



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Public Petitions Committee

**Thursday 17 September 2020**

**Session 5**



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Pàrlamaid na h-Alba

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**Thursday 17 September 2020**

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**PUBLIC PETITIONS COMMITTEE**  
**13<sup>th</sup> Meeting 2020, Session 5**

**CONVENER**

\*Johann Lamont (Glasgow) (Lab)

**DEPUTY CONVENER**

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

**COMMITTEE MEMBERS**

\*Maurice Corry (West Scotland) (Con)

\*Tom Mason (North East Scotland) (Con)

\*David Torrance (Kirkcaldy) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Jackie Baillie (Dumbarton) (Lab)

Maree Todd (Minister for Children and Young People)

**CLERK TO THE COMMITTEE**

Lynn Russell

**LOCATION**

Virtual Meeting



# Scottish Parliament

## Public Petitions Committee

Thursday 17 September 2020

[The Convener opened the meeting at 09:30]

### Continued Petitions

#### Multiple Births (Support for Families) (PE1683)

**The Convener (Johann Lamont):** Good morning. Welcome to the Public Petitions Committee's 13th meeting in 2020. This meeting is being held virtually.

The first item on our agenda today is consideration of continued petitions. The first continued petition for consideration is PE1683, on support for families with multiple births, lodged by Jennifer Edmonstone. The petition calls on the Scottish Government to provide better support for multiple-birth families, including both financial and non-financial support.

When we last considered the petition in January 2020, the committee agreed to invite the Minister for Children and Young People to give evidence at a future meeting. Since the publication of our papers for this meeting, we have received a late submission from the Twins Trust, which has been circulated to members.

I am pleased to welcome the minister here today, as well as Scottish Government officials Chris Graham, head of welfare fund and winter benefits policy; and Carolyn Wilson, team leader, supporting maternal and child wellbeing. I invite the minister to provide a brief opening statement before we move to questions.

**The Minister for Children and Young People (Maree Todd):** Thank you, convener, and good morning to you and committee members.

I start by reiterating our commitment to ensuring that all children in Scotland get the best start in life. We strive to provide the best possible care for all families at all stages of their journey, regardless of their circumstances, using our powers to take action to tackle the deep-seated inequalities in our society.

The petitioner requested some insights into what other countries have in place to support families of twins or multiples. However, it is not particularly helpful to make comparisons with one element of another country's health and social care system without considering possible differences in its economic and cultural context.

Within the United Kingdom, some additional support for parents of multiple-birth children in low-income families can be accessed in Northern Ireland. Similar discretionary support is available in Scotland through the Scottish welfare fund.

The Scottish Government is using its powers for a bold ambition in Scotland, as we are committed to reducing child poverty by at least 50 per cent by 2030. In these even more pressing economic times, we need to focus on providing additional resources to those who have the least in order to even out the playing field and create more equal opportunities for all. Many of the benefits that the petitioner mentions are reserved, which limits our ability to adjust them. That said, the Scottish Government has introduced a new Scottish child payment for low-income families with children under the age of six. Payments will be made at the same rate for every eligible child in a household, including those born in multiple births.

Our best start programme aims to provide the best maternity care wherever women and babies live in Scotland and whatever their circumstances. We recognise that women who are having twins or multiples are more at risk of developing pregnancy-related conditions. Those women will receive extra care to ensure that conditions are identified early and monitored to reduce the risk to mother and babies.

It is recognised that twins and multiple births are also more likely to need neonatal care. That can be challenging for parents, particularly where babies need different levels of care. The neonatal expenses fund is designed to help parents of premature and sick new-born babies offset the costs of travelling to and from hospital and subsistence during the first days, weeks and months of their babies' lives. If they have twins or multiple babies in different hospitals, they can claim expenses per day for each baby. In addition, families expecting twins, triplets or even quadruplets are eligible to receive a baby box for each baby. I am happy to share that as of Friday, 14 August 2020, we had distributed 145,916 baby boxes to families across Scotland.

