



OFFICIAL REPORT
AITHISG OIFIGEIL

Public Petitions Committee

Thursday 21 November 2019

Session 5



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PUBLIC PETITIONS COMMITTEE

20th Meeting 2019, Session 5

CONVENER

*Johann Lamont (Glasgow) (Lab)

DEPUTY CONVENER

*Gail Ross (Caithness, Sutherland and Ross) (SNP)

COMMITTEE MEMBERS

*Maurice Corry (West Scotland) (Con)

*David Torrance (Kirkcaldy) (SNP)

*Brian Whittle (South Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Roseanna Cunningham (Cabinet Secretary for Environment, Climate Change and Land Reform)

Hugh Dignon (Scottish Government)

Mark Ruskell (Mid Scotland and Fife) (Green)

Andrew Voas (Scottish Government)

CLERK TO THE COMMITTEE

Lynn Russell

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Public Petitions Committee

Thursday 21 November 2019

[The Convener opened the meeting at 09:17]

Continued Petitions

Cat Population (Management) (PE1674)

The Convener (Johann Lamont): Good morning. I welcome everyone to the 20th meeting in 2019 of the Public Petitions Committee.

Agenda item 1 is the consideration of continued petitions. The first petition for consideration today is PE1674, on managing the cat population, which was lodged by Ellie Stirling. The petition calls on the Scottish Government to review the code of practice under the Wildlife and Natural Environment (Scotland) Act 2011 and to identify measures that could be introduced to control the soaring domestic cat population and protect the existence of the Scottish wildcat.

At the last consideration of the petition, in May 2019, the committee agreed to invite the Cabinet Secretary for Environment, Climate Change and Land Reform to give evidence at a future meeting. I am pleased today to welcome the cabinet secretary, Roseanna Cunningham, along with Scottish Government officials Andrew Voas, veterinary head of animal welfare; and Hugh Dignon, head of wildlife and biodiversity unit. I invite the cabinet secretary to provide a brief opening statement before we move to questions.

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): Thank you, convener. I was not advised that you were looking for an opening statement, so this will be an extremely ad hoc set of comments.

The Government has animal health and welfare under consideration at all times and we make decisions on the basis of the balance of what is the right thing to do. Scottish Wildcat Action is a very important part of the work that we do, and a lot of the work that is centred around unneutered cats is in the areas of Scotland that have been traditionally associated with wildcats and where there still are wildcats, although in very small numbers. That is where most of our effort in respect of the unneutered feral cat population has to be focused.

The Convener: The petitioner has stated that, since the Scottish Government's submission in July 2018, important evidence has become

available concerning the high and accelerating numbers of unneutered cats. Is the cabinet secretary aware of that new evidence and, if so, to what extent has it affected the Scottish Government's position on the petition?

Roseanna Cunningham: Our position is still, broadly speaking, that there is not the empirical evidence that people might expect to see. There is a certain amount of theoretical projection, and I think that that is what is being suggested as evidence. We have considered the theoretical projections of an increase in the number of cats and looked at the assumption that they are unneutered. There are a lot of in-built uncertainties and assumptions in and around that. You could apply similar projections to almost any other species and come up with a theoretical set of numbers. The issue is whether there is empirical evidence that supports that. We recognise that, overall, there is an excess of cats in Scotland relative to the number of homes for cats. Our understanding and awareness is that, in many areas, the supply of kittens and the demand for kittens are pretty much in balance. The numbers question is more geographically limited than Scotland as a whole.

The Convener: Do you have a means of ensuring that the evidence is updated and that, where there is research, you are following it?

Roseanna Cunningham: It is difficult, and I will speak to both officials in regard to that. One of the difficulties is which group of unneutered cats you are measuring. The vast majority of domestic pets are neutered; most owners do that as a matter of course. There are some owners who, for odd reasons, choose not to, but unneutered cats in the middle of Edinburgh or Glasgow are not in the same category as unneutered cats in rural areas such as Angus and Aberdeenshire, where they may then become feral, although not all unneutered cats do become feral. It is the feral unneutered population that is the problem for wildcats.

It is a complicated picture. I do not think that we have an assessment of unneutered domestic moggies in places such as Edinburgh and Glasgow. Andrew Voas may correct me, but I think that that would be a very difficult thing to measure. The measurements are much more likely to be attempted in a feral cat population to see what its numbers are and to estimate the growth in that population. It is not as easy as a single figure.

The Convener: If it is the petitioner's contention that you are making decisions on the basis of evidence that is not updated, the question that arises is how you ensure that you keep yourself alive to the potential of those issues. It is a process question.

Roseanna Cunningham: I think that I have made the point that there is more assessment and focus on the unneutered feral population than there will be on the unneutered domestic population, particularly given that the vast majority of domestic cats live in urban areas, not rural areas. I do not know whether Hugh Dignon wants to talk about how we try to measure the number of unneutered feral cats. That is part and parcel of a lot of the work that is being done by Scottish Wildcat Action. That is an on-going set of work that is constantly being updated. It has to be, because it is focused specifically on the survival of the wildcat species.

Hugh Dignon (Scottish Government): The work that goes on in relation to the management of the feral cat population in wildcat areas now focuses very much on the priority areas, where there is hope that wildcat populations can be re-established. In those areas, the aim has been to reduce the feral cat population by over 75 per cent, and that has been very difficult to achieve. Where efforts will be focused now reflects the development of the wildcat programme, which is now looking at a captive breeding and release approach and a reinforcement approach, which is likely to be focused on a release site somewhere in the Cairngorms, which will mean a focus of effort on reducing the feral cat population in that area before the release goes ahead.

I think that it reflects the difficulty of the problem. Feral cats in rural areas are cats that are in effect living very much like wildcats. They are difficult to find and difficult to trap. They are in remote areas, the weather conditions are often difficult and so on. It is not like trapping urban cats; that is not easy either, but it is considerably easier than working in the remote areas where we would like to see the re-establishment of a wildcat population.

I am afraid that I do not know how many feral cats there are in those areas. Suffice it to say that there is a lot of hard work going on to reduce that population as far as possible and to make sure that that population is neutered before there is any attempt to release captive-bred cats into that area.

Brian Whittle (South Scotland) (Con): Good morning, cabinet secretary. In the submission that we received from her in March, the petitioner states that the proposed thresholds that are set out in the consultation on the licensing of dog, cat and rabbit breeding activities in Scotland would not help to prevent the

“present high level of pet cat over-population”.

What analysis has the Scottish Government carried out on the impact of its proposals on the domestic cat population?

Roseanna Cunningham: We need to clarify that that was not the purpose of that guidance. We were not setting out to do those kinds of studies. That was based not on numbers but on welfare issues that arose out of the intensive commercial breeding that is beginning to be a problem among a number of pet species. That was what was behind the proposals. They were not aimed at reducing populations of any species and not aimed at reducing populations of cats. That has not been a part of what we were doing.

We are continuing to develop legislation. As members will know, the Animals and Wildlife (Penalties and Powers) (Scotland) Bill, which is on animal welfare issues, is going through now. We are discussing a threshold for cat breeders, but our focus has been on welfare issues, not on numbers. If we were to try to add numbers into it, we would be changing the basis of what that guidance was all about. We consulted and it was in a consultation on welfare issues. Whether it helps in terms of assessing numbers, I do not know, but trying to assess the pet populations in the United Kingdom or in Scotland I suspect would be quite difficult.

