



OFFICIAL REPORT
AITHISG OIFIGEIL

Citizen Participation and Public Petitions Committee

Wednesday 21 December 2022

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Wednesday 21 December 2022

CONTENTS

	Col.
DECISION ON TAKING BUSINESS IN PRIVATE	1
CONTINUED PETITIONS	2
Upland Falconry (PE1859)	2
Taxi Trade (PE1856)	19
Domestic Abuse (Gender) (PE1909).....	20
Human Tissue (Scotland) Act 2006 (Post Mortems) (PE1911).....	22
Free Rail Travel (Disabled People) (PE1928)	25
NEW PETITIONS	26
Limit on Claims on Estates (Estranged Couples) (PE1965)	26
Local Knowledge (Conservation Policy) (PE1966).....	27
A82 Upgrade (PE1967)	28
Early Learning and Childcare Funding (Online Accounts) (PE1970)	33
Motorcycle Theft (PE1971).....	34
Assisted Dying (PE1972).....	35
Cohabiting Couples (Division of Assets on Separation) (PE1973)	36
CONTINUED PETITION	39
Mental Health Services (PE1871)	39

CITIZEN PARTICIPATION AND PUBLIC PETITIONS COMMITTEE
19th Meeting 2022, Session 6

CONVENER

*Jackson Carlaw (Eastwood) (Con)

DEPUTY CONVENER

*David Torrance (Kirkcaldy) (SNP)

COMMITTEE MEMBERS

*Fergus Ewing (Inverness and Nairn) (SNP)

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

*Paul Sweeney (Glasgow) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Jackie Baillie (Dumbarton) (Lab)

Dr Alastair Cook (Scottish Government)

Hugh Dignon (Scottish Government)

Monica Lennon (Central Scotland) (Lab)

Màiri McAllan (Minister for Environment and Land Reform)

Hugh McAloon (Scottish Government)

Stan Whitaker (NatureScot)

Humza Yousaf (Cabinet Secretary for Health and Social Care)

CLERK TO THE COMMITTEE

Lynn Tullis

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Citizen Participation and Public Petitions Committee

Wednesday 21 December 2022

[The Convener opened the meeting at 09:30]

Decision on Taking Business in Private

The Convener (Jackson Carlaw): Good morning, and welcome to the 19th and, we believe, final meeting in 2022 of the Citizen Participation and Public Petitions Committee. Parliamentary business being what it is, we cannot say anything with any certainty, but we believe that it is our last meeting.

Our first item of business is to agree to take agenda item 4—unusually, in midstream—in private. Are we content to do that?

Members *indicated agreement.*

Continued Petitions

Upland Falconry (PE1859)

The Convener: Agenda item 2 is consideration of continued petitions. The first builds on the visit to Parliament of Stanley the golden eagle, which we enjoyed a fortnight ago. Therefore, we are discussing petition PE1859, which is entitled, “Retain falconers rights to practice upland falconry in Scotland”. The petition was lodged by Barry Blyther, and it calls on the Scottish Parliament

“to urge the Scottish Government to amend the Animals and Wildlife Act 2020 to allow mountain hares to be hunted for the purposes of falconry.”

The committee will recall that we heard directly from Barry Blyther at the meeting on 7 December. Once again, I thank Barry, Stanley and—I think—Roxanne for their contributions and assistance.

This morning, we are joined by Màiri McAllan MSP, who is the Minister for Environment and Land Reform. Welcome. We are also joined by Hugh Dignon, who is the head of the wildlife management unit at the Scottish Government, and Stan Whitaker, who is a wildlife manager for NatureScot. Good morning, and thank you all for being here. We have a lot to get through today so we are making an early start. Members would like to explore a number of questions. Do you want to say anything before we move to questions?

The Minister for Environment and Land Reform (Màiri McAllan): I will make some opening remarks to set the scene, if that would be helpful.

I thank the committee for inviting me to give evidence on the petition. We have said previously, and I reiterate it today, that we absolutely recognise the cultural significance of falconry: indeed, I am taking the Hunting with Dogs (Scotland) Bill through Parliament and, at stage 2, I rejected amendments that I felt could unjustifiably impinge on legal activity.

However, it is very much our view that hunting with birds of prey must be undertaken within the law. Mountain hares are now a protected species, following the passing of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act in June 2020, which, of course—as the committee will have heard—means that mountain hares have been protected from 1 March 2021. That means that they can no longer be taken for sporting or recreational purposes.

Mountain hares have been protected principally due to concern about their having unfavourable and inadequate conservation status, together with the very real concern of many stakeholders and the public about the number of mountain hares

that were being killed each year. On conservation status, the mountain hare is a priority species for conservation under the United Kingdom biodiversity action plan and it is also on the Scottish biodiversity list. That means that mountain hares are of principal concern and importance for biodiversity conservation. Of course, we are living in a climate and nature emergency.

However, I point out that birds of prey can still be used to take mountain hares for other purposes, where that is carried out under licence. That is dictated by section 16(3) of the Wildlife and Countryside Act 1981. I appreciate that a lot of the discussion has been about the risk of falconers taking non-target species, including mountain hares, when birds are being exercised and when they are hunting legitimate quarry, such as rabbits. Section 9 of the Wildlife and Countryside Act 1981 made it an offence for a person to “intentionally or recklessly” kill, injure or take a wild animal. Of course, we might get into some discussion about what constitutes an intentional or reckless act, but suffice it to say that accidental behaviour does not constitute unlawful behaviour, in that regard.

However, ultimately, as with any criminal offence, it is up to Police Scotland and the Crown Office and Procurator Fiscal Service to consider the evidence in the circumstances. I also point out that, prior to mountain hares being given year-round protection on 1 March, they were included in schedule 5A to the Wildlife and Countryside Act 1981, which contains the list of animals that were protected in their close seasons. I point that out falconers have had to contend with open seasons and close seasons for many years, which gives me confidence that they are able to conduct their activities in a way that abides by different requirements at different times.

I know that the convener and committee members will have a lot of questions, so I will leave it there, but I stress that I recognise the cultural significance of falconry and the people who practise it. I am always open to views on the adequacy, implementation and impact of legislation, but I stress that the decision was taken on the basis of conservation concerns, so curtailment of sporting activity is justified in that context.

The Convener: At a previous evidence session, the petitioner clarified that the petition relates to upland falconry, and that there are different practices and different types of falconry. Upland falconry is what is relevant to the committee’s consideration of the petition. What is your understanding of upland falconry, and in what way do you understand it to differ from other falconry practices?

Màiri McAllan: I appreciate that the petition focuses on upland falconry, but for the purposes of making legislation and policy development, I have to take falconry as a practice in the round, because we have not made—I do not think that we would make—law for different types of falconry in different places. However, I understand that there is a dense population of mountain hares in the uplands, particularly on land that is managed as moorland, which means that such areas are where falconers have practised their activity. Obviously, the density of the mountain hare population in such areas means that there is a propensity for them to be the quarry that is pursued.

The type of falcon is another difference that can be found between practices in the uplands and other areas, but that—again—comes down to the quarry that is pursued. You might find that smaller falcons are used in some parts of the country for smaller quarry. A small number of people use birds as large as eagles to take larger quarry, which previously included mountain hares.

I do not know whether Hugh Dignon can add to that.

Hugh Dignon (Scottish Government): A key aspect of what defines upland falconry is the prey species that are available in the uplands. As the minister said, mountain hares are a key prey species in some parts of Scotland and are found in high numbers in limited parts of Scotland. Another species that is routinely hunted by falconers in the uplands is grouse, which is an upland species that can be hunted without a licence with the permission of the landowner during the grouse open season. The type of prey that is available dictates to a large extent the sort of falconry that goes on in the uplands.

The Convener: So the basis of your understanding is entirely restricted to the quarry that you believe the birds are trying to hunt and does not include the natural landscape that allows them to fly.

Màiri McAllan: Obviously, the landscape has a bearing, but we would say that the—

The Convener: The birds cannot take off without that landscape.

Màiri McAllan: I am not sure that that is the case. I think that they can take off in other areas of the country. Obviously, a trained falconer would know a great deal more about that than I or we do, but we say that the quarry that is being pursued is the principal factor that differentiates upland falconry from other types, although there are other variables. Stan, do you want to come in?

Stan Whitaker (NatureScot): Golden eagles live in relatively low habitats on the west coast and on our islands, and peregrines and other species

that are used for upland falconry have happily taken up residence in many of our towns and cities and will happily fly and hunt in lowland areas.

Fergus Ewing (Inverness and Nairn) (SNP): Does the Scottish Government value falconry?

Màiri McAllan: Yes. I value falconry in the same way as I value other cultural heritage, including sporting and recreational parts of Scottish culture. I accept that it is important to the people who practise it, and that there are economic advantages to its practice in the countryside.

Fergus Ewing: An amendment to the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 that dealt with the ban on shooting of mountain hares was passed at stage 3. Is it correct to say that the Scottish Government did not consider any evidence whatsoever from falconers in relation to that measure?

Màiri McAllan: Mr Ewing, I understand that you were the cabinet secretary at the time—

Fergus Ewing: No, I was not the cabinet secretary who was responsible for that bill.

Màiri McAllan: Well, the minister who took the legislation forward was a junior minister under both you and Ms Cunningham.

You are quite right that the amendment that dealt with the issue was lodged at stage 3 of that bill, so the Scottish Government was not able to undertake a business and regulatory impact assessment, for example, as we normally would. However, as I said in my opening remarks, as the minister who is now responsible I am always open to monitoring the impact of legislation and, equally, to hearing concerns about its effect.

Fergus Ewing: It is factually correct to say that falconry was not mentioned in that process. There was no evidence about falconry. Nobody mentioned falconry at all at stage 3, no evidence was submitted and nobody from the falconry world had the opportunity to be heard. Is that right?

Màiri McAllan: Again, owing to the speed with which stage 3, when the amendment was lodged, happened, we were not able to do the normal statutory assessments of the amendment before the legislation was passed. However, NatureScot worked closely with a range of stakeholders in the aftermath of the bill's passage to design the licensing scheme that went alongside protected status for the mountain hare. They included—I think—the Scottish Hawk Board and others.

Fergus Ewing: If you do not mind, minister, I want to press you in order that we get clarity about the point, because I think that it is factually incontrovertible that the falconry world had no opportunity to be heard. It was not consulted, it

was not mentioned and no evidence whatsoever about falconry in relation to mountain hares was presented, submitted, discussed or mentioned by anybody during the passage of the bill. Is that factually correct?

Màiri McAllan: I accept that the normal assessment could not be undertaken because of time. I accept that point. I do not accept that the falconry community could not have been heard because—as you know—when you take legislation through as a minister, you have an open door.

Fergus Ewing: Did anyone consult the falconry community or reach out to it? Mr Dignon, did you say to the falconers, “Excuse me, but this amendment has come forward and we think you might be affected by it”? Did that happen?

Hugh Dignon: I do not recall specifically speaking to folk—

Fergus Ewing: You could maybe check that out.

I will move on, minister. You said that falconry could be carried out in other parts the country. We have heard from the petitioner—who has looked into the matter—that the only part of the country where they would be able to practise their sport without risking prosecution is Harthill service station. You have said that they can carry out their sport in other parts of the country. In which other parts of the country can they carry out their sport legitimately and without fear of prosecution, should their birds take mountain hares?

Màiri McAllan: The last part of your question really sets the context, because we are talking about mountain hares, which are the one quarry that is now protected owing to the change in the law. The rest of the spectrum of quarry that falconers can take is still available to them. I point out that, even despite the protected status of the mountain hare, hares can still be taken for licensable purposes. There are two examples to mention: falconers can still take mountain hare under licence, and they can take other quarry.

On that, I will pass over to Stan Whitaker from NatureScot, because I understand that some licences have been issued since the 1 March implementation date. He might give us a bit of insight into where the practice continues in Scotland.

09:45

Stan Whitaker: We have issued 21 licences for control of mountain hares to prevent serious damage to young trees and natural habitats. Most of the control is done by shooting, but at least one land manager has approval to use falconry. Admittedly, most of that will be done in areas

where there are recently planted trees, and some of those areas might not be very large, but a proportion will be suitable for hunting over.

The Convener: Is that a serious answer to the question—that something like a golden eagle will be flying through trees? Is that really the proposition that you are presenting to us?

Stan Whitaker: We are talking about trees that are less than 2 feet high.

Màiri McAllan: The point is that, when the trees are young and vulnerable—

The Convener: Is not it the case that the licence is afforded as a method of pest control and is completely unworkable for large birds such as eagles because of the risk of serious injury to the birds?