We have committed £50 million of investment to perinatal and infant mental health services, providing more targeted support to pregnant women and new mothers to improve their mental health and wellbeing. The Scottish Government also provided funding to enable the Twins Trust to continue to offer free antenatal courses to expectant parents of multiples around Scotland.

I empathise with parents of multiple births, and understand that multiples come with additional challenges. However, it is important to ensure that change is enacted based on appropriate evidence and shared principles. We have invested time and directed resource in particular ways to ensure that

all families are supported to give their children the best start in life, so that Scotland's children grow up loved, safe and respected and so that they realise their full potential.

I hope that that was a helpful opening statement. We are happy to take questions.

**The Convener:** Thank you, minister. In your submission of 8 October, you state:

“the Scottish Government has not carried out research to assess specifically the impact of multiple births.”

Since that submission, has the Scottish Government taken any steps to further its understanding of the impact on families of multiple births?

**Maree Todd:** No further direct research has been undertaken.

**The Convener:** The committee felt that there was a mismatch between the response of the Scottish Government and the concerns that were flagged up by the petitioner, specifically on the experience of and cost to families with twins or other multiple births. Your comment suggests that the mismatch is still there.

The petitioner stated:

“Having multiples is a privilege. However, it is well documented that relationship breakdown, high risk pregnancy, financial worries and post natal depression, to name a few, are more prevalent in families with multiples.”

Does the minister agree with the petitioner that families with multiples are a vulnerable group?

**Maree Todd:** Yes, I agree. Our maternity services clearly recognise that high-risk pregnancies are a fact with multiples and that high-risk pregnancies require more support and should be identified early, particularly in the case of twins and multiples. Our recognition of the vulnerability begins before birth.

Additional support is provided through the neonatal expenses fund, which has come in since the petition was lodged and is for travel and subsistence costs for all families who have babies in neonatal units. As I said in my opening statement, where babies form a multiple birth and are cared for in different hospitals, funds are available for families to travel to each hospital. The fund is worth £4 million over four years.

We recognise the vulnerability, but we see it as a spectrum of vulnerability.

**The Convener:** That fund is specifically for where twin babies or multiples have problems at birth and is not for general day-to-day living.

You have highlighted universal provision—the baby box—and targeted provision. Why do multiple births not fall into the targeted provision category? I accept that we cannot specifically

target families that are vulnerable, disadvantaged or impoverished. However, given what I have already said, if there is a universal benefit and a targeted benefit, there is a strong argument for the need to target multiple births and to cover more general costs than those linked to what might happen in hospital. Just one small example, which we were given by the Twins Trust from a survey that it undertook, is that, in 35 per cent of families with multiple births, mums simply cannot afford to return to work, because of the cost of childcare, which is a bigger challenge than it would be for a single birth.

Although there is universal and targeted provision, will you consider the strong argument for targeting resources to multiple births, because there is a big difference between one child and multiple children, not just at birth but through their early years?

**Maree Todd:** Where having a multiple birth has caused financial hardship, our universal services that are targeted at families who are experiencing poverty will pick that up. We do not see families who have twins or triplets as always being vulnerable—we would not describe 100 per cent of them as vulnerable—but for those who face financial hardship because of multiple births we feel that our universal services are strong, and there are specific services targeted at people who are experiencing poverty that will pick up those families who are experiencing financial hardship.

**The Convener:** The petitioner makes it clear that there are differences—for example, instead of one pram and one cot, all of a sudden the family has to get two or three. The parents' capacity to get organised to get back to work is rationally different. That is not about family income; it is about the impact on families. The multiple births were not planned for or expected before pregnancy. Do you accept that the category of multiple births is a strong argument for provision that addresses that issue?

**Maree Todd:** Yes, and you can see that we ensure that twins are accounted for in the Scottish provisions—for example, the best start grant gives an extra payment for twins. The Scottish supports are universal supports that are available for low-income families, and we do not discriminate against parents of twins in the way that the UK system does.