Andrew Voas (Scottish Government): As the cabinet secretary said, the purpose of the consultation on licensing proposals was to address the concerns about practices associated with breeding mostly of puppies but also of cats and rabbits. People are concerned about the way in which those animals can be bred commercially in unsuitable conditions. We are probably all aware of the concerns about puppy farms, for example. That was what was driving the consultation and that will be taken forward in licensing legislation that was announced in the programme for government. That will be a package of licensing of animal activities, including licensing of animal sanctuaries and rehoming centres, licensing of dog, cat and rabbit breeders and licensing of pet sales. We are currently engaged in that work and we are discussing with Cats Protection and the other animal welfare organisations what exactly the licence conditions should be and whether it is appropriate to apply a threshold of a certain number of breeding animals before someone need to be licensed. That is what the question was about. The purpose is to address those concerns rather than to control the populations.

Roseanna Cunningham: What is proposed may indirectly impact on the numbers of cats, but that was not the basis on which it was designed. It would not be appropriate to use that aspect of things to try to talk about the cat population, because that was not what it was meant for.

Brian Whittle: In her most recent submission, the petitioner states that the rising number of

unneutered domestic and feral living cats in Scotland means that

“A large proportion of the domestic cat production each year will inevitably die from starvation, disease and injury”.

What is your response to that?

09:30

Roseanna Cunningham: I saw that. Obviously, the health and welfare of all animals is a major concern for everybody, but first, as I indicated in an earlier answer, the vast majority of domestic cats are neutered. They are neutered because their owners—perhaps in the case of cats we should be saying “co-habitees” rather than “owners”—have ensured that that is the case and believe that it is the right thing to do. A relatively small number of domestic cats are left unneutered, and that may be for a variety of reasons.

Do unneutered cats in and of themselves necessarily end up living in terrible circumstances? No, because a proportion of the unneutered cats are still being looked after and cared for by those with whom they share their lives. It is only the smaller proportion who go feral that could end up causing a problem in terms of both their own health and welfare and the impact on wildcats.

Those cats that go feral are in effect living, as Hugh Dignon said, the same lives that the cat species lives in the natural environment. They are subject to a lot of the same problems and pressures that any wild animal is subject to. Therefore, I could hardly pretend that there is not a proportion of feral cats that will suffer and die for various reasons, as happens in a wild population of any species. If the answer is to neuter every single domestic cat in Scotland, even if it has gone feral, for those reasons, but we do not apply that standard to those that are already wild, it is an interesting juxtaposition of how we see the health and welfare of animals.

Gail Ross (Caithness, Sutherland and Ross) (SNP): Good morning, panel. In the consultation that you spoke about just now and which you mentioned in the submission from July, were there any plans for a requirement to microchip cats in the same way as we do dogs? Could you see any issues arising if we were to introduce that?

Roseanna Cunningham: We are not currently considering compulsory microchipping for cats. Traditionally, we understand—and any of us who has any relationship with cats knows—that their behaviour is not like that of dogs. They do not interact in the way that dogs do. Microchipping therefore has a less effective impact on the cat population than it would on the dog population.

At the moment, we are not convinced of the necessity of compulsory microchipping for all cats although, as with neutering, a lot of people who have cats are choosing to do that in any case. Microchipping may become much more the norm, but it will be the norm by choice rather than on a compulsory basis. In any case, compulsory microchipping would impact only on those cats that are living in a domestic setting, not those that are part of a feral population. It still would not reach every single cat. This is the slight difficulty of the terminology here for domestic cats that have gone feral; they and their families will not be microchipped.

Gail Ross: Cats Protection—I declare an interest as a member—often runs free neutering programmes in association with local veterinary practices. What help can the Scottish Government give to Cats Protection to promote that service among the general public?

Roseanna Cunningham: Cats Protection does a tremendous amount of very good work. I think that we would always want to encourage the neutering of pet animals for a whole load of very good reasons. I have both the wild and domestic sides here—Andrew Voas and Hugh Dignon. Our focus on the issues that have to do with domestic cats is mostly on the feral cats. Of course we are already doing that work through a different programme. We need to focus our efforts on that, for very good reasons.

As part of that work, there was a very good campaign run, which I saw a lot of on social media. That was the #supercat campaign concerning the domestic moggy that was happily going to be neutered so that it could save its wild cousin. I know that that sounds trite, but it was bringing home to people that neutering their cat is not just about not having successive litters of kittens that they will then have to ensure get good homes, but about reducing the potential impact. In that kind of campaigning, we would prefer to focus on those areas that are within the current boundaries of where we consider the wildcats are. That is the most serious bit of the issue that needs to be dealt with when it comes to the domestic moggies that are feral and have resulted in feral generations in the Scottish countryside.

Gail Ross: To take your point about the Scottish wildcat, do you agree with the petitioner’s assertion that high numbers of unneutered feral cats are a significant threat to its existence?

Roseanna Cunningham: Yes, of course we do, because that is what the evidence and the science tell us, which is why we focus so much effort on the unneutered feral cat populations in the areas where we are trying to at least stabilise the existing wildcat population. That is why we want our focus and our resources to be focused there.

There is a range of activities around that, including assessing the number of unneutered ferals in particular, although we have to assess the whole population in the priority areas. We undertake the trap, neuter, vaccinate and release programme to try to achieve a 75 per cent reduction in our feral population but, as Hugh Dignon said, it is not terribly easy. When cats go feral, they revert to what is in effect a wildcat lifestyle. They are nocturnal and elusive. It is not easy. It cannot be done quickly and it takes quite a lot of time and resource.

Gail Ross: Do you get support from local landowners in the areas where you are trying to do the trap, neuter, vaccinate and release programme?

Roseanna Cunningham: In my experience, in the main, yes. I visited some very good estates where they are quite keen to be assisting in that. Hugh Dignon might want to say something else, but it is my experience that, for most of the estates in these areas, this is one of the areas in which they are keen to be seen to do good things, and they do.

Hugh Dignon: I completely endorse that. The project has had good support from Scottish Land & Estates and from the Scottish Gamekeepers Association, which have played a role in it. The TNVR programme often has to work with the consent of people such as local farmers, as there are often populations of cats in and around farm buildings. As is always the way, there are some people who are not as co-operative as we might hope, but by and large the picture has been one of good co-operation from people who are generally concerned about conserving the Scottish wildcat.

Roseanna Cunningham: Just to pick up on the question that was asked earlier about the affordability of some of these things, the #supercat campaign is promoting chipping and vaccination and all those things with domestic cats, but it works with local veterinary services and provides vouchers for people who cannot pay. We are cognisant of that being an issue but, again, we are focusing that in the priority areas for wildcats because that is where the crunch point comes.

David Torrance (Kirkcaldy) (SNP): Good morning, everyone. By 2019, the Scottish wildcat conservation action plan aimed to have secured at least five stable populations of Scottish wildcats in the wild; a better understanding of wildcat distribution, numbers and genetics and the extent of hybridisation; and a greater local awareness of the threats that are posed by domestic cats, feral cats and hybrids to wildcats and of the features that distinguish them. Have those aims been achieved?

Roseanna Cunningham: I think that I can probably say yes for two out of the three. There has been a lot of work done in this area over the past couple of years. We certainly have a far better understanding of the numbers of wildcats, the genetics in particular—there have been a lot of advances in genetics over the years—and the extent of hybridisation. That has developed at pace over the past couple of years in a way that was not really available to us before. If people follow some of the appropriate accounts on social media, they will see that there is a lot of work being done now to communicate to the public about how to identify whether they are seeing a wildcat or a hybrid. It is becoming a lot more understandable for people.