Màiri McAllan: The licence is about control and protecting young timber and agricultural land. It is about conserving natural habitats. That brings me back to the point that I made at the beginning, which is that, owing to the conservation status of the mountain hare, it has been viewed by Parliament and the public as not appropriate—

The Convener: Minister—

Màiri McAllan: Please let me finish the point. It is not appropriate to be taking mountain hares for sporting purposes.

The Convener: You have made the point, minister. We have limited time and I do not need to you repeat points.

Màiri McAllan: If you repeat questions, I will repeat points.

The Convener: I did not repeat the question. You indicated that the licence was an adequate method of control, but it clearly is not.

The petitioner made the point that, if everybody with a bird of prey—a falcon—let it loose every day during the open season, and every day it took a hare, it would take 50 years for those birds of prey to take as many hares as are shot in one year. Are birds of prey seriously a threat to conservation of the mountain hare?

Màiri McAllan: I will turn to my colleague Hugh Dignon in a second. The correction that I will make to that point is to say that not all falcons could or would take a mountain hare. Only an eagle would.

The Convener: Yes, but you commented a moment ago that the birds could legitimately hunt other prey, just not mountain hare. Is the eagle supposed to have some sort of education about which of the animals on the ground it is allowed to hunt?

Màiri McAllan: No, that is the responsibility of the falconer.

The Convener: Is that really practical in the context of upland falconry with a golden eagle?

Màiri McAllan: I understand that it will be a new challenge for falconers—

The Convener: It is a challenge that you really did not give any consideration to during the passage of the legislation because you did not give any thought whatsoever to taking evidence from people who would have been able to give an opinion.

Màiri McAllan: As I said, the late stage of the stage 3 amendments—

The Convener: That is not an excuse for poor legislation.

Màiri McAllan: It is the reality, convener—

The Convener: Mr Dignon, is there something that you want to say?

Hugh Dignon: On the separate but related question that you asked about where people could fly the birds, the risk of a golden eagle taking a mountain hare is clearly high if it is flown over areas of high mountain hare population density. That is the case really only where we have managed grouse moors. In the rest of upland Scotland, which is by far the majority of upland Scotland, where eagles live and fly in the wild, mountain hare numbers are very low. If a falconer decided to fly their bird in a part of upland Scotland other than a grouse moor, the chances of it taking a mountain hare accidentally are low, and taking a mountain hare there would not be considered by most people to constitute intentional or reckless conduct.

There are plenty of other prey species in the wild that eagles can take, and there is no reason why someone should not fly the birds in areas of Scotland where mountain hares do not exist in such high densities as they do on managed grouse moors.

Fergus Ewing: From the point of view of a falconer, if a falconer lets his bird of prey go and it takes a hare, the population of hares will be okay if the activity is concentrated on grouse moors where the land is properly managed, but there are other populations of hares.

The problem for falconers is that practising their sport exposes them to prosecution. Is that factually correct, or do you dispute that?

Hugh Dignon: It does, in the same way as does the risk of their golden eagle taking any other protected species. For example, golden eagles are known to take—

Fergus Ewing: Moving on from that—

Hugh Dignon: Can I finish the point? Golden eagles are known—

Fergus Ewing: You have answered the question, so I would rather move on.

What happened here was that, without any opportunity to be heard, a group of people within Scottish society were made into potential criminals; a criminal offence was created without their having any opportunity to give evidence in their own Parliament before they became subject to potential prosecution. The petitioner is therefore asking for the law to be amended to allow mountain hares to be hunted for the purposes of falconry.

Finally, I want to pursue the point raised by the convener, which is that the evidence that we have heard shows that the practice of falconry in Scotland is fairly restricted. It is not a huge sport: relatively small numbers of people and of birds of prey are involved. The number of hares actually taken as a result of falconry is infinitesimal. Therefore, the Scottish Government should surely agree with the petitioners and should grant the petition because the impact on the hare population is negligible.

Màiri McAllan: Convener, you have previously stopped me from talking when I have tried to answer the question that has been posed, so I will not address the first part of Mr Ewing's question again, but I can say that I am always open to considering the impact of legislation.

Secondly, the decision to protect the mountain hare is based on evidence of a risk to their conservation status. I can hear Mr Ewing asking himself what impact falconry has on that conservation status and would respond to that by saying that lawmakers must make decisions that are consistent across the piece. This is a question for us all: why would it be justifiable to make an exception to species protection for sporting purposes if we were to have a different treatment for those who need to control a species on a grouse moor or a similar place? I must respond to threats to conservation status during a nature emergency but I must also be mindful to take decisions that are consistent across the piece for all those who seek to hunt in the countryside.

Fergus Ewing: If that argument applies, falconry cannot be carried out because it might take a few mountain hares. You have not answered the factual question about the impact of falconry on hares, but the evidence that we have heard—and that you have seen—is that the impact is negligible, infinitesimal, nugatory and irrelevant. You have not disputed that evidence. If you have, or if Mr Dignon has, further factual evidence, I would be very grateful if you could supply the committee with that after the meeting.

The point I want to put to you is this: you are saying that falconry is finished. Falconry cannot be practised because those who practice it face the risk of carrying out a criminal activity and therefore cannot practice their sport in Scotland. You are saying that that is correct and justified because of a law that was passed in respect of which those people had no opportunity whatsoever to be heard. Is that not a preposterous proposition?

Màiri McAllan: My colleague Hugh Dignon answered that point thoroughly in his previous response, which was about all the ways in which falconry can continue in Scotland, despite the change to the law.

The Convener: You talked about a distinction that you said we cannot make. The petitioners' argument is that there are natural behavioural characteristics. There is clearly a difference in behaviour between someone who shoots hares with a gun and a bird that is displaying the natural characteristics that it has exhibited here in Scotland for an estimated 5,000 years, but that have now been made illegal.

David Torrance (Kirkcaldy) (SNP): As Mr Whitaker mentioned, we are talking about golden eagles and buzzards that fly on the west coast and the islands, where there is little obstruction. Those birds need to fly on the uplands. Their natural instinct on seeing, for example, a mountain hare, is to take it.

I will ask about legislation on animal welfare. Some captive birds of prey will never fly again because of the threat of prosecution to the owners. Does the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 override the Animal Health and Welfare (Scotland) Act 2006?

Màiri McAllan: I have a couple of points to make in response to that. I do not accept that falcons can no longer be used because of the 2020 act. That goes back to Hugh Dignon's description of the multitude of activities that can continue in Scotland with falcons. We have pointed to their being used for a whole range of quarry. We are talking only about mountain hares here, but they are used to take other species. Equally, in the case of mountain hares, they can still be used for purposes that are licensed.

That point is frequently put to me when it comes to legislation on wildlife management in the countryside. For example, I am asked what the impact is on dogs in relation to the hunting with dogs legislation and what the impact is on the falcon in relation to this legislation. I take that all into account.

You are right to point to the 2006 act. Under that legislation, the keeper of any animal has a responsibility to ensure that they do not cause it

any unnecessary pain or suffering, and that they look after its welfare. That is still the case, regardless of other changes to the law.

David Torrance: If some golden eagles cannot fly in their natural habitat because they might take a mountain hare, how can an owner of such a bird allow it to fly, given the threat of prosecution?

Màiri McAllan: Hugh has indicated to me that he wishes to come in.

Hugh Dignon: I make the point that the risk of prosecution for an eagle taking a mountain hare is no different from the risk of prosecution that has existed for many years for an eagle taking any number of other protected prey species that form part of its natural diet. For example, golden plovers, curlews, red squirrels, adders and baby pine martins are all protected species and are all known to be part of the diet of golden eagles.

For many years, falconers have been working with that risk and managing it. They do not direct the birds on to such species. They can do the same with mountain hares. I do not accept that this is a new unmanageable risk that means that falconers must keep their birds at home. That is simply not the case. There are plenty of other protected species that have posed a similar prosecution risk. As far as I am aware, there has never been a prosecution for a falconer accidentally taking a protected species.

Màiri McAllan: I will add to that by reiterating Hugh's earlier comments about the best way to manage the situation is about understanding the density of the protected species and operating in areas where you are least likely to encounter them.

Fergus Ewing: Would one solution to the petitioner's request be for the Scottish Government to invite the Crown Office and Procurator Fiscal Service or the Lord Advocate to issue guidance indicating that no prosecutions will be taken with regard to falconers practising their sport?

Màiri McAllan: No.

Fergus Ewing: In that case, they are open to prosecution, so we are back to square 1, minister, with a group of people in Scotland—

Màiri McAllan: I do not think that there is—

Fergus Ewing: —being criminalised without the opportunity of having been heard.

Màiri McAllan: I think that it would be a highly unusual activity for any law officer in Scotland to issue guidance saying that a criminal offence was not going to be prosecuted.

The Convener: It strikes me that Mr Dignon's explanation might explain why no evidence was

taken at the time of the legislation. It is clear that Mr Dignon did not think that it necessary to take any evidence, because he had already determined that no issue was involved. The evidence would have been pointless. From the exposition that you have just given, it is quite clear that you did not think that there was any merit in taking any evidence. As far as you were concerned, the issue was clear-cut.

10:00

Hugh Dignon: To be absolutely clear, I was not actually present. I was away at the time that it happened.

The primary focus of the consideration was on the conservation status of the mountain hare and whether it was necessary to protect it. There were a number of people who we knew were not at all keen on the mountain hare being given protected status, not least people such as Scottish gamekeepers and recreational shooters of mountain hares. Falconers would have been a subset of those people.

The counterargument to protection was certainly considered, but, on whether the specific needs of falconry were considered, I could not say because I was not here. Given the speed of events at the time, I understand that it would have been quite difficult to do that.

The point that I am making is that, as it turns out, the position on mountain hares and falconers is no different from that on falconers in relation to other protected species, of which the uplands are full. All wild birds are protected; wild birds such as waders and grouse form a significant part of a golden eagle's diet, and falconers manage that risk in the same way that they are perfectly capable of managing the risk with mountain hares.

The Convener: Yet Stanley, who we met a fortnight ago, has not flown for two years.

Hugh Dignon: I am sorry—I cannot explain that.

The Convener: He has not flown for two years because of the risk of prosecution should he do so.

Hugh Dignon: I would find it very surprising if a falconer could not find a place in upland Scotland where there was sufficiently low density of mountain hare for the falconer to fly their eagle with no particular concern about it taking a mountain hare rather than any other protected species that might be present.

The Convener: Mr Whitaker, what is NatureScot's view of the impact of falconry on mountain hare populations in Scotland?

Stan Whitaker: We do not have accurate figures for how many mountain hares were previously taken by falconers. If it was, say, 1,000 that were caught, as one of the other witnesses who gave evidence suggested—

The Convener: I think that the witness suggested that, if a falcon went out every day and hunted one mountain hare only, we would get to the figure of 1,000. However, on the law of probabilities, that is not very high. We have just had all your colleagues here say to us that it would be very unlikely that there would be a prosecution, because an accidental hare being hunted would be such a rare event.

Stan Whitaker: Well, other falconers who we have spoken to when consulting about the issue have said that they can go out and take six a day if they are specifically going after mountain hares. Hunting over a six-week period, for example, one falconer could take 60 to 100 hares.

The Convener: But you would accept that 1,000 hares, in the scenario that we have described, compared with the 26,000 to 38,000 that would be shot, is a small number.

Stan Whitaker: We are talking about slightly less than 1 per cent of the population, but the population fluctuates quite considerably. On the overall mortality of mountain hares, the survival rate for mountain hares, year to year, is perhaps 50 per cent, at best. Therefore, that number of mountain hares might be insignificant at population level, but that does not mean that it would not have an impact at local level.

The Convener: Okay. If it is 1 per cent, that is 1,000, perhaps, taken by birds of prey each year, and 26,000 to 38,000—at the absolute maximum, 50,000—are shot each year. Is the legislation proportionate in terms of the impact that it has had on those who fly birds of prey?

Stan Whitaker: I do not know whether we have a view on how proportionate the legislation is.

Màiri McAllan: That is a policy question, to be fair. We act on the basis of advice that NatureScot gives us on the conservation status of and risk to animals, but it is for us to make the decisions. I absolutely accept that there is a marked difference in the numbers that are taken by shooting mountain hare and those that are taken through falconry. However, I come back to the core point, which is that our statutory advisers, NatureScot, are telling us, in a nature emergency, that there is a conservation risk to mountain hare. We have to be prepared to take action in the face of that. That action has to be proportionate but, equally, consistent.