Much of the concerns that are raised in the petition—I read and watched all the evidence that has been taken thus far—relate to benefits that are reserved and employment law, which is also reserved. I am interested to know whether the committee has written to the UK Government about some of the differences that exist. The petitioner speaks regularly about the discrimination related to child benefit, which is a

UK Government support. I wonder whether concerns about that discrimination might be better directed at the UK Government.

**The Convener:** That is something that we could look at, but you have indicated that you have not done any research on the issue. There is no consideration of mitigation of the challenges caused by the UK Government system, which has happened with other benefits, or that we could have a different position. The fundamental question is whether the Scottish Government accepts that there are differences in impacts on families and that having a multiple birth can affect families even if they are not on low incomes.

Gail Ross will ask the next question.

**Gail Ross (Caithness, Sutherland and Ross) (SNP):** Good morning. The petitioner states:

“Improved support would help families be better off financially, physically and emotionally ... encouraging parents of multiples back into the workplace”.

The convener has touched on that in her opening questioning. Your submission refers to Scottish Government measures to support parents into employment, such as the parental employment support fund that will target priority families, but families with multiples are not specifically included. Do you think that they should be?

**Maree Todd:** It is difficult when we target our support in Scotland, because our Scottish benefit system has finite resources, and we have limited fiscal levers and limited opportunities to raise taxes and choose benefits. We have chosen to target those limited resources at the families who are experiencing poverty, to lift children out of poverty, close that gap and address the impact that that early childhood poverty has throughout their lives. That is where we have chosen to direct our resource but, as I said before, we have limited abilities in those areas. Questions about the universal concerns are probably best targeted at the UK Government.

**Tom Mason (North East Scotland) (Con):** Minister, in your submission, you said that, as part of the gender pay gap action plan, the Scottish Government has carried out research into

“the barriers that mothers face when returning to work”.

Based on that research, what barriers are mothers of multiples facing compared with mothers of singles?

09:45

**Maree Todd:** The research was published in December 2019 and, although it identified barriers in returning to work that are similar to those cited by the petitioner, such as the cost of childcare, it did not look comparatively at mothers of multiples

and mothers of singles. It took evidence from mothers of multiple children, rather than singles, which is slightly different. That said, some of the findings are similar in nature. The reason that more than 80 per cent of the respondents gave for their choice not to return to work was:

“I prefer to look after my child.”

Among the remaining responses, common reasons cited were:

“I cannot earn enough to pay for childcare”,

and

“I cannot find suitable childcare”,

and

“there are no jobs with the rights hours for me”.

One of the things that the Scottish Government is doing to transform the early learning and childcare landscape is the commitment to 1,140 hours of funded childcare, which will be transformative for children in Scotland and for all parents of under-fives. It is a universal entitlement of 1,140 hours for all three and four-year-olds, and for eligible two-year-olds, who, at our last calculations, comprise around a quarter of two-year-olds.

The entitlement to early learning and childcare will look quite like a primary school week, which will make it significantly more straightforward for parents of young children to get back into work. Of course, due to the pandemic, we had to pause the roll-out of 1,140 hours, but the recent data and intelligence that we are getting from local authorities are giving us great cause for optimism. When the 1,140 hours are rolled out, it will save families £4,500 per year per child, which is a significant gain for parents of twins, triplets and other multiples.

**Maurice Corry (West Scotland) (Con):** Good morning to you and your team, minister.

I must record my interest. I am a father of multiples. My wife delivered twin daughters—therefore, I know the strains and stresses of multiples births in considerable detail. There are challenges, but there are also tremendous benefits in the glory of having wonderful children around you. We learned to cope. During that time, I was made redundant twice, and things were not easy. I had to go abroad to get work to make sure that I could sustain my family. I fully understand the petitioner’s views.

However, if I may say so, I do not think that it is right to say that reference should be made to the UK Government for further support. The problem is in Scotland—we are dealing with Scotland, and not the UK. I therefore ask the minister to address the issue in that context.