There is a lot more local awareness of the problems that are posed by domestic cats, feral cats and hybridised cats to wildcats. That awareness is partly being helped by the campaigning and the programmes to bring the issue to people's attention.

What has been much more problematic is the securing of at least five stable populations of Scottish wildcats in the wild. I think that there is only one area where that outcome might have been approached. What the other two things have uncovered is how much more at risk wildcats have been than had hitherto been understood, which is why you will have heard over the past week or so about some additional projects that are being brought into play that have not been used in the past. That is in effect an internal reintroduction from the true wildcats that have been bred in captivity and will be released into the wild. That way, we will know that that is a population of genetically pure wildcats. That work will start quite soon.

Maurice Corry (West Scotland) (Con): Good morning. The Scottish Government's submission recently highlighted concerns that to compulsorily microchip and neuter owned domestic cats, as called for by the petitioner, was unnecessary in areas where there are no Scottish wildcats. The petitioner has challenged those concerns, stating that pet cat offspring are sold and transported the length of the country. She states also that wildcat territories, present or potential, are not far from human settlements, which is where unneutered pet cats are. How would you respond to what the petitioner is saying?

Roseanna Cunningham: Some of what I have already been saying indicates the way we are approaching it. I do not deny that there are some urban areas in those five priority areas, but that is why we are focusing very much on the priority areas and the people who have domestic pets in those areas. That is why the campaigning and the effort are focused on those areas rather than

areas where the likelihood of cats interfacing with wildcats is vanishingly small. It is a resource focus issue. If we were to talk about this just as a blanket measure all over Scotland, we would be capturing populations of domestic cats that will never in 100 years intrude on a wildcat's territory or have a wildcat on their territory. That is not the case for the five priority areas. The five priority areas have to be where we extend most of our focus and effort. Applying to a domestic moggy in the middle of Glasgow the same rule that we need to think about for the five priority areas would seem to be a dispersal of resource that is not justified in the current circumstances.

The Convener: Thank you very much. I think that we have reached the end of our questions and we may want to reflect on what further action we want to take. I appreciate the time that the cabinet secretary and her officials have given to us. It is probably not an area that a lot of people know an awful lot about, but there are clearly some concerns and I think that your responses have been very useful.

We will reflect on the evidence and then come back with a conclusion, but it feels as though the cabinet secretary has addressed a lot of the issues.

Members indicated agreement.

The Convener: We will reflect on the evidence and return to it at a future meeting. I thank the cabinet secretary and her officials again for their attendance.

09:46

Meeting suspended.

09:48

On resuming—

Shared Space Schemes (Moratorium) (PE1595)

The Convener: The next petition for consideration is petition PE1595, by Alexander Taylor, on a moratorium on shared space schemes.

At our previous consideration of the petition in March, we agreed to write to the Scottish Government to ask how the petitioner can be part of its work on shared spaces. We also asked for the Scottish Government's position on whether a decision on shared space is an issue for local authorities and for its views on the UK Government's decision to withdraw guidance in relation to shared space. A response and a written submission from the petitioner have been received, both of which are included in our papers.

Do members have any comments or suggestions for action?

Gail Ross: I was interested to see that the Scottish Government working group that the Department for Transport is also on has commissioned research, which will be available early next month. I would hope that that would address the issues raised in the petition. The papers seem to hint that it will address the issues.

The Convener: This petition has been in the system for quite a while and there has been an acknowledgement that there is a genuine issue and that the problems need to be addressed. I have confidence, given that the Scottish Government has made a commitment to look at this. We might want to draw to the attention of the Minister for Older People and Equalities the outstanding equalities concerns raised by the petitioner in the most recent written submission and to ensure that they continue to be informed. In large part, you could say that the petitioner has been successful in focusing on those concerns.

Gail Ross: I would say so.

The Convener: With the suggestion that we write to the Minister for Older People and Equalities, do we agree to close the petition?

Gail Ross: I would be comfortable with that, yes.

The Convener: We can agree to write to the Minister for Older People and Equalities. We would obviously encourage the petitioner to continue dialogue where there are concerns. We know of course that his local MSP was very supportive. If he had further concerns, that is another means by which these matters could be raised.

I think we agree to close the petition under rule 15.7 of standing orders on the basis that the Scottish Government is undertaking work to develop new guidance on shared space schemes and that the petitioner is engaged in that. Is that agreed?

Members indicated agreement.

The Convener: In that case, we thank the petitioner very much for his involvement with the Public Petitions Committee. Of course, he is able to return with a petition after a year if he feels that these matters have not been resolved.

Mental Health and Incapacity Legislation (PE1667)

The Convener: The next continued petition is petition PE1667, by W Hunter Watson, on the review of mental health and incapacity legislation. The petition calls on the Scottish Government to conduct a wide review of Scottish mental health

and incapacity legislation and when doing so to take due account of recent developments in international human rights law.

At our previous consideration of the petition in March 2019, the Minister for Mental Health gave evidence on the Scottish Government's work to review mental health legislation. The minister outlined the work of a new review of mental health legislation to build on and complement the workstreams that were already under way. Those workstreams concerned adult support and protection legislation; a review to consider whether the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 fulfil the needs of people with learning disability and autism; and the Adults with Incapacity (Scotland) Act 2000.

Do members have any comments or suggestions for action?

Gail Ross: Forgive me if I am getting this wrong, but I would say that the review has been granted and is under way and we are expecting an interim report next May. In my opinion, the Government is doing what it has been asked to do, so I am satisfied that we can close the petition.

Brian Whittle: Mental health is a topic that has exercised the Parliament, not just this committee, during this parliamentary session, and rightly so. We are doing our own investigation in the mental health space, and the Government itself is doing work. In bringing this petition, the petitioner has, quite rightly, added to that workload. As Gail Ross said, the Government has taken this on board and is doing work in this area. In that respect, I think the petitioner has been successful and I am inclined to agree with Gail Ross that we have probably taken the petition as far as we are going to take it.

Maurice Corry: One of my concerns is about the reflection of the United Nations legislation and advice that is coming through at the moment. I flag up the fact that any Scottish Government investigation into this should reflect quite deeply on that in relation to its current process. Constituents have approached me on several occasions about this very issue and their real worry is about not carrying forward and carrying into legislation aspects of the UN charter on mental health. As long as that is taken on board, I am happy with it—that is my only slight query.

The Convener: We can write to the Scottish Government, recognising that it is having this review, to say that those concerns have been highlighted. There are clearly people—including the petitioner, I am sure—who will be watching the progress of this work. If we feel there is a gap, there will be an opportunity to address it. That will be the role of the scrutinising committee and of the Parliament as a whole. Of course, if the petitioner

felt that aspects were not being progressed, there would be an opportunity to return to the committee.

My sense from the committee is that we are agreeing to close the petition under rule 15.7 of standing orders on the basis that the Scottish Government is undertaking work that addresses the action called for in the petition. We are agreeing to write to the Scottish Government to highlight the points that Maurice Corry made and we recognise that there will be work done by the Parliament to test the commitment to deliver on the review against what people's expectations of it were.

Maurice Corry: It is also about the delivery of some of the treatments—and the disparity between specialists in that regard. That is what has been coming through and constituents are keen to have it addressed. That links back to the point about the UN charter.

The Convener: Are we agreeing to close the petition on that basis?

Members indicated agreement.