Again, I acknowledge the concerns of the petitioner, and everything that the committee has

said, but, equally, I ask how we could justify action that restricted people's ability to take an animal for recreational purposes by shooting but did not apply similar conditions on those who would take it by other means. It is about consistency.

As I have said, for example, throughout the current consideration of the Hunting With Dogs (Scotland) Bill, we are grappling with those questions of consistency in all the ways that people seek to hunt with dogs in the countryside. We have to have a consistent approach.

David Torrance: Minister, you said that NatureScot is advising you. Stan Whitaker admitted earlier that NatureScot has no idea how many mountain hares are taken by golden eagles or buzzards. How could the Government take such advice, if NatureScot has no idea about what is happening?

Màiri McAllan: I do not think that Mr Whitaker said that NatureScot has “no idea”. What he said, I think, was that such figures are not collected.

David Torrance: Basically, that means having no information.

Màiri McAllan: It does not mean that. NatureScot has officers who are integrated into their communities and who understand a great deal about what is happening in those communities. The point is that the advice that we took from NatureScot was about the conservation status as a whole, and we had to respond to that.

Paul Sweeney (Glasgow) (Lab): Thank you, minister, for your points so far. You made a point about balancing and being consistent about legislation. I note a point that was made by our witness Barry Blyther at his recent session with us. He said:

“When we look at the Wildlife and Countryside Act 1981, we note that, for the very same reason, there is an exemption from the legislation that protects birds

‘for the purposes of falconry’.”

It explicitly mentions falconry. Mr Blyther continued:

NatureScot has suggested that it does not understand why the same derogation has not been applied in the legislation that is relevant to mammals, and, indeed, it does not support such an omission. All that is required to correct that is a small amendment to the legislation to bring mammal and bird legislation into line. Such an amendment would be far less complicated than that which has already been imposed, and it would not require any change to primary legislation.”—[*Official Report, Citizen Participation and Public Appointments Committee, 7 December 2022; c 23.*]

The art of falconry is 4,000 years old. It is protected by the United Nations Educational, Scientific and Cultural Organization as an intangible cultural practice. It has been carried out in Scotland since at least the Norman conquest

and the emergence of medieval society in Scotland.

To balance the cultural practices, the minimal risk in practice and reality, and the fact that there is a precedent with regard to birds of prey feeding on other birds—as opposed to mammals—is there the potential to make a minor amendment that would give comfort to falconers that they can carry out a protected cultural practice that has existed in Scotland for a thousand years or so? That would give a decent balance and allow the issue to be resolved amicably. On the balance of risks, it is probably a useful way to proceed.

Màiri McAllan: I thank Mr Sweeney for his point, and I understand that that is the premise of the petition. As I have said, I will consider all suggestions and all the ways in which the legislation that we pass impacts on the people who are affected by it. However, my contention today is that the interference in the ability of falconers to take mountain hare—which I understand is an interference, albeit that, as Hugh Dignon has pointed out, that activity can still take place elsewhere, and falconers are still able to take other species—remains justified on the backdrop of the conservation concern for the mountain hare. Of course, I am very open to considering concerns.

Alexander Stewart (Mid Scotland and Fife) (Con): This has been an eye-opening session, minister, and I am staggered at some of the responses so far—at the complete lack of understanding of the situation and circumstances that we have heard.

On the licensing system, the Scottish Government says:

“The Scottish Government believes that the licensing scheme for the control of mountain hares ... does not impact on the ability of falconers to enable their birds to exhibit normal behaviour patterns.”

We have heard that the licensing scheme is completely and utterly unworkable, so do you believe that statement? It is not the position of the profession, which is able to understand what is taking place, but the Scottish Government fundamentally believes that it is the case. Do you still believe that it is?

Màiri McAllan: Will you repeat the statement?

Alexander Stewart: It is:

“The Scottish Government believes that the licensing scheme for the control of mountain hares ... does not impact on the ability of falconers to enable their birds to exhibit normal behaviour patterns.”

Màiri McAllan: It is about the protection of the mountain hare, not the licensing scheme itself. The licensing scheme is an example of how, despite the ban, falconers who operate with

golden eagles still have the opportunity to take mountain hares.

Alexander Stewart: The profession says that the licensing scheme is unworkable in the situation. It has indicated that it is completely unworkable because the birds are not able to “exhibit normal behaviour patterns.” You indicated that 21 licences have been issued, which is a small number.

Màiri McAllan: I will pass over to NatureScot to answer on whether that is small number of licenses, given that the legislation has been in force for only a short period.

Stan Whitaker: I clarify that the 21 licences were mostly to protect young forestry plantations and some natural regeneration schemes. Before the change in the legislation, we issued a similar number of licences to protect—

The Convener: Is that for birds of prey or shooting?

Stan Whitaker: They were for taking mountain hares, so they were mostly for shooting but they can be for taking with birds of prey if that is what the land manager wishes to do.

Alexander Stewart: You are indicating that the majority of the 21 licences are for shooting. Is that the case?

Stan Whitaker: Yes, all except one.

Alexander Stewart: So only one licence has been requested that would deal with birds of prey.

Màiri McAllan: If Stan Whitaker is telling us that that is the case, it is the case. Let us be realistic: that reflects—

Alexander Stewart: Do you not believe, minister, that that is a very small number of licences to have been issued for that whole profession?

Màiri McAllan: It depends on the context. The legislation has been in force only since March 2021 and the division of licences reflects the discussion that we had about the fact that mountain hares are far more frequently taken by shooting than by birds of prey. That is just a reflection of the state of play.

The Convener: It is a reflection of the fact that the birds have not flown for two years.

Fergus Ewing: The petition was lodged on 24 March 2021, minister, so the Scottish Government has had 18 or 19 months to consider it. Indeed, we got an initial reply about a year ago. Although I hear that you are willing to consider solutions, we have not heard any this morning. The impression that I get—I cannot speak for my colleagues—is that the Scottish Government has no intention of

coming up with a solution, that NatureScot has done nothing to reach out to the falconry world, that the evidence that you have is scant or non-existent and that falconry might as well be finished under the Scottish Government's approach.

If I am wrong—and I very much hope that I am, minister—I ask you to prove it. Come up with a solution that allows the sport of falconry to continue for centuries in the future as it has in the past. That is what we are asking for. I have suggested one solution, which you dismissed out of hand. What are your solutions? We have heard that a group of Scottish society that is small but that, nonetheless, you say that you value is getting no support, consideration or sympathy from the Scottish Government. I, for one, feel that that is shocking.

Màiri McAllan: If the solution that Mr Ewing is referring to is that I instruct law officers to make a statement that a criminal offence will not be prosecuted, he is doing a disservice to the legal profession that he was once part of. It is just not a realistic solution.

I have in front of me the three written submissions that the Scottish Government has made to the committee. I am here today in good faith. I do not believe that the changes made to the protection of the status of one species undermine the practice of falconry in Scotland to the extent that Mr Ewing suggests. We have to bear in mind the fact that the golden eagle is probably the only species of falcon that would be large enough to take a mountain hare. Falconers use a range of other species and they pursue a range of quarry.

There is also a licensing scheme for the protection of young timber and agricultural land and the preservation of natural habits that allows for the taking of mountain hare. That would be an opportunity for those who have golden eagles to exercise and use their birds in that way.

I believe that all of that is justified on the basis of the advice from our statutory advisors, NatureScot.

The Convener: I appreciate the fact that you are here in good faith. It has been testy because we have become quite exercised across all parties in the consideration of the petition and the evidence that we have received.

You talk about the evidence from NatureScot but I am trying to understand the circumstances. This was a stage 3 amendment. You said earlier that none of the normal practices or procedures were carried out. From Mr Ewing's questions, we have established that there was no outreach, no evidence taken and no mention of falconry whatsoever before the amendment. In what circumstances did the amendment to the legislation at stage 3 arise? Did somebody pick up

the phone or push open the door and say, "Heck! We have just realised that we forgot all about falconry in this legislation. We had better rush through a stage 3 amendment"? You talk about the advice from NatureScot, but it was not received at any point during the progress of the bill through Parliament. It was received as an afterthought so that you lodged a stage 3 amendment with no consultation, consideration or discussion.

Màiri McAllan: It is important that we reflect the situation accurately and that we use accurate language. You have just put it to me that I said earlier that none of the normal processes were followed, but that is simply not the case. What I said is that the business and regulatory impact assessment that we would normally have wanted to undertake was not possible because of the late stage of the amendment.

You have asked about what happened in practice. An amendment was lodged by a party that is not in Government and, as would normally happen, the Government considered how it would approach that amendment. Of course, the amendment being lodged at stage 3 means that it did not form part of the substantive scrutiny and debate that had taken place up to that point. When an amendment is put in front of the Scottish Government, the Government then responds by doing the research that we need to do into how we will respond to that amendment, including speaking with our statutory advisors. The conservation concerns that NatureScot put to us, together with the significant concerns of the public, brought us to the view that the amendment was acceptable and we would work with the industry thereafter to formalise the licensing scheme.

The Convener: In his evidence to the committee, Mr Whitaker said that he was unable to tell us how many mountain hare had ever been taken by birds of prey in any given year. What then was the substantive underpinning of the evidence that you received from NatureScot?

Màiri McAllan: It was specifically to do with the threatened status of the mountain hare as a whole.

The Convener: I thought it was in response to a stage 3 amendment from a party that is not in Government that sought to include birds of prey and falconry in the amendment.

Hugh Dignon: The amendment was not specifically about falconry. It was about giving protected status to mountain hares and putting them on to schedule 5 to the Wildlife and Countryside Act 1981. That is the schedule under which the sporting and recreational taking of a species is prohibited.

The Convener: So when I asked a moment ago what the circumstances were that allowed for birds of prey to be included, there were not any.

Hugh Dignon: The law does not specifically pick out birds of prey. It says that the species is protected if it is on the schedule, and it can be taken only for specified purposes. Recreation or sport are not among those purposes. That is how birds of prey taking mountain hare comes into this. It was not specifically about birds of prey, it was about putting that species into schedule 5 to the WCA and making it a protected species.

The Convener: Well, thank you. We will consider the evidence that we have heard this morning. I appreciate the contribution that you have made, minister. You can, however, see that the committee is quite exercised so we will have to consider whether we think that we have had answers to the questions that led us to invite you along this morning. I am grateful to you for the time that you have taken and for engaging as whole-heartedly as you have. Thank you all.

10:20

Meeting suspended.

10:22

On resuming—

Taxi Trade (PE1856)

The Convener: Welcome back to the final meeting of the Citizen Participation and Public Petitions Committee in 2022.

Illustrating the diverse range and nature of the petitions that we consider, we now move from upland falconry to support for the taxi trade. PE1856, which has been lodged by Pat Rafferty on behalf of Unite the union, calls on the Scottish Parliament to urge the Scottish Government to protect the future of the taxi trade by providing financial support to taxi drivers, setting up a national stakeholder group with trade union driver representatives and reviewing low emissions standards and implementation dates.

Members will recall that, during our previous consideration of this petition, we took evidence from Calum Anderson on behalf of Unite and from Murray Fleming on behalf of the Scottish Taxi Federation. They made a number of proposals for improvements that could provide greater support for the taxi trade. We subsequently received written information from the Scottish Taxi Federation, providing details of the financial implications of becoming low emission zone compliant.

The issues raised at our previous meeting, and the information about proposed improvements, are all contained in our meeting papers. Do members have any suggestions as to how we should proceed?

David Torrance: I suggest that the committee should write to the Scottish Government, highlighting the solutions proposed by the petitioner and the Scottish Taxi Federation and asking it to consider those.

The Convener: Are members content with that suggestion?

Paul Sweeney: It might also be relevant to write to the Convention of Scottish Local Authorities, which tends to manage taxi licences and the introduction of measures such as the low emission zones that are having a detrimental impact on the taxi trade, to ask for its view on how those can be more appropriately managed. We could also ask what remedies might come from Government, such as financial support for the transition to compliant vehicles. There seems to be a disconnect between the regulations applied by local government and the national funds that have been established to support the transition.

The Convener: Okay. Are we content?

Fergus Ewing: I agree with those suggestions. When we write to the Scottish Government, could we specifically ask if it would advise in what ways the taxi trade as a whole is brought into discussions and policy making? I get the impression that the taxi trade in general feels that it is a bit of a Cinderella, because other forms of public transport are routinely involved in every forum, committee and policy-making body, but the taxi trade is outside the room. That issue came across in the evidence.

