resulting in some people going through withdrawal in custody."

It went on to explain:

"The implementation of Medication Assisted Standards (MAT) in Scotland will enable consistent delivery of safe, accessible, high-quality drug treatment across Scotland ... support of the MAT standards would equate to support for 'all detainees in police custody accessing their prescribed medication, including methadone'."

The DDT said that it

"notes that the Minister for Drugs Policy has made a commitment in the Scottish Parliament to embed these evidence-based MAT Standards by April 2022 and active participation from people with experience of problematic drug use will be central to this phase. Demonstrable commitment from senior leaders in NHS boards, Local Authorities and Health and Social Care Partnerships will also be critical ... this needs to be supported by sustained funding, workforce development, system change and culture change. A key way to measure success will be the experiences of people and families that use services."

The task force highlighted the Covid pandemic's negative impact on service delivery and initiatives to improve referrals and early access to treatment and support for people in the justice system. It said:

"some rural areas have already highlighted concerns regarding their ability to meet same day treatment (standard one)."

In his submissions, the petitioner continues to highlight his concerns, particularly in the context of NHS Grampian, that detainees are being prescribed the unlicensed drug dihydrocodeine rather than methadone. He wants recognition that detainees in police custody have the right to give informed consent, should be seen by an advanced nurse practitioner or doctor and should have access to phone advice and visits as required and as per previous agreements.

The petitioner calls on the Scottish Government to recognise the Mandela rules and concludes by quoting Mr Mandela:

"It is said that no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones."

I thank the petitioner again for everything that he has done to highlight the issue and bring it to the committee's attention. I seek colleagues' advice on action that we might consider taking.

Ruth Maguire: This is a really important matter, on which we need to take more evidence. The

availability of healthcare practitioners is an important issue. We probably also want an update on the commitment to embed medication-assisted treatment standards. Colleagues might also want to hear from the chair of the Scottish Drug Deaths Taskforce and, perhaps, the Cabinet Secretary for Justice and Veterans.

I agree with the petitioner that the rights of people who are detained by the state are important. Certainly when it comes to healthcare, there seems to be a bit of a gap, which we need to explore.

The Convener: Are members content with those suggestions?

David Torrance: I agree with Ruth Maguire and would like to hear from the chair of the Scottish Drug Deaths Taskforce and the Cabinet Secretary for Justice and Veterans.

The Convener: I suggest that we schedule that for after the summer recess, by which time the Government ought to have had an opportunity to consider what the reporting information process might look like and should be able to give us some indication as to when it will be in place and operational. That timescale would also allow us to see what progress has been made in relation to some of the other deadlines that are mentioned in the various submissions that we received. Thank you.

I am sorry. Because Mr Sweeney is online, I did not catch him trying to comment on PE1893, on introducing legislation to protect Scotland's war memorials. Mr Sweeney, do you want to add anything? I am happy to revisit our decision in light of anything that you say.

Paul Sweeney: I am not particularly bothered about keeping the petition open; it was merely to mention another angle that might be worth considering. We might write to Historic Environment Scotland to ask it to consider the statutory listing of war memorials, to give them a degree of protection in planning law.

The Convener: Thank you. I think that we could combine your recommendation with the closure of the petition. We can write to make that suggestion. Are you content with that?

Paul Sweeney: Yes, that is fine.

The Convener: Are other colleagues content?

Members indicated agreement.

Scottish Parliament Electoral System (PE1901)

11:30

The Convener: The next continued petition is PE1901, on replacing the voting system for the Scottish Parliament with a more proportional alternative. The petition, lodged by Richard Wood, calls on the Scottish Parliament to urge the Scottish Government to replace the broadly proportional additional member system that is used for electing MSPs with a more proportional alternative.

In our previous consideration of the petition, we agreed to write to the Electoral Commission, which has responded that it holds "no view" on the issue.

By way of reminder, the petition states that the additional member system is "not fully proportional". The Scottish Government has indicated that it has no ambition to review the system at the present time.

Alexander Stewart: As you have indicated, convener, the Scottish Government has said that it does not intend to change the voting system for MSPs. I am not aware that we can, in reality, take any further action on the petition, so we should thank the petitioner and close it under rule 15.7 of the standing orders.