The Convener: Again, we thank the petitioner and recognise the progress that has been made in part by the petition itself. Of course, the petitioner may have an opportunity at a later stage to reflect on the way in which the review has been delivered. We thank them for their engagement with the Public Petitions Committee.

Adoption (PE1701)

The Convener: The next continued petition for consideration is petition PE1701, by Nathan Sparling, on changing the law to allow adoption for people over the age of 18.

At our previous consideration of the petition in December last year, we agreed to write to the Scottish Government and the Scottish Law Commission to seek their views in relation to a suggestion made by the Law Society of Scotland that further research is needed in the area of adult adoption, including obtaining international comparisons. We also noted the Scottish Government's position that current adoption legislation in Scotland strikes

“an appropriate balance between the interests involved”.

In noting that view, we questioned whether there was an implication by the Scottish Government that there is a conflict of interest and whether a balance between the two interests is sought. The committee agreed to explore the issue further with the Scottish Government. Written submissions have been received from the Scottish Government and the Scottish Law Commission and are included in our meeting papers. Do members have any comments or suggestions for action?

Brian Whittle: When the petition was first lodged, I thought that the petitioner made some very strong and good points. On the face of it, I was going in that general direction.

Given the submissions that have now come in from the Law Society and from the Government, the complexities of what is being asked for have definitely muddied the waters a bit. I was struck by the Government's response to the petitioner that adults can already change names, amend official records and make arrangements for succession, all of which respect the individual's right to a private and family life.

I am finding it quite difficult to work out where we can go with this petition. There is obviously a very personal issue for people in this particular situation, but the complexities that have arisen and the resource required have made it a lot less clear where we can possibly go with this. That is probably not helpful in the slightest, but I am at a loss as to where we go with this, to be honest.

Gail Ross: When I first read the petition, I thought that it made an entirely sensible suggestion and was probably completely straightforward. Then I got into the evidence and read, as Brian Whittle did, the different submissions and I realised that it is a lot more complex than I first thought. I have absolute and complete sympathy with where the petitioner is coming from and where he wants to go. The bit of evidence that struck me was the minister saying that the possible implications for vulnerable adults have not been worked through and we do not know what the possible effects might be. I know that this is a couple of years into the future, but we do have the possibility of the Scottish Law Commission including this in a future reform, and I see that the petitioner has stated his willingness to work with it in that respect. I agree with Brian Whittle that, unfortunately, given our limitations as a committee, I believe that we have probably taken this petition as far as we can.

10:00

The Convener: The committee afforded the opportunity for the case to be made, and the petitioner took that opportunity and made a very compelling argument. The question is how we take that compelling argument and deliver it. Perhaps there are consequences that we had not foreseen—we have had useful responses in that regard. There is no doubt that people are alive to the issue. It is not that it is not being thought about; it is a question of whether it can be done. Gail Ross's point that the Scottish Law Commission may in future consult on this and the petitioner has said that he is happy to engage with that is useful.

Do I get the sense that we are agreeing to close the petition under rule 15.7 of standing orders on the basis that the Scottish Government does not support the action called for in the petition? We recognise the complexities, but there has been progress in the sense that the Scottish Law Commission will at some point look at this issue.

Maurice Corry: I think that we must encourage the petitioner to engage and give a reason. I hate closing these things just for the sake of it. I think we must give some encouragement to engagement and that must be stated. It is a very complex issue.

The Convener: Yes. My sense is that the petitioner is very engaged. Perhaps I speak only for myself, but I think that the committee undertook very close consideration of what was said because it was presented in a way that we found compelling—it was obviously very personal to the petitioner. We appreciated that.

We are agreeing to close the petition. We are recognising that there is work and we would encourage the petitioner to continue to be engaged with that. We thank him for his engagement with the Public Petitions Committee. Of course there is an opportunity in a year's time to bring this or a similar petition back if the petitioner feels that sufficient progress has not been made. Is that agreed?

Members indicated agreement.

Rented and Supported Accommodation (Legislation on Pets) (PE1706)

The Convener: The next petition for consideration is PE1706, by Geraldine Mackenzie, on introducing a law to allow pets in rented and supported accommodation. During our previous consideration of the petition in May this year, we noted the very brief nature of the Scottish Government's written submission. We therefore agreed to write to the Scottish Government to request further information on homeless people who have pets and whether pet ownership comes within the scope of article 8 of the European convention on human rights. A written submission from the Scottish Government and a further submission from the petitioner have been received. They are included in our meeting papers.

Do members have any comments or suggestions for action?

Brian Whittle: I was struck by the Government's response on the difficulty of imposing law on individual landlords. I think that we all agree that landlords should be encouraged to accept pets, especially as so many homeless people have pets. That said, it is extremely difficult

to create legislation that imposes on landlords that they must allow pets into their properties, however supportive of the petition we are. Given that the Government has suggested that a non-legislative approach to the issue is its preferred option, I am of a mind that this is as far as we can take the issue. The petitioner raised the issue in the petition, and we raised it with the Scottish Government, and this is about as far as the committee can take it.

The Convener: I do not think that we have been given notification of the homeless report.

Gail Ross: It is now completed.

The Convener: It is, but we have been told that it has not yet been published.

In our previous consideration of the petition, we focused quite a lot on the fact that homeless people would choose not to go into accommodation if it meant separating from their pet. That cannot be helpful in anybody's view. We would be keen to highlight to the Scottish Government that that issue needs to be addressed, so we are interested in what that report will say. My sense is that people will say, "Yes, this is an issue, and we can see the benefit of pets for people who are isolated and lonely, but the legislative route is maybe not the right one."

Perhaps in closing the petition, we should be alive to the fact that the petitioner could come back to us, particularly if we see what the report says and all that happens is that the current policy basically just continues and does not really address the question. The petitioner will be vigilant on the matter, but I imagine that a parliamentary committee will also be relevant in respect of the report on homelessness and the entirely understandable concern that some people are not even able to access the support that they really need because of their bond with their pet.

Maurice Corry: We have issues from the veterans' point of view because, unfortunately, some of our veterans who are, sadly, homeless on the streets have dogs. They have post-traumatic stress disorder, which can be alleviated by having an animal, such as a dog. That causes another issue. Although we encourage them to be in accommodation, that issue does not help that. It might be possible to work with the local authorities to see how they can address the matter under byelaw regulations.

The Convener: The question is the extent to which such people live in private rented accommodation. The petitioner has made that point, as well. We could simply say that we cannot regulate for private landlords, but we would in other areas.

Can we do anything more about the petition at this stage? There is no doubt that it raises important concerns and that a report has not yet been published.

In closing the petition, we recognise that the petitioner has raised important questions and we note that work is on-going. The question will be asked when the report is published, and I am absolutely confident that the issue will be addressed through parliamentary scrutiny.

Maurice Corry: There are medical practices that recommend having a dog for company or whatever. There is a contradiction. That needs to be pointed out as we close the petition.

The Convener: I think that we agree to close the petition on the basis that the Scottish Government and other stakeholders are of the view that non-legislative measures are more proportionate to address the action that the petition calls for. We hope that the report that addresses homelessness will focus on that.

As Maurice Corry has highlighted, pets can make a huge difference to people's lives in specific personal circumstances and their capacity to recover from trauma. We encourage the petitioner to come back to the committee if they feel that there has not been sufficient progress in a year's time.

We thank the petitioner very much for highlighting the issue. It is important that the issue is in the public domain and that landlords are alive to such issues.

Gail Ross: Absolutely.

The Convener: Is that agreed?