The Convener: It did. I recall that the Scottish Government previously responded that there is no definition of public transport, and that it would seek to engage. However, we have heard that that engagement is sporadic and is not structured in the way that it is with other forms of transport, and that something far more direct and accountable to the industry would be appropriate. Do we agree to include that general sentiment?

Members indicated agreement.

Domestic Abuse (Gender) (PE1909)

The Convener: PE1909, on removing the “gender-based crime” domestic abuse narrative and making it gender neutral and equal, was lodged by William Wright. The petition calls on the Scottish Parliament to urge the Scottish Government to make domestic abuse policies, guidance, agendas and practices gender neutral; to introduce equal domestic abuse provision and

funding for everyone in Scotland, regardless of any protected characteristic; and to ensure that all domestic abuse joint protocol guidance, policies and practice for Police Scotland and the Crown Office and Prosecutor Fiscal Service are gender neutral.

At our previous consideration of the petition, the committee agreed to write to the Scottish Government, Police Scotland, the ManKind Initiative, the Paul Lavelle Foundation and Men's Aid Ireland. The Minister for Equalities and Older People has advised that the Scottish Government is engaging and consulting on a national strategy on ending intimate and sexual violence against men and boys. She thanks the petitioner for his interest in this area of work, and notes

“the importance of developing this strategy, which will be complementary to the Equally Safe Strategy which addresses violence against women and girls.”

The ManKind Initiative says that a fully gender-informed approach should be taken to domestic abuse, and that framing it as a gender-based crime leads to unequal outcomes for male and LGBT+ victims.

Police Scotland states:

“There is no variance in the current training provided to officers on how to support victims of domestic abuse based on the victims' specific gender.”

It outlines Abused Men in Scotland's work on Police Scotland's domestic abuse forum, which informs the police's strategic direction in relation to domestic abuse. Police Scotland also reiterates that the definition of domestic abuse does not distinguish victims or perpetrators on the basis of sex or gender.

William Wright has provided us with further information about his experiences as a male victim of domestic abuse. He says that statistics on crimes committed against men contradict the view that men in Scotland have privilege that enables them to oppress others.

In view of everything that we have heard and the response from the Government and agencies that are now seeking to reach out and take the issue seriously, do colleagues have any reflections on how to proceed?

David Torrance: Considering all that we heard from you just now and the fact that the Scottish Government is engaging and consulting on the development of a national strategy on ending intimate and sexual violence against men and boys, which will complement the equally safe strategy, along with all the evidence that we have been given, I am happy to close the petition under rule 15.7 of standing orders. I genuinely do not think that the committee can take the petition anywhere.

The Convener: Are we agreed?

Members *indicated agreement.*

The Convener: We invite the petitioner to take note of the initiatives that the Scottish Government has said that it will progress. It is obviously open to the petitioner to return if he feels that that does not deliver as is hoped. We thank the petitioner very much for his petition.

Human Tissue (Scotland) Act 2006 (Post Mortems) (PE1911)

10:30

The Convener: The next petition is PE1911, which is on a review of the Human Tissue (Scotland) Act 2006 as it relates to post mortems. We are joined by a number of people in the public gallery who are directly affected and involved. We are also joined by Monica Lennon, who has an interest in the petition.

The petition, which was lodged by Ann Stark, calls on the Scottish Parliament to urge the Scottish Government to review the 2006 act and relevant guidance to ensure that all post mortems are carried out only with permission of the next of kin; that brains are not routinely removed; and that tissues and samples are offered to next of kin as a matter of course.

At our previous consideration of the petition, we agreed to seek additional information from a number of bodies, and responses from them are included in our meeting papers.

The Royal College of Pathologists confirms that resource concerns are not the only or main reason for its disagreement with the proposal to automatically offer tissue samples to the next of kin. It reiterates the challenges regarding timescales and practicalities.

The chief coroner outlines the process of tissue retention and return in England and Wales, and includes a link to guidance on computed tomography scanning for the purposes of post mortems.

We have a written submission from Ann Stark, whom we thank for her assiduous contributions to our deliberations. Her submission highlights the use of body scanners as an alternative to post mortems, and additional information from her about their use has been summarised in the meeting papers that we have received and considered. She stresses the importance of people having a choice about how their body is handled and the importance of consent.

The committee has also received a number of written submissions from individuals in support of

the petition and of the points that the petitioner has raised in written evidence.

As I said, we have Monica Lennon with us. Welcome once again to our proceedings, Monica. Before I open up the discussion to members of the committee, if there is anything that you would like to say in support of the petition, I invite you to do so.

Monica Lennon (Central Scotland) (Lab): Good morning, convener. I am grateful to the committee for the opportunity to speak about the petition again. I will avoid repeating points that I have made previously.

I join the convener in thanking Ann and Gerry Stark, who are in the public gallery. I thank Ann for lodging the petition and for all the work that she has done to get to this point. They have raised difficult issues that many people cannot even face talking about, but the committee has had a number of supportive submissions from individuals who have had similar experiences.

Committee members know what the petition seeks to do. On the additional information that the committee has had since we last met, the information from colleagues in England is really important, particularly the submission from the coroner. We can see that there is a different approach in other parts of the UK, and divergence can be a good thing. When we have families telling us that there are serious issues about consent, proportionality and dignity for the deceased and their families, we have a duty to look at those issues. I really welcome the additional work by the committee, and I think that the submissions that have been received are helpful.

I still have concerns about the resource and workforce pressures that are raised in the submission from the Royal College of Pathologists. Those issues go beyond this petition, and they merit further explanation. I would certainly like to hear more from the Scottish Government.

To recap, we are here because of Ann and Gerry, who are the parents of Richard Stark. Richard was only 25 when he died in June 2019. It was a sudden and unexpected death. The committee might recall that Ann and Gerry had to fight for a very long time to get answers. Richard's death certificate was changed about 18 months after he passed away, with the cause of death changed to being a suspected seizure.

Committee members will also be aware that the post mortem was very invasive. I know that this is not pleasant to hear, but, in the committee's papers, there are details about Richard's brain, tongue and other body parts being removed.

We have heard evidence about the use of scanners, particularly in different authorities in England. There are resource implications and costs to that, but we have heard how effective those scanners can be.

I am aware that the committee has been given a lot of information, but last week you got an email with a link to a video produced by professors at the University of Leicester. If you have not had a chance to look at that video—I think that it is only three minutes long—I would refer you to it.

On the aspect of the petition that relates to tissue and consent and the role of the next of kin, it should never take a family several months to find out what has happened to their loved one after death. In this case, we are talking about 65 tissue samples, and Ann had to fight the system to have those samples returned. This is going on and people are not talking about it—often because they do not know. Ann knew about it only because she was asking questions. That tells the committee that there are a lot of unknowns.

As you can imagine, it is difficult for Ann and Gerry to sit here today, so I do not want to add much more other than to say that we appreciate the work that the committee has done so far. Ann has felt voiceless in the whole process. The committee has been the only forum in which these issues could be brought into the public arena, so we really welcome the work that has been done. We note that the chief coroner has highlighted a number of points, and I believe that there has been an offer to connect the committee with senior coroners who have experience of the scanning technology. It would be very worth while to pursue that.

I am happy to stop there, convener. Thank you.

The Convener: Thank you, Monica. Thank you also for offering comment on behalf of the petitioners on this very difficult and sensitive petition. Having considered the evidence on the petition, I can say that we take the issues that it raises very seriously and that we want to explore it further. I suggest that we invite coroners and pathologists to give evidence, because I would like to understand the differences in approach between Scotland and England and to bottom those out.

David Torrance: Once we have taken evidence from coroners and pathologists, I wonder whether we could invite the relevant minister to come before us to give evidence.

The Convener: We would therefore hear from coroners and pathologists and subsequently seek to hear from the minister in pursuit of the petition. Do colleagues have any other suggestions, or are we content to proceed on that basis? I see that we are content. We take the petition very seriously.

We will keep it open, and it will obviously form a significant part of our workstream as we go forward. I hope that the petitioner feels that we are taking this seriously as we explore the issues raised and take oral evidence.

Free Rail Travel (Disabled People) (PE1928)

The Convener: PE1928 calls for free rail travel for disabled people who meet the qualifications for free bus travel. The petition was lodged by David Gallant, and the committee heard from David and from Nicoletta Primo of Sight Scotland earlier this month, when we discussed the accessibility issues that disabled passengers face when using rail travel versus bus travel and how an extension of the national entitlement card scheme to provide free rail travel might be financed.

We heard about a lack of consistency in the way that discounted fares or companion travel are applied in different areas and the confusion that that creates for passengers and rail staff. We heard of individuals boarding a train where there is a concessionary scheme in place but getting off the train where there is not a concessionary scheme in place and then being asked to pay for a ticket.

As a result of that discussion, the committee has written to the local authorities that offer discounted fares for companion travel to find out more about the scheme and how it operates in practice. Members might also be aware that the issue of free rail travel for blind and partially sighted people and their companions was the subject of a members' business debate on 13 December. During the debate, the Minister for Transport indicated that Transport Scotland has been commissioned to look into the costs of a national scheme and that it will review the approach to companion travel as part of the fair fares review. In the light of that information, certain questions might present themselves as a way to proceed. Would colleagues like to recommend any?

David Torrance: Given the assurances that the minister gave in the debate, I suggest that we write to the Scottish Government to ask what consideration it is giving to introducing a national policy for companion rail travel, and to ask it to confirm that the fair fares review will consider free travel for companions and people with disabilities.

The Convener: It might be sensible for us to wait for the responses that we are expecting from local authorities and then write on the back of that evidence. Are we all content with that as the next step forward?

Members *indicated agreement.*

New Petitions

Limit on Claims on Estates (Estranged Couples) (PE1965)

10:40

The Convener: Item 3 is consideration of new petitions, the first of which is PE1965, on limiting estranged couples' claim on an estate after seven years of non-medical separation. The petition, which was lodged by Mark MacLeod, calls on the Scottish Parliament to urge the Scottish Government to limit married but informally separated and non-cohabiting couples' claim of prior right over descendants of the deceased after seven years of separation.

The Scottish Government's response states that it has carried out consultations on the matter in recent years. It notes concerns with the proposals, including potential unintended consequences and difficulties in stating when any period of formal separation began. The Government indicates its intention to undertake further research on the law on intestate succession and confirms that it will continue to keep the law of succession under review in the light of its findings.

The Trusts and Succession (Scotland) Bill has been introduced. Members might wish to note that section 72 of the bill proposes reforms to the effect that, when someone dies without leaving children, the spouse or civil partner should inherit the whole estate. Under the proposals, a spouse or civil partner is defined as including the situation in which the couple has separated.

Members might also wish to note that the petition is substantially similar to PE1904. We closed that—as recently as March—on the basis that the Scottish Government had indicated its intention to carry out further research on intestate succession. At that time, the committee also noted that unfortunately, from the point of view of our consideration, the legal experts did not support the action that was called for on the matter.

In the light of that, do colleagues have any suggestions on how they would like to proceed?

David Torrance: Given that the petition is substantially similar to PE1904, which was closed in March on the basis that the Scottish Government indicated its intention to carry out further research on intestate succession, I suggest that the committee considers closing the petition under rule 15.7 of standing orders.

The Convener: Are there any other suggestions? Could we perhaps couple that with a suggestion to the petitioner that the Trusts and Succession (Scotland) Bill is currently live—it is

only at stage 1—and that it might be sensible to engage with that consideration?

Paul Sweeney: I inform the committee that the Delegated Powers and Law Reform Committee, of which I am a member, will be the lead committee on the bill, which is the result of work carried out by the Scottish Law Commission. If the petitioner wants to engage with that committee or he wishes to make any submissions for consideration, I would be happy to speak to that.

The Convener: That is noted.

Does the committee agree to close the petition and to take that action?

Members indicated agreement.

The Convener: We thank the petitioner. We are closing the petition for the reasons that we have set out. However, we understand the issues underpinning it, and we believe that there is a forum in which those issues might yet be taken forward.

Local Knowledge (Conservation Policy) (PE1966)

The Convener: PE1966, which was lodged by Helen Ferguson on behalf of the Scottish Gamekeepers Association, calls on the Scottish Parliament to urge the Scottish Government to formally recognise local knowledge and ensure that it is given full consideration alongside scientific knowledge throughout consultation and decision-making processes and in policy development, specifically in the conservation arena.

The United Nations Educational, Scientific and Cultural Organization defines local knowledge as

“the understandings, skills and philosophies developed by societies with long histories of interaction with their natural surroundings. For rural and indigenous peoples, local knowledge informs decision-making about fundamental aspects of day-to-day life.”