Paul Sweeney: I am curious as to whether it is in the gift of the Government to change the electoral system. Surely that is a parliamentary decision. Is it not for the Parliamentary Bureau to consider a review of the Parliament's electoral system rather than the Government?

The Convener: I am not sure that it is. It would be for the Government, if it chose to do so, to initiate an inquiry into any change to the electoral system for any form of representation—for example, for local government—and that would be on the basis of a consultation, a convention or whatever. It would be for the Government of the day to bring forward any proposals to change the system. Government legislation would be required.

Ruth Maguire: Legislation would have to be brought forward, and I suppose that a member could do that. Given that the proposal is not in any manifesto and that the current Government is not intending to change the system, I think that we should close the petition.

The Convener: I am not aware that any committee is considering bringing forward a bill or anything such as that on the matter.

Paul Sweeney: I am sympathetic to the petitioner's request, as I think that the additional member system is rubbish—but there we go.

The Convener: I am not sure that that cogent summation of the merits of the current system advances the recourse that is open to us as far as the petition is concerned.

Paul Sweeney: No—but I could elaborate.

The Convener: I am minded to accept Alexander Stewart's suggestion that we close the petition. Do members agree with that proposal?

Members *indicated agreement.*

Funded Early Learning and Childcare (PE1907)

The Convener: PE1907, which was lodged by Claire Beats, calls on the Scottish Parliament to urge the Scottish Government to provide funded early learning and childcare for all two-year-olds in Scotland and remove the eligibility criteria for access to services. Submissions have been received from the Convention of Scottish Local Authorities, the National Day Nurseries Association and the petitioner, as we requested.

COSLA's submission references the delay in the implementation of additional funded early learning hours resulting from the pandemic and work to increase capacity in early learning centre settings. It welcomes the increased uptake of places for two-year-olds, but recognises that further work is needed to fully engage the families of eligible children. COSLA stresses the importance of taking "a planned and considered approach to create additional capacity".

The NDNA's submission explains that it is

"the national charity representing private, voluntary and independent ... children's nurseries across the UK".

It states that

"Expanding funded ELC to all 2 year olds would be of benefit to children and families",

and it references recent survey findings that show "significant impacts" on babies born during the lockdowns. The NDNA references the role of early learning in providing

"wide-ranging opportunities for the child to develop their skills and knowledge through activities and interactions".

However, the NDNA also highlights concerns about the implications for the private, voluntary and independent sector of increasing the funded offer to all two-year-olds. It refers to recent recruitment difficulties and the impact of underfunding on the sustainability of nurseries and the viability of children's places, and it states that

"any universal funded provision for 2-year-olds must be sufficiently funded at rates that ... reflect the cost of delivery".

That is something that local nurseries have raised with me.

In her submission, the petitioner states that, as a nursery practitioner and the mother of a baby born in 2020, she sees the challenges arising from the fact that babies who were born during lockdown had little to no socialisation outside of the home because baby groups were closed. The petitioner believes that babies born during lockdown should have the same access to funded learning and childcare, regardless of their parents' financial situation, adding that research suggests that lockdown-born babies are not at the same developmental levels as non-lockdown-born babies. I find that interesting.

Having considered the representations that we have received, I think that there are a number of actions that we might wish to consider. Would anyone like to offer any suggestions?

David Torrance: I think that we should keep the petition open and write to the Scottish Government to ask when it intends to implement its commitment to expand its early learning offer to all one and two-year-olds. We should also ask for the Government's views on the submissions received on the petition, particularly those expressing concern about the impact that the pandemic has had on the development of babies born during lockdown, and for its plans to address those concerns.

The Convener: Are we all happy with that? On the basis of what we have heard, we will take forward what David Torrance has suggested. The petition remains open and we will see what response we receive.

That was the last of our continuing petitions.

New Petitions

Sex Education in Schools (PE1918)

11:36

The Convener: We have a couple of new petitions to consider. PE1918, by Kate Freedman, is a petition to improve sex education in schools. The petition calls on the Scottish Parliament to urge the Scottish Government to reform sex education by updating guidance and implementing clear teaching rules, focusing on topics such as menstruation and related illnesses; puberty; LGBT sex, including asexuality; fertility; pornography and any other aspects that are deemed useful.