Members *indicated agreement.*

Mental Health Services (Review) (PE1716)

The Convener: The next continued petition is PE1716, by Karen McKeown and Gillian Murray, on a full review of mental health service provision across the national health service in Scotland. The petition calls on the Scottish Government to carry out a full review of mental health services across the NHS in Scotland to ensure that policy and practice are delivered consistently across the country.

During the previous consideration of the petition in April 2019, the committee agreed to write to the Scottish Government and other key stakeholders on the action that the petition calls for, particularly in relation to NHS signposting to local third sector organisations; risk assessment tools that are used by clinicians to assess patients; the provision of out-of-hours crisis support; and the call for an automatic fatal accident inquiry for every person who dies by suicide and who has been in contact

with mental health services in the three months prior to their death. The clerk's note summarises the responses that have been received and highlights the actions that the Scottish Government has taken and is committed to taking regarding mental health provision in Scotland. Do members have any comments or suggestions for action?

Brian Whittle: Like the previous petitions, the petitioners have raised a hugely important issue that is recognised across the parties in the Parliament. A great deal of work is being done on mental health, and it is probably talked about in the chamber almost every week.

I recognise the work that the Government is undertaking in reviewing mental health services, and significant work is covering or addressing much of the action that the petition calls for. The petitioners have significantly added to our understanding of the issue and our investigation into it, and we are hugely appreciative of that, but we are again probably at the stage at which the committee has taken an issue as far as it can.

The Convener: The petitioners have been engaged in the debate more broadly than the committee has been. I was quite struck by a theme in the petitioners' response. It is one thing to have a review, but the problem is the gap between what is supposed to be happening and what is actually happening. That experience has clearly had a huge impact on the petitioners. How can we ensure that the sense of frustration relating to the gap between their lived experience and what was supposed to happen comes off the page when we read the review and that it can be brought to the Government's attention?

If we agree to close the petition, that will not be saying that we think that the matter is resolved—far from it. The review at least affords an opportunity to have a discussion. Should we write to the Scottish Government and highlight the petitioners' submission in particular?

Gail Ross: Yes.

Brian Whittle: Yes.

The Convener: I certainly would not want the petitioners to think that we believe that the issue has been sorted and we can just move on. It is one thing to say, "These are the things that are available." It is another thing to say, "We're telling you that that is not the way it is happening on the ground. This is what happened to us." The role of the third sector is an issue. It is important to highlight to the Scottish Government the points that the petition makes in that regard.

Brian Whittle: You are absolutely right, convener. Those issues and the frustration that comes off the page are reflected in what is raised

consistently across the chamber. Last week, I raised the issue of mental health services in the third sector. Those issues are now very alive in the Parliament, and members across the chamber consistently raise the frustration and lived experience that the convener has spoken about.

Again, the issue is definitely not resolved, but it will not go away with closing the petition. There is now a drive towards finding a solution.

Gail Ross: If we look at the evidence that we received for PE1667, on a review of mental health legislation, which we just considered, we see that the Minister for Mental Health said that the review will be stakeholder driven and evidence led. We want to gather views from as wide a range of people as possible. Given the amount of work that the petitioners have already put into this, I do not know whether we can recommend that they feed into that consultation as well, just to make sure that their views are heard. Obviously, the Minister for Mental Health has all the information here already.

Maurice Corry: There is a direct link with Mr Hunter Watson's petition, which we talked about earlier, and the points that I made about that petition apply to this one. I think that there is something that needs to be well looked at. Both petitions have very valid points about continuing any investigation and review that needs to be done, because consistent delivery across the country is terribly important. That is the issue about which constituents come to me. It really is the curate's egg situation—good in parts and not good in parts. We should certainly put the message out that people who have a deep interest in the issue should engage with the reviews.

10:15

Gail Ross: You are right about signposting and referring to other organisations, as well. That is important.

The Convener: My sense is that we are agreeing that we want to close the petition, not because we think that the matter is resolved but because there is a vehicle through which the conversation will continue.

The test will be whether the significant work that the Scottish Government has identified addresses the action that is called for in the petition. We will write to the Scottish Government to highlight the comments that were made in the most recent submission.

Whether or not the Public Petitions Committee is discussing the matter, it is clear that this is an issue across Parliament and its committees. I regard these matters seriously and there is something very powerful about the testimony that

we have heard, which should concentrate people's minds. The campaign in which the families have been involved has had a huge impact on all committee members.

In closing the petition, we thank the petitioners very much. It cannot be easy to bring such a petition to the committee when they are dealing with the consequences of their experience. Work is going on, and we have to ensure that there is a focus on addressing the issues that are raised in the petition—that is what we will say to the Scottish Government. We thank the petitioners very much for their work and we remind them that in a year's time, if necessary, they can of course return to the Public Petitions Committee on the matter.

Do members agree with what I have suggested?

Members *indicated agreement.*

Body Cameras (National Health Service Staff) (PE1718)

The Convener: The next continued petition is PE1718, which was lodged by Alex Wallace and calls on the Scottish Government to introduce body cameras for all NHS front-line and theatre staff.

At our most recent consideration of the petition, in May 2019, the committee agreed to write to the Scottish Government and key stakeholder groups. Submissions have now been received from the Scottish Government and the Royal College of Nursing Scotland. The committee has also received a response from the petitioner. The submissions are summarised in the clerk's note, which explains that there are a number of concerns relating to the use of body cameras in such settings, including serious ethical issues, issues related to data protection, concerns around confidentiality and capacity, and concerns about the financial implications. Do members have comments or suggestions for action?

Gail Ross: This is another petition for which I have huge sympathy, but the fact that the Royal College of Nursing and the Scottish Government have both come back and said that there are issues to do with privacy and consent set alarm bells ringing.

In the petitioner's response, it is suggested that patients could be asked for consent. However—to put it bluntly—a patient who is going to cause problems for NHS front-line staff in hospital is not going to give their consent to staff wearing body cameras. The Royal College of Nursing Scotland has consulted its members, who are on the front line, and says that there are serious ethical issues with the approach, so I do not think that we can take the petition any further at this point.

The Convener: Are there any other views?

Maurice Corry: I agree with Gail Ross.

Brian Whittle: I should declare that my daughter is a front-line NHS medic.

Something that struck me, which is not really covered in our papers, is that our front-line staff are continually questioned about decisions that they have made and treatments that they have given in stressful situations, and they have to try to remember times, places and treatments. Body cameras might help with that.

I have to say that I was thinking along the lines of the proposed approach being quite helpful, but then we come up against ethics and the insurmountable cost of delivering body cameras. I have therefore come to the same conclusion as Gail Ross: the proposed approach is extremely problematic and another solution needs to be found.

Maurice Corry: There can be problems in hospital reception areas and accident and emergency departments. I do not know whether there is closed-circuit television camera coverage in such places—I think that there might be. That is obviously appropriate. There are also notices about abusive behaviour.

However, one might start to cross the line by getting into personal issues and things like that, which, as Gail Ross said, is fundamentally wrong. If there is a problem, other staff can be brought in to assess the situation. I think that enough protection is in place.

The Convener: It is depressing that the petitioner feels the need to bring this petition, because—as far as I can see—it comes from concerns about the way in which staff are treated. It aims to provide protection to staff. What does the fact that our staff need protection say about what is happening in our A and E departments and elsewhere?

The motivation behind the petition is very positive. The petitioner notes that there was a trial project in Northamptonshire, in which he says:

“body cameras ... had a positive experience and positive outcome for patients”.