Helen Ferguson has argued that local knowledge is often considered inferior to scientific knowledge and that the conservation arena is dominated by academia and the scientific elite, which is distanced from the practical daily routine and reality of rural practitioners.

Helen also suggests that the board and leadership of NatureScot have little representation from individuals who have experience of day-to-day land or water management. She also raises concerns about accessibility issues in relation to poor broadband connection in rural areas, leading to challenges when engagement is something that they would wish to pursue.

The Scottish Government’s response to the petition sets out its co-design approach to

developing a new Scottish biodiversity strategy, its delivery plan and its work on consulting the public on proposed legislation.

Do members have any comments or suggestions?

10:45

Alexander Stewart: It is imperative that we write to the Scottish Government to ask for its view on whether there are differences, as the petitioner indicates, in the considerations that are given to local knowledge and scientific knowledge. We should also ask how it ensures that people with poor internet access, particularly in rural areas, are given the opportunity to respond to public consultation and what changes the Government intends to make in its practices, including the development of the delivery of conservation policy, following the representations in the report of the independent working group.

David Torrance: Could we also write to NatureScot to seek details on the membership and skills of its board?

The Convener: How very apposite after our deliberations this morning.

David Torrance: It is, considering what we heard earlier.

Fergus Ewing: Can we ask NatureScot when it will invite someone from the Scottish Gamekeepers Association to join its board? It is strange that there is a group that represents the people who work daily on the land but that is completely unrepresented on NatureScot, as far as I understand? Those people are not sitting clattering keyboards—they are not keyboard warriors. They are actually managing nature and looking after animals for which they care deeply. NatureScot is denied the opportunity of the centuries of experience of people who care deeply for the countryside and the animals of Scotland.

The Convener: I think that we agree that we will ask that question as well.

A82 Upgrade (PE1967)

The Convener: PE1967 is on protecting Loch Lomond’s Atlantic oak wood shoreline by implementing the high-road option for the A82 upgrade between Tarbet and Inverarnan—I am tongue twisted now. The petition, which was lodged by John Urquhart on behalf of Helensburgh and District Access Trust and the Friends of Loch Lomond and the Trossachs, calls on the Scottish Parliament to urge the Scottish Government to reconsider the process for selecting the preferred option for the planned upgrade of the A82 between Tarbet and Inverarnan, and to replace the design manual for roads and bridges—the

DMRB—based assessment with the more comprehensive Scottish transport appraisal guidance.

I am delighted that we are joined by Jackie Baillie for our proceedings on another nature-related petition, as it happens.

Jackie Baillie (Dumbarton) (Lab): Absolutely; I make clear that I am nothing to do with NatureScot, if that pleases the committee.

The Convener: On that basis alone, we welcome you to our proceedings.

The petitioners tell us that they have engaged in a campaign to inform officials, politicians and the wider public about the issues that are posed by the proposal to upgrade the A82 between Tarbet and Inverarnan, and have highlighted what they view as the advantages of pursuing the high-road option.

In response to the petition, Transport Scotland has outlined the process that was undertaken to assess the options and identify its preferred option to improve road standards on the A82. Transport Scotland considered that the approach that it has taken is rational and proportionate, and has confirmed that detailed development and assessment of the preferred route option is ongoing.

The petitioners have responded to the information provided by Transport Scotland, highlighting concerns that the route analysis that was undertaken appears not to have followed the STAG assessment framework and has ignored costs associated with delays and diversions during construction, maintenance and after serious accidents.

The petitioners also note the approaches that have been taken to other road infrastructure projects, such as the M74 extension in Glasgow and the A9 upgrade at Killiecrankie, as positive examples of where the economic and environment impacts were more fully explored during the appraisal process.

Before we open this up for discussion, I ask Jackie Baillie whether she would like to contribute her thoughts in support of the petition.

Jackie Baillie: I thank the convener and committee members for allowing me to speak. I am joined by the petitioners; they are in the public gallery, so I am sure that, if I get anything wrong, they will be passing me notes.

As you rightly point out, at the heart of the issue is the replacement of the A82 between Inverarnan and Tarbet, much of which runs through my constituency. As you rightly highlight, the problem is that the design was undertaken using the design manual for roads and bridges rather than the more

formal and more comprehensive STAG process, which we are all used to.

The context is important, because it will be the key capital expenditure in the national park. It is probably the biggest project of its kind and the most significant. Over the years, the Helensburgh and District Access Trust has worked with the national park to develop paths and walkways throughout some of our most iconic countryside. For example, they have developed the three lochs way, which runs from Balloch to Inveruglas and is one of the great Scottish trails. The hope is that we might be able to join it up with Ardlui and create a round-the-loch trail. The potential is enormous, but I do not need to remind any of you—I am sure that you have all visited Loch Lomond—of the heritage of the area and of what an outstanding environment it is. I believe that it is the most beautiful part of Scotland, but I am biased.

Transport Scotland has simply ignored the idea of giving consideration to an alternative option rather than just pushing ahead with the existing road. It has not considered that to the extent that we think possible. If we adopted a high-road option, rather than the existing route, we would protect oak woods and preserve the shoreline, we would have a walking and cycling route on the old road, and people would be able to access that northern part by foot to see some of the forest and woodland on the shoreline. We would have a great walking trail, the road safety issues at Arrochar primary school would be resolved, and we would have a faster and more direct route. All those benefits seem to have been ignored by the appraisal process.

That is a real opportunity but, when you look closer at this, it looks as though the appraisal of the shoreline route—the existing route—and the high route was not done in an unbiased manner. For example, not that I would know much about this, convener—I am sure that you do—but three tunnels were proposed and were costed, whereas no tunnels are required or appear on the diagrams and plans. The three tunnels that do not exist were costed at £90 million per kilometre, whereas PricewaterhouseCoopers estimates that cost to be £30 million per kilometre. I hesitate to say this, but it looks as though somebody was trying to stack the consideration against the alternative route so that they could stick to their engineering plans as they stood. That inflated the cost by £146.55 million. It is unrealistic to suggest that these costs match in some way.

There was insufficient consultation with the local community, and the groups behind the petition, including Friends of Loch Lomond and the Trossachs, were not consulted. They have had to dig away to find out that information. We have a

once-in-a-lifetime opportunity to get this right. I understand the frustration of engineers who just want to get on and build the road on its current configurations. I have to say that that would cause traffic chaos, and the opportunity for a new route absolutely needs to be grabbed.

I know that the committee likes to get out of Holyrood, so may I invite you all to visit the area? We will walk you round the route and the potential options. However, you might also want to consider taking evidence from Transport Scotland; from the national park authority, which has a significant say in the matter; and from the minister, because our judgment is that there has been no political oversight of the issue. We have an opportunity to do the right thing, and if the committee suggested a STAG appraisal, we are confident that the high road would emerge as the preferred option.

The Convener: Thank you. You have outlined circumstances that are familiar to us in our consideration of petitions on many and diverse issues.

Colleagues, we have a bit of work ahead of us in relation to the petition, and some of Miss Baillie's suggestions might figure at another stage as we go along the route. It might even be that we come and visit. There is no election campaign in the immediate future for us to come and participate in, but it would probably be quite useful to have a look at some stage.

I ask colleagues how they think that we might take things forward.

Paul Sweeney: I support the proposal that we carry out a further inquiry into the matter. It is a broader national consideration as well, because I know—certainly from previous representations that I have had from Railfuture Scotland—that there is a deep concern that Transport Scotland is attitudinally predisposed to heavily overengineering solutions for trunk-road building, and that it has an attitudinal dislike of rail development. It will, for example, overly analyse and put onerous requirements on rail programmes but will take forward elaborate schemes for trunk-road construction.

There is a general consideration with regard to how transparent Transport Scotland is in developing such projects, and a broader national consideration about policy and how accountable the agency is. In this particular instance, there is deep concern about the coastal route along Loch Lomond side being damaged.

I am mindful that Sir Robert Grieve, who, along with Tom Weir, was one of the masterminds of the national park project back in the 1970s, said that he did not want the area to end up like the Italian lakes, built up from end to end. It would be a real travesty if the project were to go ahead and

destroy the spirit in which the national park was created.

The Convener: You are not as young as you look, Mr Sweeney.

Paul Sweeney: I am just a fan of “Weir’s Way”—that is all.

The Convener: Was there a proposal for us in there? I know that you support the petition.

Paul Sweeney: We should go forward with the proposal and invite Transport Scotland to make representations on the process that it has followed. We might also want to pursue a site visit.

The Convener: We can perhaps ask for a STAG assessment from Transport Scotland. Are there any other views?

David Torrance: I wonder whether we could write to Argyll and Bute Council and to Loch Lomond and the Trossachs National Park Authority to seek their views on what is planned for the A82.

The Convener: Okay—so we are writing to Transport Scotland on the issues that we have identified, writing to Argyll and Bute Council and writing to Loch Lomond and the Trossachs National Park Authority. Are there any other suggestions?

Fergus Ewing: I have two points. First, I note that Jackie Baillie referred to a PWC report on the cost of the tunnels. I am looking in our papers to see whether there is specific reference to that; perhaps there is, and I have missed it. I would be keen to get more details on that, and copies of the documents, in order to look into the points that Ms Baillie made about the relative costings, which we need to look at carefully.

Secondly, I know from when I formerly represented Lochaber a rather long time ago—when Mr Sweeney was even younger than he currently is—that, among people living in the Oban and Argyll area who are also served by the A82, there is huge support for upgrading the A82 along Loch Lomond side. Sadly, that has been the case for many decades.

I wonder whether, for fairness, we might reach out to the community—perhaps to the chamber of commerce. I know that some individuals in Lochaber and Argyll were involved, because they have strong views about the importance of proceeding with the upgrade of the road.

The Convener: Yes—I think that I saw some engagement from the gallery there, so I suspect that the petitioners will be able to assist us on one or two of those issues, if the clerks wish to liaise further with them.

We are interested in taking forward the issues that the petition raises, and we have identified a fairly comprehensive range of agencies and individuals from whom we will seek further evidence that we can consider in due course. Are members content with that?

Members indicated agreement.

The Convener: I thank Jackie Baillie, and I thank once again our petitioners, who have joined us this morning.

Early Learning and Childcare Funding (Online Accounts) (PE1970)

The Convener: PE1970, which was lodged by Sharon Fairley on behalf of the Scottish Private Nurseries Association, is on the creation of an online account for parents to manage the 1,140 hours of early learning and childcare funding. It calls on the Scottish Parliament to urge the Scottish Government to reform the funding model for the 1,140 hours of early years learning and childcare to allow parents to have direct control of childcare funding via an online account.

The Scottish Parliament information centre briefing highlights:

“The Funding Follows the Child approach is intended to be ‘provider neutral’,”

which allows

“families ... to choose their preferred ELC setting”.

It notes:

“Submissions to the Education, Children and Young People Committee ... argued that some PVI providers’ funding from local authorities was not meeting the full cost of the place.”

The Scottish Government states in its submission that it consulted on the delivery of ELC and received

“some support for ELC accounts”,

but it notes that the limitations were a

“lack of certainty for private providers and local authorities; and risk of parents using funds for other things.”

The submission also notes that investment and time would be required to deliver a new system.

11:00

The National Day Nurseries Association has written to the committee and has stated its support for the action called for in the petition. It highlights discrepancies in funding between local authority ELC and other providers, and it argues that a childcare passport would provide parents with choice, flexibility and affordability. It notes that

“it is difficult for local authorities to be both funder and provider”.

Do colleagues have any comments to make or suggestions for action?

Alexander Stewart: There are many merits in the petition, convener, and it is important that we write to seek the views of stakeholders on the action that it calls for. Those might include COSLA, Early Years Scotland, the Scottish Childminding Association, and the National Parent Forum of Scotland. They could all give us a good indication of views about the petition.

The Convener: Are colleagues content with that?

Members indicated agreement.

Motorcycle Theft (PE1971)

The Convener: PE1971, which was lodged by Kenneth Clayton on behalf of the Motorcycle Action Group, calls for robust action to stop motorcycle theft. The petition calls on the Scottish Parliament to urge the Scottish Government to increase the actions available to prevent and reduce motorcycle theft by empowering the police to pursue and tactically engage thieves and by reviewing sentencing policy to allow the courts to implement tougher punishment for those who are convicted of motorcycle theft, including the use of mandatory custodial sentences for those who carry weapons or groups who threaten individuals with violence.