The petitioner has repeatedly said that families who find themselves barely outside the category of low income and who have multiples are particularly stretched by the additional costs of having more than one child at a time. Does the Scottish Government recognise that pressure? What advice can the minister give to families with multiples that are not eligible for the targeted support that is available? I do not want the minister to refer to the UK Government, because we are not talking about the UK; we are talking about Scotland.

**Maree Todd:** I agree, and I recognise the pressure. I mentioned the UK Government simply because, when I looked over the evidence sessions, in all the videos and repeatedly in written submissions the petitioner refers to child benefit, which is a reserved benefit; it is the responsibility of the UK Government.

The Scottish Government is absolutely committed to reducing poverty and inequalities. For many years, there has been, and there continues to be, a strong inequalities gradient across many social and economic health outcomes. For families that have specific needs, our aim is to reduce that disadvantage through the levers that are available to us. We provide additional best start payments and baby payments for births of multiples, and we are targeting the support that is provided through that and our other devolved benefits at the low-income families who need it most, because our highest priority is tackling child poverty.

There will always be people who fall just outside the eligibility criteria. That would be the case regardless of the level at which eligibility is set. We encourage everyone to apply for the financial support that they are entitled to receive. The money talk team provides advice on benefits and grants to individuals who might be entitled to them, and it gives advice on ways to save and manage money.

Using receipt of the UK Government's low-income benefits to establish eligibility enables the social security system to confirm eligibility simply and securely. We have overlaid the Scottish social security system on what existed already. Different eligibility rules could be established for people in different circumstances, but that would add a great deal of cost and complexity to the system. One challenge is that user research suggests that the more complicated the eligibility criteria are, the more likely it is that eligible individuals will be discouraged from applying.

**Maurice Corry:** I hear that, minister, but the question is about eligibility and funding. Rather than telling the petitioner to go to the UK Government for that benefit, is it not right that the Scottish Government should address the issue in

its own country? If the benefit is required, why not take it on board? That must be addressed.

**Maree Todd:** I am merely stating that the child benefit is reserved. Employment law and the challenges with maternity and paternity leave are all reserved. Those issues must be raised with the UK Government.

You are right that we want Scotland to be the best place in the world for children and young people to grow up. We are trying to create a universal system. We are expanding early learning and childcare, which supports families. The Scottish early learning and childcare system is universal, unlike the system in the rest of the UK, which is targeted only at working families. Families in Scotland will be entitled to 1,140 hours of childcare, whether they are working or not. That might support people to study and thereby to improve family income. It might provide support to a parent of twins, or to a mum or dad who is at home all day and requires that level of practical support to look after their children. That will be available to them; it is not available in the rest of the UK, where it is available only to working parents.

We are ensuring that the systems that we are rolling out and that we control meet the needs of all our parents, including parents of multiples.

**The Convener:** You talk about targeting provision, but at the same time you say that there is universal provision. You said that we have provided baby boxes for 145,000 babies. Births of multiples cannot be targeted because you target the people who are most disadvantaged. There is an argument about the balance between the two sides. I do not understand on what basis, or based on what research, you have decided that families who are not classed as having low incomes, but who have births of multiples, might not have needs that should be met.

You have already accepted that you provide both universal and targeted benefits. You cannot use "We only target" as an argument against supporting families with multiples. Why is the birth of multiples not viewed as a specific category? Would it be worth your while to do some research into that? You have said that the petitioner says a lot about UK benefits, but she also makes a lot of other points about what everyday life is like. The least we can ask is that the Scottish Government do some research on whether you are excluding a group of families that would benefit from a wee bit of extra support, rather than—as you have done—dismissing them by saying that there is another group that must be targeted.

**Maree Todd:** One of the challenges for any Government is to decide where to use its finite



resources. In Scotland, we aim to have strong universal systems that support every family.

**The Convener:** How much does the baby box cost per person? That is a universal provision.

**Maree Todd:** Universal provision cost £8 million.

**The Convener:** So, £80 million is spent on baby boxes, which is universal provision. Okay.

**Maree Todd:** We aim to provide strong universal services and, given our finite resources, to target specifically families who experience poverty. I take you back to that question of research; one of the challenges of doing such research is the very small number of parents who are involved.