The petitioner conducted a survey of 150 students in their school and found that most people rated their period education at one to three out of 10. The petitioner references a general lack of knowledge by many young people surrounding sex and shares their own experience as a student. They felt that school sex education was lacking and subsequently sought more detailed information on YouTube.

The Scottish Government's response to the petition outlines the existing resources for relationships, sexual health and parenthood learning. Those resources are hosted on a central website, which was developed and published by a collaborative partnership of health boards and local authorities. The resources include learning activities and information on the topics raised by the petitioner.

The Scottish Government states that the curriculum is not mandatory and that it is up to teachers to decide which resources they deliver. It also indicates that it is committed to updating the current RSHP teaching guidance and to issuing that for public consultation in the new year.

The SPICe briefing provides background information on the current statutory guidance and indicates that the Scottish Government has been reviewing that over recent years. At the time of writing, neither the new guidance, nor the draft guidance, had been published.

It is some years since I was at school. No information was offered to us. That is not contemporary. I have drawn the petition to the attention of a number of younger people, who have all been in school more recently and should have benefited from the current information and practice. They universally said that it was absolutely rubbish. That very much supports the petitioner's view of the quality of the education, although the young people were not terribly sure that they would have wanted it to be better either, so that is slightly at odds.

I think we would want to take further action to clarify the submissions that we have received. Do colleagues have any suggestions or comments?

Ruth Maguire: I have one reflection from having previously been on the education committee. There are often calls for very specific things to be taught. That is not how our system works, which I guess also applies to the topic of relationships and sexual health. That is not something only for teachers to tell children about; it is a job for the whole community, or perhaps for families.

I suggest that we write to Education Scotland to ask how it is monitoring implementation of the current teaching resources. We might also want to hear from the Scottish Government on how the views of children and young people are taken on board and used to influence policy in this area. We probably also want to know when the public consultation will open and how it will be promoted to children and young people, and when the Government anticipates that the revised guidance will be in place.

I seem to recall that the education committee did some work in this area quite recently, although it might not have been that recently. Perhaps the clerks could find out. I realise that colleagues might wish to reach out to stakeholders, but I am keen that we do not duplicate work, so we should check on what has been happening in other areas.

The Convener: Are members content to pursue our consideration of the petition on that basis?

Members indicated agreement.

The Convener: I very much take your point about calls for specific things to be taught. What is important is that what is taught is thought to be useful by those at whom it is ultimately aimed, and I think that that is where part of the issue lies. At the moment, the young people at whom what is taught in this area is aimed do not think that that is the case.

Paul Sweeney: I suggest that we also write to each of the local authorities to get an assessment of what their current provision is. It might be helpful to get an understanding of how each local authority manages the provision of sex education in their schools. Some schools will have teachers who are specially trained, while in some areas, there might be a team that goes round different schools. It would be interesting to find out what each local authority is doing, and that might help to inform the petitioner.

Ruth Maguire: While I do not in any way disagree with my colleague Paul Sweeney, I ask that we be thoughtful about how we proceed. We do not want to just generate lots and lots of correspondence. Perhaps we can do a bit of

desktop research to find out what the differences might be from the point of view of guidance.

The Convener: I think that Ruth Maguire's suggestion that we check with the Education, Children and Young People Committee to find out when the issue might most recently have been considered is a useful one.

Paul Sweeney: Okay. I am happy to rest on that.

The Convener: There might be some further information in relation to local authorities that is already available, which we can obtain. I can remember the matter coming up at hustings in schools. It falls within a particular area, the acronym for which I cannot remember—is it PHSA?

We will reserve the option of writing to local authorities if we find that we do not have the further information that is required.

Gaelic (Local Authority Expenditure) (PE1922)

The Convener: Our final new petition today is PE1922, from Douglas Capon, which calls on the Scottish Parliament to urge the Scottish Government to cancel all local authority expenditure on Gaelic expansion. We are considering this petition to abandon the expansion of Gaelic in what I think Ruth Maguire said was Gaelic week.