Kenneth Clayton tells us that there has been an increase in the number of motorcycles that are being stolen in cities, with Edinburgh being particularly affected. He goes on to highlight concerns that the current police policy not to pursue or engage means that thieves behave with impunity, a position that is out of sync with that of other police forces across the UK.

The Scottish Parliament information centre briefing notes that Police Scotland has taken targeted action to tackle motorcycle theft and associated antisocial behaviour in Edinburgh through operation Soteria, which saw police recover £600,000 of stolen motorbikes.

In responding to the petition, the Scottish Government states that there is

“a wide range of effective actions currently available to Police Scotland to prevent and reduce motorcycle theft”.

As the use of those actions would be an operational matter, however, the Scottish Government has indicated that the committee might wish to explore them further with the chief constable or the Scottish Police Authority.

In relation to the petition’s call for mandatory custodial sentences, the Scottish Government has indicated that judges are best placed to decide on the appropriate sentence for each offender. The

Scottish Government also notes that the Scottish Parliament has previously rejected calls for mandatory sentencing on the basis that it removes discretion from the court.

Do members have any comments or suggestions for action on the petition? We could do with some clarification in the first instance.

David Torrance: Perhaps the committee might like to write to Police Scotland and the Scottish Policy Authority to ask how many incidents of motorcycle theft have been recorded in each of the past five years, what further action they are taking to tackle motorcycle theft now that operation Soteria has concluded, and whether they plan to roll out similar initiatives across the rest of Scotland.

Alexander Stewart: It would also be useful to write to the Crown Office and Procurator Fiscal Service to seek information about the number of cases of motorcycle theft in each of the past five years and the outcomes of those cases.

The Convener: Are members content with those proposals?

Members indicated agreement.

Assisted Dying (PE1972)

The Convener: PE1972, which was lodged by Kevin Sutherland, is on allowing assisted dying for people with long-term mental illness and consenting capacity. The petition calls on the Scottish Parliament to urge the Scottish Government to ensure that all future legislation on assisted dying includes provision for access to assisted dying for anyone of adult age who is suffering from a long-term mental illness and/or who has compelling philosophical reasons for wanting to terminate their life, provided that they have sought psychological or psychiatric assistance that resulted in no change to their condition and that they continue to have consenting capacity.

Kevin Sutherland tells us that the mental suffering that people endure can be just as torturous and painful as any physical condition and that, in the event that assisted dying is made legal in Scotland, people with incurable mental health issues should be able to make the case for ending their lives. Kevin also tells us that many people travel abroad to end their lives in a controlled environment. He intends to take that option, but he is concerned for those who do not have the resources to undertake such a journey and who, he feels, are being left to suffer in silence.

Members will be aware that Liam McArthur has now earned the right to introduce his proposed assisted dying for terminally ill adults (Scotland) bill. As the SPICe briefing notes, although the bill

is currently limited by what was included in the final proposal, other members could lodge amendments at stages 2 and 3 that would seek to alter the scope of the bill. In its response to the petition, the Scottish Government has indicated that it

“would not support any legislation or amendment”

with regard to allowing

“Assisted Dying for people with long-term mental illness and consenting capacity”

and that it would be very opposed to that.

Do members have any comments or suggestions? Under rule 15.7 of standing orders, I am tempted to suggest that, although the issues that are raised in the petition are important, it would not be right for the committee to set up a parallel inquiry or investigation when Liam McArthur’s proposed member’s bill on the issue appears to have the ability to proceed and be considered by the committee in due course. In any event, the Scottish Government, in respect of this particular petition, has said that it will certainly not support any legislation in that regard. However, the issue might be considered in due course, when the bill is progressing through Parliament. I do not know whether other members are minded to agree with that proposal.

David Torrance: I support Liam McArthur’s proposed bill, so I am happy to agree with that proposal. If any member wants to lodge amendments at stage 1, 2 or 3, in order to test the Government, they can do so. I am quite happy to close the petition under rule 15.7.

The Convener: In making that suggestion, I should declare that I, too, am a supporter of Mr McArthur’s proposed bill in principle.

Paul Sweeney: I agree with the proposal to close the petition, and I think that we should advise the petitioner of the methods through which they can engage with the legislative process.

The Convener: I think that we can do that.

We thank the petitioner for the issue that he has raised.

Cohabiting Couples (Division of Assets on Separation) (PE1973)

The Convener: PE1973 is about ending the use of sheriffs’ discretion when ruling on civil cases and providing clear legal guidance on division of assets. The petition, which was lodged by Sandy Izatt, calls on the Scottish Parliament to urge the Scottish Government to review the Family Law (Scotland) Act 2006 and provide greater clarity on the division of assets in cases of cohabiting couples who are separating, by removing the use of sheriffs’ discretion rulings in civil cases;

providing clear legal guidance to the Law Society of Scotland on the division of assets for cohabiting couples; allowing appeals to be heard when it is determined that a sheriff has the rule of law wrong but has used their discretion to prevent an appeal at no cost to the appellant; and publishing information on what resources have been allocated to provide clear legal guidance.

Sandy Izatt tells us that a “lack of clarity” in the law regarding the division of assets for cohabiting couples has resulted in cases proceeding to court and taking up “valuable court time”. He suggests that the provision of clear legal guidance would offer clarity on that issue and enable matters to be resolved without the need for a court hearing.

In responding to the petition, the Scottish Government states that the Family Law (Scotland) Act 2006

“introduced legal protections for cohabiting couples should their relationship come to an end by separation or death.”

The Scottish Government also highlights that the Scottish Law Commission is carrying out a review of aspects of family law. Following the Scottish Government’s response, members might be aware that the Scottish Law Commission has now published its report and draft bill on cohabitation.

We have also received a written submission from Mr Izatt, who raises concerns that, where the division of assets has not been clearly defined in law,

“there is too much room for argument by competing solicitors,”

which leaves sheriffs with discretion

“to rule on how they feel, rather than what is fair, true and just.”

That is interesting. Do members have any suggestions?

Alexander Stewart: I think that further information is required in order for us to continue with the petition. I suggest that we write to the Scottish Government to seek its response to the recommendations that are proposed by the Scottish Law Commission in its report on cohabitation and the timetable for bringing forward legislation in that area. I also suggest that we write to the Scottish Law Commission to seek information on what consideration has been given to the use of judicial discretion as part of the review on aspects of family law. In addition, I suggest that we write to the Law Society of Scotland and Family Law Association to seek their views on the issues that are raised by the petitioner. I think that all of those suggestions have some merit.

The Convener: Since there are no further suggestions from members, are we content to proceed on that basis?

Members indicated agreement.

The Convener: That concludes consideration of new petitions. We will move into private session to consider item 4. As noted in the agenda, the committee will move back into public session in approximately 20 minutes, in order to hear from the Cabinet Secretary for Health and Social Care on our final petition. Although that is not our normal practice, we have agreed to do so in order to facilitate our ministerial guests’ giving evidence this morning.

11:10

Meeting continued in private.

11:30

Meeting continued in public.

Continued Petition

Mental Health Services (PE1871)

The Convener: Good morning and welcome back to the final meeting of the Citizen Participation and Public Petitions Committee in 2022.

We considered new petitions prior to moving into private session; we now move to agenda item 5, which is consideration of continued petition PE1871, which was lodged by Karen McKeown on behalf of the shining lights for change group. The petition calls on the Scottish Parliament to urge the Scottish Government to carry out a full review of mental health services in Scotland, which should include consideration of the referral process, crisis support, risk assessments, safe plans, how integrated services work together, first response support and the support that is available to families who are affected by suicide.

The committee will recall that we heard very affecting testimony from Karen McKeown about the personal circumstances that led to the petition and the changes that she wishes to see being made to mental health services. We thank her again for lodging the petition and for taking the time to meet us.

We are joined by Humza Yousaf, who is the Cabinet Secretary for Health and Social Care. We are also joined by officials from the Scottish Government. Hugh McAloon is director of mental health, Gavin Gray is deputy director in improving mental health services and Dr Alastair Cook is principal medical officer. Good morning thank you all for joining us to give evidence.

We are also joined by Monica Lennon MSP, who is here in support of the petition. I will invite her to contribute, subsequent to our hearing the cabinet secretary's evidence.

Cabinet secretary, we are happy to move to questions, but I am also happy if there is anything that you would like to say to us before we begin questions.

The Cabinet Secretary for Health and Social Care (Humza Yousaf): I will make a brief statement, if I may, convener.

The Convener: Please do.

Humza Yousaf: I will not take up too much time in my opening remarks. I am keen to hear from members and to allow as much time as possible to take questions.

However, first and foremost, I want to reiterate what you said, convener. I read Karen McKeown's testimony. It was very moving and I offer my sincerest condolences to her for the sad passing of her partner. The passion that she has brought to the issue is a fitting tribute to her late partner, Luke. I am grateful to her for coming to the committee.

I hope that it is clear that the petitioner and the Scottish Government want the same outcomes, although we might not necessarily agree absolutely on how we get to them. I suspect that that is the same for everybody at the table.

We want a mental health system in which, first of all, we can intervene as early as possible before a situation needs crisis intervention, and in which the person does not have to repeatedly tell their story. We heard that clearly from Ms McKeown over and over again. Luke asked for help eight times, I think, before he got the support that he required. We want a responsive system, in which all partners work together at every level of need. That should apply to signposting to help and advice, access to support in our communities, provision of the right support to people who are in distress and, importantly, delivery of specialist mental health support and services where that are necessary and critical.

Our forthcoming mental health and wellbeing strategy will be key in setting out not only those aspirations but how we will achieve them. We will publish that strategy in spring 2023. It will set out what every member of the public is rightly entitled to expect when they ask for help in relation to their mental health. I want our strategy to act as a blueprint for a high-functioning mental health system in respect of how we respond to all levels of need. We expect the system to act responsibly. Nobody—I emphasise that—should have to struggle in the way that Luke had to struggle, or to fight for the help that they need. The earlier that we can get people the right support, the better will be our chances of having better outcomes and stopping issues from escalating.

At the heart of the work, especially on our new strategy, must be a focus on reducing stigma, on prevention—including suicide prevention—and on involving the voices of lived experience at every level. That came over strongly from the petitioner and it resonates with many people.

I will get into the finer detail of that, convener, but I am happy to leave it there for now and to end where I started, which is to acknowledge Karen McKeown's passion, drive and bravery, and to commend her for a petition that is of fundamental importance.

The Convener: Thank you very much, cabinet secretary, and thank you for your sympathy for,

and the comments that you have expressed to, the petitioner. The petition was difficult to read. It was equally difficult to hear the real-time experience of the petitioner, and I know that the sentiments that you have expressed are shared by us all.

Perhaps you could, as we proceed, indicate when you would like to include your colleagues in responses to questions. I will leave that to your discretion. If they wish to intervene at any point, I ask them to do so. We try to keep proceedings relatively informal in order to have as productive a discussion as possible.

I have an introductory question. I am intrigued to know what factors you think were responsible for the fall in the number of suicides that we saw during the pandemic?

Humza Yousaf: I will perhaps hand that question over to clinical colleagues and others. We have certainly had that discussion. It is very difficult to say and, given that we are still not quite out of the pandemic, it is challenging to do so.

In relation to mental health, one of the key concerns that I and, I think, every member at table had was about access, or lack of access, to services during the pandemic. We have put a lot of work into suicide prevention. Even at the most difficult times during the pandemic, when we were under significant legal restrictions, we still tried to ensure that vital services—in which I include suicide prevention and mental health services—were as accessible as possible.

Of course, suicide prevention has been a mission of this Government for many years, and we see some positive signs that things are going in the right direction, if we look at recent trends, but we are nowhere near where we want to be, which is why we have the suicide prevention strategy that was co-designed with the Convention of Scottish Local Authorities. Alastair Cook might want to come in on that.

Dr Alastair Cook (Scottish Government): We have an academic group that supports the work of the national suicide prevention leadership group. Initially, there was a little bit of surprise from the academics about the direction in which things were going. Given the difficulties of lockdown and some of the figures that we were seeing around increased suicidal thoughts and so on within the population, the expectation was that we might see a rise. However, internationally there appears to have been a decrease.

At this stage, we are theorising about, rather than understanding, why that would be the case. Certainly, with historical patterns of suicide rates, you tend to see increases in suicide at times of greater disparity within populations, so perhaps the sense of coming together that there was during the pandemic had an impact on some

people. However, again, that is theory rather than something that is based on research or on work in academia.