With regard to developing policy for parents of twins and multiples, at the moment, in early learning and childcare, we are focused on delivering 1,140 hours. We have already begun to consider a childcare system and framework for school-age children. I am very happy to commit to considering the needs of families with twins and multiples in development of that policy. We are commissioning work to develop it; given that the petitioner has highlighted those concerns, it would be very sensible to commit to giving specific consideration to families with multiple births in developing that policy framework.

**The Convener:** So, we can spend £80 million on universal provision of baby boxes, without much analysis of the impact, but we cannot look at that small number. I would have thought that, with a small number of parents, it is easier to do qualitative research on the support that they require.

I ask David Torrance to come in at this point.

**Maree Todd:** I will intervene; I think that you said “£80 million”.

**The Convener:** What did you say?

**Maree Todd:** I said “£8 million”.

**The Convener:** Okay. That is still a lot of money, without any targeting. However, there is, as you have identified, a very small number of people who cannot be seen on the margins but who might need a bit of extra support. I will ask David Torrance to come in now. Minister—do not worry; I will let you come back in.

**David Torrance (Kirkcaldy) (SNP):** Good morning. In her most recent submission, the petitioner acknowledges

“all the good work that is being done by the Government to support parents and guardians as a whole, but multiples births are still at a disadvantage as they are not accounted for in many of the initiatives on their own merits.”

Does the Scottish Government have plans to provide support to families with multiples to address that disadvantage, in addition to the support that the minister has already highlighted?

**Maree Todd:** [*Inaudible.*]—at the moment, we are developing a policy for school-age child care. Given the issues that the petitioner highlights, I am keen to look at the particular needs of families of multiples, for that policy. One of the challenges is in doing quantitative rather than qualitative research, as the convener mentioned. With quantitative research, when data numbers are low it is difficult to draw conclusions. Different families face different challenges; there is no universal experience of a family with twins or triplets, so it is difficult to draw conclusions about what is required to support them. While we are developing the policy, I am keen to consider what might need to be taken into account. As I said, we are demonstrating that we are listening and that we are keen to ensure that our policy meets the needs of families with multiples. I cite our development of the school-age childcare framework as an example of precisely that.

**David Torrance:** Thank you.

**The Convener:** The minister talks about there being small numbers. Do you have any idea what the numbers are?

**Maree Todd:** Multiples are about 1.5 per cent of births in a year.

**The Convener:** How many is that?

**Maree Todd:** I am sorry; I do not have that number at my fingertips. I can find it out.

10:00

**The Convener:** Why, if the numbers are small, can you not assess the specific impact on families of multiple births? It would not be a massive research programme. You cite the small number as an explanation for why it is difficult, but I would have thought that that would make the research pretty straightforward.

**Maree Todd:** Perhaps it is just an issue with research: in quantitative research, small numbers give poor answers.

**The Convener:** We are not asking for quantitative research. We want to understand the experience of families with multiple births. Why not talk to them?

**Maree Todd:** We certainly do talk to them and we give a grant—

**The Convener:** Do you talk to them as a group, for analysis to gain understanding of the impact? It must be straightforward to have the conversation and assessment, and to do proper research into

their experience. Are we seriously saying that because there are only small numbers we cannot do that research? That does not bode well for other minority groups.

**Maree Todd:** I am not saying that; I am saying simply that it would be qualitative research and that families with twins and multiples are not a homogeneous group. We work closely with the Twins Trust and we fund it to provide antenatal teaching and a number of other supports. We could work with it to develop research to understand the impact of policy choices and what policy choices are available to us in Scotland in order to see whether we can better meet the needs of multiple-birth families.

**The Convener:** Nobody is suggesting that they are a homogeneous group, but there is a specific experience of multiples and twins that would be worth capturing, which is what the petitioner is highlighting.

I have a couple of other points to make, then I will see whether any other members want to come in.