Ruth Maguire: Yes—it is seachdain na Gàidhlig or Gaelic week.

The Convener: The petitioner considers that there is no demand for Gaelic in the central belt, that funds are limited and should be spent wisely, and that there is no evidence of Gaelic being the “national” language of Scotland. The petitioner considers that money should not be spent on dual language road and rail signs, document and website translations, and local authority employee language education, as that has no economic benefit.

In the Government's submission to the committee, the Cabinet Secretary for Education and Skills states that the Gaelic language has been

“spoken throughout Scotland for many centuries”

and that the Gaelic Language (Scotland) Act 2005, which was designed to encourage and enable more people to use Gaelic,

“was passed with unanimous cross-party support.”

In addressing the petitioner's concerns regarding signage, the cabinet secretary states that

“the Education (Scotland) Act 2016 places a duty on all local authorities across Scotland to promote Gaelic education”

and that there is growth in demand for Gaelic-medium education in the central belt. The Scottish Government advises that, to keep costs to a minimum,

“it is standard practice for Gaelic signage to be created as part of a replacement or renewal process.”

There is an implementation fund, which is open to bids from any public authority to help meet any project costs or development associated with its Gaelic language plan, including activities involving signage or staff training.

The petitioner's response to the Scottish Government submission suggests that, in his view, there is confusion between demand for Gaelic and demand for smaller class sizes. He also points out that figures on how much is being spent have not been provided.

Bòrd na Gàidhlig also submitted a response to the petition, outlining the demand for Gaelic-medium education. It highlights 2011 census data illustrating that central belt local authorities accounted for 30 per cent of those living in Scotland with some skills in Gaelic. The submission also details examples of economic benefits and research to support that position.

The Scottish Government's budget 2022-23 sets out its funding to support Gaelic and the Scottish Government has stated that it is committed to increasing the numbers using and learning Gaelic, will maintain its support for Gaelic education, arts and broadcasting, and plans to introduce a languages bill in the current parliamentary session.

It occurs to me that I do not know what the comment that central belt local authorities have 30 per cent of those living in Scotland with some skills in Gaelic actually means—it does not tell me how many people that represents.

Do we have any recommendations that we would like to consider? I would be happy to hear from Ruth Maguire.

11:45

Ruth Maguire: Mòran taing—thank you, convener.

We have been given clear evidence on Gaelic and its use in Scotland. The Gaelic language has been spoken throughout Scotland for many centuries. It is not the only language of Scotland but is one of Scotland's languages and should command equal respect with the other languages of our nation.

There are many economic benefits. The petitioner's claim that there is no evidence for a desire to support the Gaelic language throughout Scotland is not backed up by the evidence. In my constituency in Ayrshire there is a Gaelic-medium primary school. Calls for such education are parent led—they do not come from the Government. Every party in the Parliament is committed to Gaelic and supports education, arts and broadcasting. As you said, convener, there are plans to introduce a languages bill in the current session. For all those reasons, I propose that we close the petition under rule 15.7 of standing orders.

David Torrance: As Ruth Maguire says, minority groups and cultures, and their languages, should be protected in Scotland. It is not only Gaelic that is spoken across Scotland; there is also Doric and other languages. Gaelic should be encouraged and given the resources to thrive. I represent a central belt constituency and I know that many of my constituents go to Gaelic classes. I fully support the suggestion that we close the petition under rule 15.7 of standing orders.

The Convener: I have just had an answer to my earlier question: there are 87,000 people living in Scotland with some skills in Gaelic, so if the central belt represents 30 per cent of them, that would be 26,100 people across a significant number of local authorities.

We have a recommendation before us to close the petition. Are we content to proceed on the basis of the recommendation made by Ruth Maguire and supported by David Torrance?

Members indicated agreement.

The Convener: The committee thanks Mr Capon for his petition. Given the Government's commitment to Gaelic education we are unable to take the petition forward and will close it.

That concludes the public part of our meeting. Our next meeting is on 20 April, after the Easter recess.

11:49

Meeting continued in private until 12:05.

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