Humza Yousaf: One of the other theories—Alastair Cook is right to describe them as theories at this stage—was that in the early days of the pandemic and throughout the really difficult periods, we saw a real groundswell of local activity in terms of third sector support and help. I think that we could all testify to that, and it still exists to an extent. I certainly remember that, at the beginning of the pandemic, it just sprung up organically. Therefore, people might have had access to services in ways that now, as people get on with the jobs that they would normally have done, do not exist as much. Again, that is one of the discussions that we have had.

The Convener: Certainly, the initial questioning in Parliament included issues such as domestic abuse and suicide. People were concerned that the prolonged lockdown might have—in some cases, it did have—a negative impact. As you said, we are only theorising at the moment, but perhaps the fact that people's experiences were not so different or isolating, in the sense that they were part of an experience that everybody else was sharing, made some things easier to bear or to deal with.

Paul Sweeney: I note the comments that have been made so far about trying to understand the reasoning and the causal factors behind the figures. Nonetheless, "Scotland's Suicide Prevention Action Plan: Every Life Matters" from 2018 set a target of a 20 per cent reduction by this year. Although we do not have the figures for this year, the trend broadly suggests that the target is unlikely to be met. Why will it not be met?

Humza Yousaf: You are right to suggest that we need to wait for the figures, and I do not disagree with your assumptions around the issue. We will always set ambitious targets to stretch ourselves in order to ensure that we are going as far as we can.

I commend to you the most recent strategy that has been developed in conjunction with COSLA. I am certain that Paul Sweeney will, if nothing else, have seen and skimmed through it. "Creating Hope Together—Scotland's Suicide Prevention Action Plan 2022-2025", which is the long-term suicide prevention strategy and action plan, looks at the trends over past years and asks how we can improve. We have a goal in the plan to reduce the number of suicide deaths in Scotland while, importantly, we tackle the inequalities that, as Dr Cook mentioned, contribute to suicide rates. That is why we were so keen to produce the strategy alongside COSLA.

We have not managed to go as far as we wanted on reducing suicide deaths, but there has been positive progress. The new strategy takes into account the good that we were doing, and says where we need to go further, how we can work with local partners and, importantly, how we can further reduce inequalities, because we know that disparities and inequalities are, beyond a shadow of a doubt, disproportionate contributing factors in respect of deaths by suicide.

Paul Sweeney: I accept that not everything to preserve life in all circumstances is within the gift of the Government. That is obvious, but the Government can, nonetheless, have a positive influence in terms of trying to ameliorate the effects in some areas and moving towards that target. To that end, what assessment against performance has there been of workstreams or activities in the plan? Which areas are showing promise and which are showing difficulty? I am interested to get more insight into where you see the plan achieving the greatest impact and which areas are harder to deliver in.

Humza Yousaf: That is a really good question. There are a few areas to mention. As you will see from the most recent strategy, which was, as I said, co-designed with COSLA, there is a significant focus on tackling the social determinants of suicide.

Literature upon literature and academic research after academic research makes the link between social determinants such as the inequality that exists and the unfortunate completion of suicide. We are working exceptionally hard on the issue, but we can do more in that workstream.

You will also see in the strategy that a lot of work is being done on pre-crisis intervention—getting to people before their situations escalate to becoming specialist mental health challenges.

Regarding my assessment, it might be better to take that off the table and to get an answer to you in writing with more detail on each workstream and the assessments that have been made. The most recent published strategy, “Creating Hope Together”, gives a good indication of what we think has worked and of where we need to go further collaboratively with local partners. I hope that you get the chance to look through the strategy in detail.

Does Hugh McAloon or anyone else want to come in to add to what I have said? I know how involved you were in the strategy with COSLA.

Hugh McAloon (Scottish Government): The thinking on targets in that area has moved on since the previous strategy: you will see that there is not a specific target. There are a few reasons for that. We were led by stakeholders, who were

heavily involved in the development of the new strategy. Their view was that the complexity of suicide is such that looking only at headline numbers can be a crude measure. All in all, setting a target might indicate to some people who lose loved ones through suicide that if we are below that target the problem matters less but, of course, it does not.

At the local level, population sizes vary so much that there will be variation in the numbers, so there are technical reasons, but there are also important matters that relate to the people who are left behind and how that feels. The view of the group was very much that we should continue to monitor the overall headline figures, among a range of other outcomes. That is the direction that the group took.

As the cabinet secretary said, we can get back to the committee on evaluation against the workstreams from the previous strategy, if the committee would find that helpful.

11:45

Dr Cook: One of the areas in which we are making real progress is the response to suicidal ideas and people coming in when they are in crisis. The work on that is headlined “Time, Space and Compassion” and that new approach chimes with what we have heard from stakeholders and people with lived experience. The approach is also hugely welcomed by the clinical community because it is trying to be less binary than the approach that was taken in the past might have been, when the question was, “Are you ill and in need of a secondary mental health service?” The “Time, Space and Compassion” approach acknowledges that people are there because they are in distress, and that we need to have a range of responses. The new suicide prevention strategy and the mental health strategy will take us in that direction.

Paul Sweeney: It is quite promising if there are signs that the crisis element can be practically addressed in a holistic way. From experience of dealing with veterans, for example, I know that people were just getting passed around and no one seemed to be taking ownership of the situation, which led people into despair and suicide.

The approach sounds promising, although I accept that something like the increase in interest rates and the consequent financial pressures, for example, could increase suicide figures, but that is not necessarily within the gift of a Government policy.

Hugh McAloon: Some of that aligns with the general direction of our mental health policy. There will always be people who experience

mental illness; they deserve a high-quality clinical response.

We are seeing more and more people for a number of reasons, including what we have been through in the past few years and what people are going through now in the cost of living crisis. A wide range of factors can ramp up emotional distress. From a clinical point of view, we might think that someone does not have a particular mental illness, but they are probably at risk of suicide or suicidal ideas because they are distressed by factors that impact on their wellbeing at a point in time, which can come and go.

A lot of our focus has therefore been on what we can do to respond when people experience emotional distress. We are talking about things such as distress brief interventions, which have been in development for a number of years, and access to the NHS 24 mental health hub. Those are things that people can access, but sometimes people cannot wait for an appointment and sometimes the key point of their distress takes place within a very contained period of time.

We see that in the petition: a person was experiencing serious distress over the course of a week. It might not have been based on anything clinical but, tragically, it shows where such distress can lead. We need a balance. That is true of a wider range of issues than the risk of suicide, but when distress is heightened at that stage, we want a range of interventions to help people to manage it better.

Paul Sweeney: Convener, may I ask a brief supplementary question?

The Convener: You may, Mr Sweeney.

Paul Sweeney: How do the strategies interact with the national mission on drugs? From personal experience, I have discovered that a suicide completion might not be intentional but, in some instances, there is indifference to being alive. The person might be ambivalent to it, and that is characterised by their indifference and reckless behaviour. When there is a request for treatment or support, it is often not forthcoming or their referral to a mental health service might be weeks away. Is there any interaction between the strategies and the national mission on drugs?

Humza Yousaf: Absolutely. Angela Constance and I meet and talk regularly about this.

I should have said from the outset that I am grateful to Paul Sweeney for speaking about his own mental health issues. I know that other members have also done so in the past, and I think that it is important for us to do that. It is not incumbent on us—we do not have to do it and we do not necessarily owe it to people—but, given the platforms that we have, the more that we can talk

about such things, the more that we can, I hope, reduce the stigma around mental health issues. I am grateful to all members who have done that.

Medication-assisted treatment standard 9 is key. MAT standard 9 is the expectation that all people with co-occurring drug use and mental health difficulties will receive mental health care at the point of the MAT delivery. As always, some local authorities are doing better than others, but we have asked all local authorities to submit their implementation plan to the Scottish Government, setting out how they will embed all 10 standards across the piece in their area.

As you can imagine, we are monitoring that very regularly. I am doing it monthly, where necessary, or quarterly. Local authorities that are doing well in that regard will have less monitoring and supervision. As you can imagine, where we see issues with regard to that MAT standard—all MAT standards, but MAT standard 9, in particular, is relevant to your question—we are monitoring those local authorities very regularly and having conversations about that. Obviously, that is also backed by a commitment to multiyear funding.

David Torrance: Good morning, cabinet secretary. In evidence to the committee, the petitioner stressed that measuring and evaluating the performance of plans and strategies is crucial. When will the outcomes framework for a new suicide prevention action plan be published? Can you tell the committee more about the work that is taking place to develop the outcomes of the framework and how it will be used?

Humza Yousaf: I will address the general issue and come back to the specific question.

It has been my view since I came into post that, although we have a suite of quality standards for measuring and monitoring outcomes for child and adolescent mental health services, we do not have similar for adult mental health services, so there is a gap. A range of work is on-going to develop that suite of quality standards to improve the quality and safety of mental health care and support, which definitely includes adult secondary mental health service standards and the delivery of psychological therapies, interventions, eating disorder standards and so on.

Hugh McAloon might have the specifics with regard to the dates and our intentions in relation to the outcomes framework. Because we have co-designed the strategy with COSLA, we are trying to ensure that anything that we do in that space is done collaboratively with COSLA and local authorities.

Hugh McAloon: I do not have a specific date, but we can come back to you with more specific information. As we develop and roll out the delivery plan alongside the strategy, there will be

regular evaluation, monitoring and review against those outcomes. There is a programme of work and we can provide more detail, but—I am sorry—I do not have specific dates.

David Torrance: The final report of the Scottish Mental Health Law Review was published in September 2022 and made more than 200 recommendations. Can the cabinet secretary provide an update on when we can expect the Government's response to that report?

Hugh McAloon: As you are aware, it is a wide-ranging, extensive and very detailed report that runs to about 1,000 pages. We are starting work with a range of stakeholders to assess that to establish the order in which we might do things, the further work that we might have to do in some areas and the priority that we will attach to various steps in what will be a long-term programme of work to align mental health law with equality and human rights law. Our intention is to produce our initial response probably before the summer recess. As I said, we are working with a range of stakeholders, some of whom were involved in the review. In part, that is in order to fully understand how they saw the work being taken forward and the various aspects linking together. It is very complex, but we are looking to come forward with something on that before the summer recess.

Alexander Stewart: I will touch on the issue of access. The Scottish Government set the standard of 90 per cent of individuals being referred within 18 weeks. That is not being achieved—the most recent statistics, from September 2022, showed a figure of 80.7 per cent. When does the Scottish Government see the opportunity to reach that standard of 90 per cent, and what is it doing to support that aspiration?

Humza Yousaf: Obviously, we have publicly said that we are attempting to reach that target by March 2023, which will be challenging—it is an ambitious target, to go back to my previous point. We will set ourselves those ambitious targets in order to push the entire system to help us to meet them.

It is a common theme, I know, but, although I am confident that some health boards will meet that target, there are other health boards—including one of the health boards that the member has cited regularly to me—that are very unlikely to achieve that target, so we are giving them more intense support and getting improvement plans from them. We are not accepting the fact that they will not meet the target by March 2023, but we are saying, “How can we help you to get there or as close to there as possible?” There are a myriad of challenges. As the member knows, although we have done well on workforce recruitment, that will be different in rural areas, urban areas, island communities and

so on. That target for spring next year will be challenging, but I am committed to doing everything that we can to get us there.

Alexander Stewart: You have touched on population issues. We know that NHS boards with larger populations have mental health assessment units that are available 24/7. That is really useful for larger populations, but the issue is in trying to evaluate these services, cabinet secretary. Is the Scottish Government looking to make it much more of a national service? You have touched on the issue of rural areas, where, as you have identified, it is a much bigger challenge for you to make that happen. There is a disparity between what happens in urban areas and what happens in rural areas, which do not have the same support and opportunities, and patients might fall through the gap.

Humza Yousaf: Alexander Stewart understands that urban areas and large population centres have their own challenges. Urban areas often have areas of higher deprivation in large concentration. We have talked about those social determinants that can have negative outcomes for people's physical and mental health. Urban areas have their own challenges—as do remote, rural and island communities—which are usually centred around access to services, as he rightly says, but also the workforce, which is not unrelated to that point, and the recruitment and retention of the workforce.

I should say that NHS 24 has a mental health hub—as, I am sure, the committee is aware. There were some challenges when it first started, but we saw improvements across all the metrics in 2021. The demand for the NHS 24 mental health hub has remained consistently high—I spoke to the chief executive a couple of weeks ago—and the service has not seen much of a dip since July 2020. There have been peaks and troughs, as you would imagine, but demand has been consistently high at more than 2,500 calls per week, and thus far it has responded to more than 200,000 calls.