First, you have flagged up your support for the Twins Trust. The petitioner said that a commitment was made in February 2019 to provide funding to support and educate families in preparation for multiple births. Has that funding been released?

**Maree Todd:** Yes.

**The Convener:** That is excellent—that is good progress.

Have you looked at the issue of pre-nursery care to meet the specific needs of this small group of people who do not fall into any identified categories? There is a category of vulnerable children, who can access childcare from the age of two. Would you consider that for families with twins and multiple births?

**Maree Todd:** A system of universal provision is available for all three and four-year-olds, and various qualifications entitle two-year-old children who are in the category of vulnerable children to that same provision. That applies to about a quarter of the children in Scotland and, at the moment, we are facing an economic crisis, so the proportion of children who are eligible may increase. I am not considering targeting twins for that particular support. During this period of expansion, in which our focus is on delivering 1,140 hours, it is not possible to add to that category.

However, I am confident that there are already flexibilities in law to enable local authorities to meet the needs of children and families in their communities. The committee heard from a lady from the Twins Trust in the first evidence session about how Clackmannanshire Council had

supported a mum with twins and ensured that she was able to access early learning and childcare. That flexibility is available to all local authorities and I would expect them to use it.

As well as the provision of funded early learning and childcare, local authorities have duties under section 27 of the Children (Scotland) Act 1995 to provide day care for children in need in their area, which may have been what happened for that mum in Clackmannanshire. In addition to the duties that they have to children in their area who are in need, they have discretionary powers to provide day care to children who might not be assessed as having need. Local authorities can fulfil their duties under the 1995 act with any type of care that they deem appropriate.

Again, I was interested that the committee has considered writing to the Convention of Scottish Local Authorities on that point; it would be very interesting to hear its view. I could not see a response from COSLA among the online written submissions to the committee on this petition, but almost daily people petition me to dictate from the centre what local authorities should do with those discretions. Usually my response is to leave the discretion up to local authorities, which I genuinely believe are best placed to recognise and respond to the needs in their communities. If COSLA would like to enter that discussion, I would be more than happy about it.

**The Convener:** It seems very odd to me that you think that some things are entirely a matter of discretion for local authorities when there are impositions on local government in other areas and, to use your own term, you are completely “focused” on childcare hours.

I am still not clear why you have set your face against the specific needs that have been identified by this group. You have already said that it is a small group of people, you have accepted that there are issues here and you praise a local authority that is providing extra support, but you still do not think that there is a job for you as a Government minister to identify those families as needing particular support.

**Maree Todd:** It is because I am confident that our universal services will support them sufficiently, and where—

**The Convener:** They are telling you that those services will not do that. With respect, minister, the whole point of the petition is to say that they do not.

**Maree Todd:** Where that support is not sufficient, flexibilities are available locally, as the evidence that the committee has taken demonstrates. Flexibilities will be available locally to support—

**The Convener:** You are saying that families such as the petitioner's should just hope that they have a local authority that is supportive, because it is not for you to identify this group as having particular need. You think that, if a local authority provides support, that is good, but you do not think that it is a matter for policy or direction at a Scottish level.

**Maree Todd:** As I have said, we are working very hard to deliver 1,140 hours with the eligibilities that are already set.

**The Convener:** It is possible to do more than one thing at a time, is it not? You would not say to families with a child with additional support needs, "We are focusing on the 1,140 hours, so we cannot meet your needs currently," even when there might not be an economic challenge for those families. However, for this group of people, you have decided that you are not going to even research what their needs are or see whether there is a bit of flexibility in the system to support them so that they do not have to rely entirely on local government and being in the right place at the right time.

**Maree Todd:** My highest priority at the moment is to deliver 1,140 hours. Our judgments about who should be targeted are always based on need. Our priority as a Government, as long stated, is to target and support low-income families, and we leave in flexibilities to target support for other issues that do not have that identified need.