There might also be an issue in relation to the stories we have heard about maltreatment of patients in certain circumstances and families' confidence that patients are being treated properly. How is that brought out into the public domain?

The petitioner highlights a matter that is profoundly depressing. Vulnerable patients in particular circumstances could be abused and denied their rights and, equally, staff are under threat. I think that we recognise the challenge.

However, at this stage, the solution that is being offered is not one that the professions and those around about them feel is appropriate. I think that we are agreeing that we want to close the petition, under rule 15.7 of standing orders, on the basis that the Scottish Government has said that the costs of the proposal would be

“prohibitive for Health Boards and would not provide value for money”,

and on the basis that there are concerns on the part of the professionals involved.

However, we recognise that the underlying issues that prompted the petition are serious. I am confident that those issues are being addressed in the system, because the matter is clearly something that people want to consider, in the context of patients’ rights and the protection of staff.

Do we agree to close the petition?

Members indicated agreement.

The Convener: Again, we thank the petitioner for the petition and for engaging with the Public Petitions Committee in the way that they did. Of course, in a year’s time they will be able to bring a petition that is similar or drafted in equivalent terms, if they so choose.

Fire Safety (Stay-put Policy) (PE1719)

The Convener: The final continued petition for consideration today is PE1719, on the review of fire safety stay-put policy. The petition was lodged by Rachel Gibson, on behalf of tenants at Cartcraigs Road.

At our most recent consideration of the petition, in May this year, the committee agreed to ask the Scottish Government and various organisations for advice about the consistency and provision of the fire safety advice concerning multistorey residential buildings that is available across all regions of Scotland.

Our papers confirm that the Scottish Federation of Housing Associations, the National Fire Chiefs Council and the Scottish Fire and Rescue Service all stated that the stay-put policy is the preferred national approach, which is adhered to by all United Kingdom fire and rescue services and drives consistency of evacuation strategy practices in the UK. The Scottish Government noted the national approach in its written submission.

In her written submission, the petitioner raises concerns that the measures that the NFCC advocates and includes in its written submission to the committee are not in force in her multistorey flats. She says that there are no smoke control provisions in escape routes and that there is no

increased communication with residents or evacuation strategy. She has also received advice from Glasgow Housing Association that refurbishment to her building did not qualify the building for evacuation sound alerts.

Do members have comments or suggestions for action? This is a very sensitive issue. It clearly relates to Grenfell, where I understand that the issue was not the stay-put policy but the flammable material in the cladding, which created huge risk.

The petitioner clearly has concerns about her building. She is—or can be—a constituent of mine, and she has the option of going to a local MSP to ensure that questions about her specific area are raised with the Glasgow Housing Association, given that that is beyond the remit of the Public Petitions Committee, which can deal only with national policy and not individual circumstances.

That is an option, and I do not think that I am stepping too far outside my remit when I say that as one of many Glasgow MSPs I recognise that we have a responsibility to raise such concerns directly, as an individual constituent’s case. That is my feeling: there are responses to the general policy that the petitioner highlights, but it is not necessarily for this committee to continue the petition for specific concerns to be pursued.

Brian Whittle: As you said, this is an extremely sensitive issue. My feeling is that since the Grenfell tragedy, progress has not been fast enough. I do not know whether other members have the same feeling in relation to their constituencies.

The petition is specifically about the stay-put policy. I note that it is the Government’s intention to include people who live in such dwellings in the development of future policy. It seems that, in relation to the petition, progress has been made and the petitioner is able to input into the development of policy. However, the background to that is that I am uncomfortable with the speed at which progress has been made in high-rise buildings in general.

Gail Ross: We want people to feel safe in their own homes. Given what happened, we can see why there are concerns. Given that the Local Government and Communities Committee published a report on fire safety in buildings and intends to return to the topic, would it be beyond the scope of this committee to refer the petition to that committee, so that it can include consideration of it in future work?

Maurice Corry: I agree with that suggestion.

The Convener: Such an approach would indicate that we understand the seriousness of the issue and people’s concerns about being outwith

consideration, which the Local Government and Communities Committee might want to look at. I think that, rather than simply close the petition, it would make sense to refer it to that committee.

I repeat that an individual whose circumstances are such that they are concerned about the matter has recourse to their MSPs, to ensure that a direct conversation between tenants and the landlord can be facilitated.

Maurice Corry: May I just say something, convener? The stay-put policy is key to this. I am afraid that, whatever else we talk about—whether it is the material, the building or Grenfell Tower—it is the stay-put policy that is in people’s minds. You are absolutely right that the petition needs to be referred on, because whatever we say, that is the issue that came out of the Grenfell report.

The Convener: We are agreeing to refer the petition to the Local Government and Communities Committee, under rule 15.6.2 of standing orders, and to repeat that the Public Petitions Committee is not the only vehicle whereby individuals’ concerns may be raised with their landlords; other options are on offer to people.

We thank the petitioner for bringing the matter to the committee’s attention. As Gail Ross said, we are very alive to the importance of people feeling safe in their own homes, given the tragedy in Grenfell and, indeed, another recent fire that gave rise to concerns. We remind the petitioner that they have the opportunity to bring back a petition in similar terms after a year from today.

Members indicated agreement.

The Convener: I suspend the meeting briefly before we move to consideration of new petitions.

10:29

Meeting suspended.

10:37

On resuming—

New Petitions

Housing Legislation (Review) (PE1756)

The Convener: Agenda item 2 is consideration of new petitions. The first new petition for consideration today is PE1756, on the review of housing legislation to protect people experiencing domestic or elder abuse. The petition, which was lodged by James Mackie, calls on the Scottish Parliament to urge the Scottish Government to review current housing legislation in circumstances where a non-tenant has been responsible for domestic or elder abuse. A person living with a tenant may have statutory occupancy rights, even though they are not a tenant. For spouses and civil partners, the occupancy rights of the non-entitled spouse or civil partner are automatic. For a non-entitled cohabitant, an application must be made to the court to have occupancy rights declared.

If a person living in a property does not have those statutory occupancy rights or another legal right to occupy, the Shelter Scotland website says that tenants can use self-help measures to make that person leave the property, for example by changing the locks and not letting the person back in. They can also apply to the court for an ejection order.

The Homelessness etc (Scotland) Act 2003 provides that applicants presenting as homeless who have fled any kind of abuse can be provided with alternative housing and support by the local authority. A homeless person or household fleeing abuse is able to present to any local authority in the United Kingdom.

Last year, the Scottish Government carried out a consultation on a new form of protective court order that can be applied for by someone other than the victim, such as the police.

In response to a written question, the Scottish Government noted that its ending homelessness together action plan, which was published in November 2018, aims to

“transform how those at risk of homelessness receive help”, including

“a commitment to developing a pathway to prevent homelessness for survivors of domestic abuse.”—[*Written Answers*, 6 September 2019; S5W-24712.]

The petitioner recently submitted a written submission in response to the Scottish Parliament information centre briefing that we have before us today. The petitioner states:

“Yes, there is legislation in place. However the legislation takes time to evict abusers and often money. In the meantime the abuser continues to live within the property and continues their abuse.”

Do members have any comments or suggestions for action?

Gail Ross: I think that we need to write to the Scottish Government. It is not clear to me from the action plan exactly what changes are being made. I agree with the petitioner about the time that it takes for these things to happen. It is all very well for us to be telling people to change the locks or get an injunction, but the petitioner is absolutely right that, in the meantime, the abuse is still going on. In the first instance, we need to write to the Scottish Government and possibly other key stakeholders.