We will continue to invest in local services. In remote and rural areas and island communities, in addition to ensuring that people have access to the important statutory services, I am particularly keen that we work closely with the third sector, which has an important role to play. It plays that role across the country, but, in remote and rural areas of Scotland, we can utilise the third sector to help us with some of the challenges around access. That is not to say that statutory services should not do what we need them to do, but there is an ability to use and invest in the third sector more than we currently do.

Alexander Stewart: You mentioned suicide bereavement services. There are pilot schemes in Ayrshire and Arran and in the Highland health

board region, and there is the potential for a more widespread or national service across Scotland. Are there plans for that, and can you outline what other forms of support are available to families who are affected by suicide? What further developments are planned to try, once again, to bridge the gap?

12:00

Humza Yousaf: Hugh McAloon will come in on some of the specifics. We will, of course, evaluate the projects that Alexander Stewart rightly cites and look to see how we can upscale them.

I am the first person to say that, far too often within Government, we suffer from pilotitis—the inability to go from a pilot to upscaling. We have to be better at that, and I think that we are getting better at that. If the pandemic taught us anything, it is about the need to have a slightly bigger risk appetite in relation to upscaling things. Not everything will work when you upscale it, but the desire for perfection should not get in the way of progress. There may well be faults and glitches that we will have to work through, but, generally speaking, we should be able to upscale far more quickly than we currently do when things are going well.

On the other matters that you raise, a lot of that is within the strategy that we referenced. Can you remind me of your very last question?

Alexander Stewart: It was about the further developments that are planned and about how families who are affected by suicide are supported.

Humza Yousaf: Obviously, we want to prevent as many suicides as we possibly can. That is a core part of the strategy. A lot of work is going on with the third sector in relation to the support that we can offer to families that have suffered—and not just families, as we understand that suicides have an impact on entire communities. In my Glasgow Pollok constituency, throughout the course of the pandemic, there were a number of tragic cases of young men and women completing suicide, and entire communities were rocked by that.

We will be working on the bereavement support, but a lot of the work is on the preventative side and, because the statistics tell us that a disproportionate number of young males are completing suicide, a lot of focus is going into that space. Hugh McAloon can say a bit more on the pilots.

Hugh McAloon: As you are probably aware, the evaluation of the first year of the pilots has been published and we have moved into the second year of funding those pilots. We are

working with the national suicide prevention leadership group to implement what we have learned from the first year in the second year. That work will be guided particularly by the lived experience panel and the youth advisory group. There is work going on to further enhance what we are getting from those pilots, and we will then look at what we can do to extend those further.

Humza Yousaf: It is very important to come back to what the petitioner said. I do not want there to be any illusion that we do not think that bereavement support can be improved, because the petitioner made it very clear that they do not feel that such support was there for them or their family. Although there is support—we can give details of that—I do not want there to be any misunderstanding that we do not think that that support can be improved.

The Convener: You referred to the petitioner's courage and obviously we very much felt that courage in the evidence that she gave. We explored with Karen the aspect of what happens in an acute situation—if somebody has a heart attack or if somebody is having elective surgery, it is clear what to do, but in the hierarchy of mental health services, what do you do? Karen said that when, in a crisis,

“you phone NHS 24 to get help for mental health or speak to an out-of-hours doctor or anything like that, you are told either to contact the police if you feel that you cannot keep yourself or someone else safe, or to attend accident and emergency.”—[*Official Report, Citizen Participation and Public Petitions Committee*, 9 November 2022; c 24.]

I think that she very much felt that attending accident and emergency with people who were attending for physical health reasons, not mental health reasons, was not the appropriate place to be in those circumstances at all. What are your reflections on that point?

Humza Yousaf: You will know, convener, that I was Cabinet Secretary for Justice before I was in this role. It is a real failure—I do not use that word lightly—in our approach to have police officers attending somebody who is in distress and be with them for five hours. That is not good for the individual who is suffering that distress, because the police officer—who will do an excellent job, given the circumstances—would be the first to say that they are not the best person to help with mental health needs. It is not the best use of the police officer's time, and it is not the best approach for the individual involved. It is not good for the system as a whole in relation to the response that we are giving to people. In itself, it is a failure of approach and lays bare some of the failings that the petitioner spoke about when she gave evidence on Luke's case. I know—I do not suspect—that Luke's case is not an isolated one.

We often talk about mental health being on a par with physical health and, from the Government's perspective, that is true in terms of priority, but I do not think that we see the evidence of that cascading through the entire system. The example that you give is good, which is why we have in recent years set up the NHS 24 mental health hub, so that people have access nationally to clinical specialists for the mental health distress that they face.

I go back to the common theme of pilots. A number of pilots that we have run across the country—some of which have now been evaluated—have shown us a much better model. I think back to the one in Govan in the south of Glasgow, where, if a call came into the police because somebody was worried about the possibility of another person seriously harming themselves, the police officer would go with a specialist community psychiatric nurse to attend the incident. I will not quote exact figures, but if I remember correctly, the amount of officer time that was then spent on such a situation reduced by more than half.

Perhaps I would be better passing to Dr Cook, who will be able to answer your question from a clinical perspective.

Dr Cook: We have been doing a lot of work around unscheduled care pathways for mental health, and the NHS 24 hub has been referred to as the starting point for many people, but many also attend accident and emergency or emergency departments.

Over the past year, we have ensured that in every health board area in Scotland there is a senior clinical decision maker—we use that term because the role is filled by different people in different places; in many places it is a nurse and in some places it might be a doctor—so that NHS 24 can make that contact.

The rationale for that is that, for some people, attendance at hospital and assessment by specialist mental health services may be exactly what they need, but, for others, there may be a requirement for other services, such as distress brief intervention, which we have described before. We want to ensure that there is a clear pathway that can avoid the need for people to come into the emergency department as the first port of call, while acknowledging that some people do that anyway and can therefore be picked up from there.

The Convener: The petitioner was not able to give the latest figure for people presenting at A and E, but it was quite a high number of incidents. I think that she had figures that showed that around 600 people had done so.

Obviously, Karen's experience very much influences the view that she has of everything that Luke experienced. I do not want to be superficial or to react to an individual circumstance, but she felt that there was an impression or a suggestion that the risk assessments that had been done had partly been coloured by a desire to play down the likely seriousness of the issue rather than to escalate it, and that there was a drift to try and achieve that. She is not pointing to Luke's case in isolation, but she feels that that meant that his higher risk status was not recognised at a point when something could have been done. It is very easy to generalise or not to really know, but what is your sense of that?

Dr Cook: Risk assessment is not an exact science. The risk assessment tools that have been introduced to support mental health decision making are inexact. They can be helpful in bringing people towards a decision but, ultimately, clinical judgment needs to come into it.

The sense of downplaying can be misinterpreted to some extent. As a clinician, I would always try to find a way to get somebody the help and support that they need without the situation escalating into hospital admission or, ultimately, detention under the mental health legislation. You would always look to use the least restrictive option. From a clinical perspective, the aim would always be to try to manage the situation with the least restriction and the least intervention but, clearly, if a risk assessment indicated a high level of risk and a lack of immediate safety, you would look to find a safe option and the only one might be admission to hospital.

The Convener: Monica Lennon is not here to take evidence from the witnesses, so I ask her whether there is anything that she wants to say to the committee that the cabinet secretary can hear and that might he want to touch upon in any final remarks that he wants to make.

Monica Lennon: Thank you, convener. I am grateful to have the opportunity to be here in support of Karen McKeown, the petitioner. As everyone knows, Karen's partner, Luke Henderson, died by suicide in December 2017, so this is a difficult time for her, her children and the wider family.

We meet at a time that can be difficult for many of our constituents. Many of us welcomed the opportunity to take part in a debate in Parliament on male suicide. That debate will now have to wait until the new year but the issues are of concern to all of us.

I am grateful to the committee because the session with the cabinet secretary and his officials has been great in the sense that he is not trying to put any spin on the matter. I know that he is

sincere about the challenges. It was reassuring that, at the beginning, he said that, although there might be a different outlook about the process for getting there, he, the Government and Karen McKeown want the same thing.

To be frank, one suicide is one too many. We can examine the numbers and data, which is important—targets have a role to play because we have to monitor progress—but we are all here because we want to save lives.

Committee members have asked pertinent questions, including about the wider impact on families and communities. I have been scribbling some notes. We are rightly focused on what happens within the NHS—primary care, access to general practitioners, NHS 24, mental health harms and so on—but there is a wider piece of work to do. Therefore, it is good that the committee has kept the petition open.

I have made notes about employers and education because we all have to become more literate about mental health. To be frank, I struggle to signpost constituents to the right place as a regional MSP working across two different health boards and three different local authorities. Pilot schemes are welcome, but it can be difficult to know what the pathway is. All the MSPs sitting in this committee room might have different systems and procedures to which to point people.

Karen's partner Luke had a history of mental illness. She has highlighted the point that she and Luke knew how to ask for help, so they did the right things. They reached out many times and still could not get the help that they needed. I welcome the work that is in the pipeline for next year and do not doubt the good intentions of the cabinet secretary and the Government but we have serious problems with resourcing and workforce, of which the committee is well aware.

I want to pay tribute to the workforce because what I am seeing increasingly is a workforce that is struggling, and that is having an impact on their mental health and wellbeing. We have to be honest about that.

12:15

The cabinet secretary is absolutely right and it is good to hear that he can take a wider view because of his background in justice and so on. Karen McKeown and I met the former Minister for Mental Health, Sport and Wellbeing after I raised this tragic case with the First Minister a number of years ago, and we talked about some of the issues that Paul Sweeney has gone into today, such as drug disorders and alcohol. We have not talked about alcohol but it is a big issue. Clare Haughey, who was the minister at the time and had been a mental health professional, told us that

the strand of work was for her public health colleague and she was the mental health minister. We must get away from that siloed thinking, and we are seeing some progress on that.

The petition is so important because the constructive challenge needs to continue, and I am sure that the cabinet secretary would welcome that. We do not yet have answers about resourcing and how we are going to deliver on the good intentions. That is what Karen McKeown talks about in the petition. Without going into detail about individual constituents and others in different parts of Scotland, I know people who, this week, phoned their general practitioner to try to get an appointment to discuss their mental health and the fact that they are struggling dozens of times, even over a hundred times, in two days. Colleagues have previously raised that issue with the cabinet secretary in the chamber and it is the reality. How do we close the gap between what we want people to think is on offer for them to have hope and know that they are not alone and the reality of the waiting times that some people experience? I have lots of statistics here about people in Lanarkshire, for example, who are waiting for several months, if not years, for psychological therapy. We need to go into granular detail about how we are going to do that.

Again, like everyone else, I pay tribute to Karen McKeown. I know that she is listening today because I am looking at my phone and I see that she has been messaging me. This is a difficult time for families with lived experience, but I hope that they know that we, as a Parliament, are taking the issue seriously.

The Convener: I would like to comment on the sincerity and sensitivity with which everybody has addressed the issues this morning. It has been a constructive discussion. Would like to say anything in conclusion, cabinet secretary?

Humza Yousaf: Convener, we will go through you to give the committee some of the information that members—David Torrance in particular—have asked for, and it can be cascaded to other committee members.

I started my opening contribution by thanking Karen McKeown for her bravery. I have not met her, but I would be happy to speak to her directly if Monica Lennon wishes to get in touch with my office about it.

I want to give the committee and, I hope, Karen an assurance that nobody in Government, certainly not me as the Cabinet Secretary for Health and Social Care, comes to the issue with defensive walls up and saying, "This is all the great stuff that we are doing." That said, a lot of good work is being done by the workforce. For example, child and adolescent mental health

services is seeing more people than it has ever seen before, but the demand is huge.

Nobody is coming up with defensive walls and saying that we have got it all right, that it is fine, and that people are only being failed here and there as a result of the odd exception. We are saying that there are some serious systemic issues, some of which were there before the pandemic and have been exacerbated by the pandemic, and joint work is being done across the Government to address some of those issues. It will take time but I do not want anybody to have the experience that Luke did, and we will do everything that we can through the implementation of our suicide prevention strategy to make sure that we reduce the number of suicides in Scotland in the years to come.

As I said, convener, I am happy to follow up in writing some of the issues that have been raised that we have not been able to give additional detail on today.

The Convener: Cabinet secretary, thank you to you and your colleagues for joining us this morning. I very much appreciate it.

Colleagues, are we content to consider the evidence at a subsequent meeting?

Members *indicated agreement.*

The Convener: That concludes our business for today. We next meet on 18 January.

Meeting closed at 12:19.

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

All documents are available on
the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers
is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@parliament.scot