**The Convener:** But you are not identifying the needs. You are not even prepared to do the research to see whether there are needs among people who are on the margins. Your basic position seems to be that there is not need here and that you will not do the research to ask whether there is need.

**Maree Todd:** I have stated on the record that we are more than comfortable to discuss with the Twins Trust whether it is possible to do research that will demonstrate needs. I am more than happy to consider that in future, and I have stated that already.

**Maurice Corry:** I have a question on the back of the convener's question. Minister, you place a lot of emphasis on local authorities. As a councillor in Argyle and Bute, I did a lot of work with families and the families board. What is the Government's guidance to local authorities on this subject and what funding will you make available? You must put your money where your mouth is.

**Maree Todd:** We came to an agreement a number of years ago on multiyear funding for 1,140 hours of early learning and childcare. That agreement contained an estimate of the number of eligible two-year-olds, which is where the flexibility

lies. That was sufficient to cover both those who have a statutory eligibility and those for whom it was discretionary—those for whom it was desirable that local authorities would provide support. I am confident that there is sufficient money in the system to cover that. There is guidance. The duty on local authorities to support children who are in need is defined in law, and I am confident that there is sufficient funding to support discretionary payments on top of that.

My sense is that we have developed strong, universal services that will support all parents in Scotland. Those who are in poverty will be able to receive targeted support. There is a space in the middle for discretionary support, which I am confident will pick up any needs. If I am wrong on that, we will work closely with the Twins Trust to identify that need in the middle and to see what we can do in Scotland to support that.

The petitioner has repeatedly raised concerns about the UK welfare system, which you know taxes me as the person who has responsibility for child poverty, as changes in the welfare system have increased the level of child poverty in Scotland. Where there are concerns about child benefit, I plead with the committee to consider contacting the UK Government to see whether we can fix that at source, rather than pressuring the Scottish Government to mitigate something that the committee appears, in agreement with the petitioner, to believe is profoundly unfair.

**The Convener:** Nobody is suggesting that it is one or the other. We are supporting the petitioner. With respect, your "sense" of something is not enough.

**Gail Ross:** It is heartening to hear you say that there will be support, if needed, for those with multiple births and that that will come through local authorities. For the benefit of those who are watching and who may wish to access that support, who should they go to if they are struggling with childcare?

**Maree Todd:** They would usually go to their health visitor. We have strengthened universal services: the health visitor pathway has been strengthened and health visitors will see new parents regularly in the first couple of years of a child's life. They will carry out formal assessments and will also make informal judgments about who requires support. Health visitors are usually the first point of contact in helping mums who require support to access it from the local authority.

**The Convener:** We have reached the end of our questions. Do committee members have a view on how we should take this forward? We may want to reflect on what we have heard before we make any further decisions. Members should indicate if they are not content with that, or if they

think that there is something else that we should also do.

That seems to be agreed. We will reflect on the evidence at a future meeting. That will afford an opportunity for interested parties to respond to what they have heard from the minister. We would be keen, as she has suggested, to have a conversation with COSLA about its view of the issue.

I thank the minister for her time, which has been productive. There was a sense in the earlier exchange of correspondence that we were not getting to the root of the issue. I thank the minister and her officials for their attendance today.

10:15

*Meeting suspended.*

10:21

*On resuming—*

### **Adult Cerebral Palsy Services (PE1577)**

**The Convener:** The next continued petition for consideration is PE1577, on adult cerebral palsy services, lodged by Rachael Wallace. The petition calls on the Scottish Government to develop and provide funding for a clinical pathway and services for adults with cerebral palsy.

Following our previous consideration of the petition, we received a submission from the Minister for Public Health, Sport and Wellbeing. The petitioner was invited to respond to the submission, but no response has been received. In his submission, the minister advised the committee that

“officials have contacted the petitioner and made arrangements to meet her in April. They will discuss how the Framework will help adults with cerebral palsy and opportunities for Ms Wallace to be involved in the Framework’s implementation.”

It certainly feels as if progress has been made. Nonetheless, I invite any member who may have a view on what we should do next to come in.