The Convener: There is clearly a longstanding issue—women’s groups and others have campaigned about it. A tenant can end up in a position where their landlord may have to deal with problems of antisocial behaviour at the premises that have been caused by an abuser who does not stay at the premises but who comes and causes grief. There is a question about how the system works when somebody is in those circumstances.

I propose that we write to the Scottish Government and also perhaps identify appropriate stakeholders in housing and policing, who may have a view. I have no doubt that housing providers, the Scottish Government and the police are aware of the issues; the question is how they address the concerns that the petitioner raises.

Brian Whittle: If I put myself in the position of the abused person, the length of time that it takes to have an abuser removed would prohibit me from seeking to pursue that course of action. You can imagine that, if you are being abused and you bring that process into the mix, it would have the potential to raise the level of abuse.

The petition raises an important issue. I agree that we need to write to the Scottish Government and other stakeholders, such as the Association of Local Authority Chief Housing Officers.

The Convener: I suggest that we delegate to the clerks the task of making a list of the most appropriate folk who are engaged in the area and who can help us with our consideration of the petition.

Brian Whittle: I am happy with that.

The Convener: In that case, we agree to write to the Scottish Government to seek its views, and to identify and write to key stakeholders to seek their views. I am sure that the clerks will have a good sense of the most appropriate people to contact. We thank the petitioner for submitting the petition.

Members indicated agreement.

Scottish Local Government Pension Scheme (Actuarial Reductions) (PE1757)

The Convener: The second new petition for consideration today is PE1757, on reducing actuarial reductions to the Scottish local government pension scheme. The petition, which was lodged by Liz Macguire, calls on the Scottish Parliament to urge the Scottish Government to significantly reduce the levels of reduction to the Scottish local government pension scheme in order to ensure that today’s low-paid workers do not become even poorer pensioners.

The Public Service Pensions Act 2013 reformed the six largest public service pension schemes in the UK—the local government pension scheme and the schemes for the armed forces, the civil service, the NHS, teachers, police and firefighters. Key features of the new scheme include: pension benefits based on career average revalued earnings; a pension age linked to the state pension age for teachers and those employed in local government, the NHS and the civil service; and a pension age of 60 for members of the schemes for the police, firefighters and armed forces.

The actuarial reduction referred to in the petition is based on the length of the member’s early retirement period—that is, the period between the date when benefits are paid and the member’s normal pension age. The earlier a member retires, the greater the reduction.

Do members have any comments or suggestions for action? I should declare an interest as someone who has a teacher’s pension.

Brian Whittle: Lucky you.

I think that our first course of action should be to write to the Scottish Government to seek its views on the issue raised by the petitioner.

The Convener: I am thinking about the consequences of the pension age increasing for people who feel that they are not able to continue working and have to take early retirement. The suggestion is that that has a particular impact on low-paid workers. That is an interesting and important area for us and the Scottish Government to consider.

Do members agree to write to the Scottish Government seeking its views on the action that is called for in the petition?

Members indicated agreement.

Maurice Corry: I also declare an interest, as I am on a local government pension.

Greyhound Racing (PE1758)

10:45

The Convener: The third new petition for consideration today is PE1758, on ending greyhound racing in Scotland. The petition, which was lodged by Gill Docherty, on behalf of Scotland Against Greyhound Exploitation, calls on the Scottish Parliament to urge the Scottish Government to put an end to greyhound racing in Scotland. I welcome Mark Ruskell MSP, who is in attendance for our consideration of the petition.

There is no statutory regulation of greyhound racing in Scotland. The Greyhound Board of Great Britain provides rules and regulations in relation to the welfare of greyhounds and facilities at licensed tracks, including requirements for inspections and the requirement that a veterinary surgeon be present at all races. There are also detailed rules on racing surfaces, traps, fencing, kennels and so on. The GBGB rules of racing also state:

“Every person subject to the GBGB rules of racing shall have full regard to greyhound welfare and shall accept the provisions of the Animal Welfare Act 2006.”

Those requirements do not apply to independent greyhound tracks.

Scotland has one regulated greyhound track and one independent greyhound track. The Scottish Government believes that the provisions of the Animal Health and Welfare (Scotland) Act 2006 are sufficient to ensure that action can be taken if the welfare needs of greyhounds, whether still racing or retired, are not being met.

In the 2018-19 programme for government, the Scottish Government committed to continue work to introduce and reform the licensing of animal activities, animal sanctuaries, rehoming centres, breeding and the use of animals in public display or performance. There is no specific mention of horse racing or greyhound racing in the programme for government. However, the scope of reforms to the licensing of animal activities, including their use in public displays or performances, will be considered in due course after discussion with stakeholders.

I invite Mark Russell to make a contribution at this point, to help inform us about what we may want to do with the petition.

Mark Ruskell (Mid Scotland and Fife) (Green): Thank you very much, convener. I should probably declare an interest, as I am the owner of an ex-racing greyhound. His back story is that he had a broken leg, which received no treatment at all. He was raced again and again and was lame. Clearly, he was not winning any races and so was moved on by his trainer. I thank the Scottish Greyhound Sanctuary, which successfully

rehomed him with our family. He is a very lucky dog: most of the dogs that are no longer cutting it are just put down at the track or are disposed of in other ways.

The petitioners point out that 5,000 dogs were injured in one year—the trend is going up—and 2,000 dogs either died racing or were subsequently euthanised. I have talked to the petitioners and a number of other stakeholders and it has become quite clear to me that the code of practice that the GBGB has drawn up is not worth the paper that it is written on. This summer, dogs were being raced at Shawfield stadium in temperatures of more than 30°C. As you pointed out, convener, some tracks, such as the track at Thornton in Fife, are not even covered by the GBGB code of practice.

It has been very difficult to see any enforcement under the Animal Health and Welfare (Scotland) Act 2006. There have been notable, well-documented cases of trainers feeding cocaine to dogs and of other abuse taking place, but there have been no convictions as a result. After discussing the situation with the Scottish Society for the Prevention of Cruelty to Animals and the police, I am very concerned that enforcement does not seem to be a priority and that there are issues around evidence, resulting in very few convictions.

During evidence taking on the Wild Animals in Travelling Circuses (Scotland) Bill, the Government made a commitment to review the regulations that relate to other forms of animal performance. We have banned the use of wild animals in travelling circuses, but there are other types of animal performance that could be banned or further regulated. The Scottish Government agreed to bring forward such a review, but, as you pointed out, convener, there is no specific commitment to a review of greyhound racing regulation.

The Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill, which is currently before the Environment, Climate Change and Land Reform Committee, is quite narrow in scope. It looks at sentencing, but it is not clear whether an increase in the maximum sentences for offences could affect the way in which the abuse of greyhounds is investigated by Police Scotland and the SSPCA. There are unanswered questions about whether that bill could make specific provision in relation to greyhounds or would have any impact on the issue.

My personal thought is that, should this committee wish to refer the petition on, this is a good opportunity for the ECCLR Committee to take it on, because that committee is considering an animal health and welfare bill. We are in the final 18 months of this parliamentary session, and regulations might be coming.

The Convener: Is it the aim of the petition that there should be no greyhound racing at all, or that regulation should be more effective and the police should take it more seriously? Those are quite different things. Can the industry be regulated and could effective regulation make a difference?

Mark Ruskell: My personal view is that, on ethical and welfare grounds, there is no place for greyhound racing, which comes into the same category as wild animals performing in travelling circuses. However, there are those who believe that regulatory reform would be the route to follow. As a member of the ECCLR Committee, I would be interested to explore that territory.

The industry has had a long time to consider regulation and it is going down a voluntary regulatory route, yet we know that there are dogs being fed cocaine and raced in temperatures of 30°. Voluntary regulation is not working. I am concerned about whether the industry is capable of reform. There is also the unregulated side of the industry and what is happening in Fife at the moment. I hear some pretty horrific stories on the ground.

The Convener: I have heard about Shawfield, but do these things happen across the United Kingdom? Are there any international comparators? Is greyhound racing a feature of people's lives in other parts of the world?

Mark Ruskell: I understand that the industry is struggling. There are a lot of parallels with the use of wild animals in travelling circuses. The industry is starting to decline and greyhound racing is no longer a widely popular pastime. The industry raises ethical and animal welfare issues, so there is a question about what the Scottish Government is doing about it in that context.

Gail Ross: I thank Mark Ruskell for coming to the meeting. It has been very useful to hear his views. The Scottish Government has said that mechanisms are available to deal with the animal welfare abuses, but his figures do not bear that out.

Given what Mark Ruskell has said about the bill that is being considered by the ECCLR Committee, I would agree to refer the petition; I think that that would be a perfect place for the petition to get the scrutiny that it deserves.

Brian Whittle: I, too, thank Mark Ruskell for coming in. Greyhounds are great dogs, as I am sure he would testify. I am not at all knowledgeable about greyhound racing and I have never been to a meeting, but I wonder whether these dogs like to run.

The Animal Health and Welfare (Scotland) Act 2006 applies to any animal, irrespective of its circumstances, and there is a code of practice that

obviously is not being enforced. Is that because legislation cannot be enforced in such a small and reducing sport in the same way that it can be in, for example, horse racing? Horse racing is a much bigger sport and is much more in the public eye, so regulation tends to be much stricter and tighter.

I have not considered the issue before, but I like the idea of the ECCLR Committee looking at the petition. I would be quite happy to pass the petition and the evidence that we have received to that committee.

Maurice Corry: I agree with Brian Whittle, although I also have a question for Mark Ruskell. Might banning greyhound racing not drive it underground and create a more horrendous problem?

Mark Ruskell: In effect, there is almost an underground greyhound racing industry already, given that there is one unregulated track in Fife. If greyhound racing is to take place, a place is needed for that to happen and I think that it would be pretty obvious where that was happening. A particular type of track would need to be laid out. I think that enforcing regulation or a ban would be quite easy.

Maurice Corry: Even so, would the industry not find ways of holding unregulated events? I am thinking about what happens with dog fighting.

Mark Ruskell: It would be easier to hide a dog fight in an enclosed area than it would be to hide a greyhound race. My dog likes to run and he needs quite a long track to get up to speed. The issue is about who is currently enforcing the regulations. I see an unfortunate enforcement gap with both the SSPCA and Police Scotland. I do not see visits being made to the Thornton track, and that is what is really needed to investigate what I hear is going on there.

Maurice Corry: Are you saying that the non-regulated tracks have to be licensed under the GBGB?

The Convener: We are getting into the nuts and bolts of the matter. I sense that the committee recognises the sense of the suggestion that we refer the petition to the ECCLR Committee. We recognise that the issues that have been highlighted, and the question of whether greyhound racing should be banned or regulated and how the industry should be regulated, would be for the ECCLR Committee to consider. Are we agreed?

Members indicated agreement.

The Convener: We will refer the petition to the ECCLR Committee. I thank the petitioner for bringing the matter to the committee's attention and Mark Ruskell for his attendance.

Primary Schools (Equal Teaching Hours) (PE1759)

The Convener: The next new petition is PE1759, on equal school hours for all children in Scotland, which was lodged by Susan Crookes. The petition calls on the Scottish Government to ensure that all children across Scotland receive the same teaching hours.

11:00

Our briefing explains that the Schools General (Scotland) Amendment Regulations 1987 provide that schools must be open for a minimum of 190 days in a school year. However, the length of those days is not prescribed and it is largely for local authorities to determine the structure of when schools are open. Section 21 of the Education (Scotland) Act 2016 provides ministers with the power to make regulations on the minimum number of school hours in a school year, with some exceptions. The power would also enable ministers to prescribe the meaning of "learning hours". However, section 21 of the 2016 act is not fully in force and the Scottish Government has not made regulations to prescribe a minimum number of hours.

Our briefing explains that there is some disparity across local authorities. In 2015, Reform Scotland sent freedom of information requests to all local authorities asking about contact hours in primary and secondary schools. It found:

"The variance between the highest provision and lowest provision was 149 hours per year in primary and 245 hours in secondary, based on local authority area."

Do members have any comments or suggestions for action?

Brian Whittle: It strikes me that the petition correlates teaching and learning with a number of hours. There is a lot more to it than that when it comes to what is taught and who teaches it. The petition raises an interesting issue that I was unaware of—as they say, every day is a school day in here. Given the disparity that is highlighted in the petition, I think that we need to start by asking the Scottish Government what its position is. Other stakeholders would also have an interest in the petition and we should seek their views as well.

Gail Ross: The petition refers specifically to Highland Council. If it were a couple of years ago, I would have had to declare an interest because my son went to a Highland Council primary school. Maybe it would be beneficial for us to write to Highland Council to ask why the decision was made to have primaries 1 to 3 finish at 2.30 and primaries 4 to 7 finish at 3 o'clock.

The Convener: It has been suggested that we write to the Convention of Scottish Local Authorities, which would have an overview, but I suppose the question is whether the issue pertains only to Highland Council. I do not think that we want to write to every local authority if it is really not an issue for them. I suppose that we could write specifically to Highland Council.

Maurice Corry: Convener, we have the same thing in East Dunbartonshire.

The Convener: I suggest that we write to the Scottish Government and COSLA in the first instance and ask the clerks to recommend which other stakeholders it would be most appropriate to contact. The teaching unions might have a particular view. As Brian Whittle said, the issue is not necessarily something that we have been aware of, but it would be useful to understand what is happening and the rationale for the different hours. We thank the petitioner, and we will come back to the petition.

Housing Regulations (PE1761)

The Convener: The final new petition on today's agenda is PE1761, on new housing regulations, which was lodged by David Murphy Shaw. The petition calls for the Scottish Government to establish new housing regulations by replacing current planning regulations with a regulatory framework governing prefabrication properties and companies and allowing property taxes to take account of the property location, the size of plot and the number of children living at the property.

Our briefing explains the current system of planning and building regulations and that the primary responsibility for delivery of the planning service in Scotland lies with the local authorities and two national park authorities. It also sets out the current system governing prefabricated houses.

Do members have any comments or suggestions for action?

Gail Ross: In the first instance, we should write to the Scottish Government to get the low-down on what exactly is or is not taken into account. We cannot go forward without getting that information from the Scottish Government.

The Convener: The petitioner has provided a lot of information. It would be useful to get the Scottish Government's detailed response to the concerns in the petition.

Gail Ross: Absolutely.

The Convener: I do not think that we can pretend to have an in-depth knowledge of the issues that are raised in the petition, but we think

that they are worthy of consideration. The petition highlights quite a lot of issues. Do members agree to write to the Scottish Government to seek its views on the action that is called for in the petition?

Members *indicated agreement.*

The Convener: In that case, we have reached the end of our consideration of petitions today and I close the meeting.

Meeting closed at 11:02.

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