**Gail Ross:** What we have read feels very positive. Given that arrangements were made to meet in April, when we were in lockdown, I am not sure where we are in relation to the meeting. However, the very fact that a meeting had been arranged between the Government and the petitioner is a massive step forward. On that basis, we have taken the petition as far as we can. I would therefore move to close the petition under rule 15.7, and simply say thank you and congratulations to the petitioner for what we see, so far, as a success.

**Maurice Corry:** I fully agree with what Gail Ross said. It is great to see the success of the petition. The Scottish Government has clearly sat up and listened, and it is involving the petitioner, given her knowledge and—perhaps—experience of the issue. I therefore also wish to see the petition closed, as I believe that it has run its course.

However, if there is any issue and the petitioner is not making progress, she, of course, has the right to come back in a year’s time. I therefore recommend that we close the petition under rule 15.7 of the standing orders.

**David Torrance:** I am happy to close the petition and have nothing else to add.

**Tom Mason:** We certainly seem to have made good progress in relation to the petition. I am therefore happy to close it under rule 15.7.

**The Convener:** Thank you very much, colleagues. There is agreement that there has been progress. It has taken a bit of time, and the persistence of the petitioner has certainly helped in that regard. We always recognised that it was a significant issue. However, if it is the case that the petitioner will be engaging with the Scottish Government, that is progress, and we should close the petition. Nonetheless, I am very much alive to Maurice Corry’s point that, if progress breaks down, the petitioner can return in a year’s time. Gail Ross also made the point about the impact of Covid on meetings happening full stop, which may mean that the meeting has not yet happened.

The Scottish Government has committed to meeting the petitioner to discuss how the neurological care and support framework will help adults with cerebral palsy and how the petitioner can be involved in the implementation of that framework. We welcome that and will write to the Scottish Government to flag up that commitment and remind it that we expect that to happen.

In closing the petition, we acknowledge the work of the petitioner and all those who engaged with the debate. We remind the petitioner that it is possible to return to the committee in a year’s time. We thank the petitioner for her engagement with the committee.

I get the sense that we are agreeing to close the petition under rule 15.7 of the standing orders. As no one is indicating otherwise, we agree to close the petition.

### **Glue Traps (PE1671)**

**The Convener:** The next continued petition for consideration today is PE1671, on the sale and use of glue traps. The petition, lodged by Lisa Harvey and Andrea Goddard on behalf of Let’s

Get MAD for Wildlife, calls on the Scottish Government to ban the sale and use of glue traps and boards in Scotland.

Since the petition was previously considered in January 2020, we have received a written submission from the Scottish Government and two written submissions each from the Pest Management Alliance and the petitioners. Those submissions are summarised in our clerk's note.

There has been some progress with the petition; the issue of animal welfare has been recognised and professionals have made arguments about pest control. It is clear that people have engaged seriously with the concerns that have been flagged up. I invite views from members and call Maurice Corry first.

**Maurice Corry:** Thank you, convener. Some of the detail in the petition is disturbing. It is important to protect our wildlife. My view is that we should write to the Scottish Government for clarification on the action that it has undertaken with the Animal Welfare Commission to give us peace of mind on a possible code of practice to govern the use of glue traps in Scotland, as I believe that that is missing. We should do that before we take the petition any further.

**David Torrance:** I agree with Maurice Corry. I think that the petition should stay open, because even though the Scottish Government has indicated that it would need legislation to enforce a ban, parliamentary time is very short just now and I do not think that any new bills will be introduced.

**The Convener:** I will go to Gail Ross and then to Tom Mason, if he is available—I think he is having technical problems.

**Gail Ross:** Animal welfare is an emotive subject. I agree that the Animal Welfare Commission should be looking into the issue. From what we have been reading, we need to get some points over to the Scottish Government. I thank everyone who has sent evidence to the committee as that has been very useful. If we are going to have an Animal Welfare Commission, we need to make sure that its remit is as wide as possible, and I would like to see glue traps included in that.

David Torrance is right; there is no possibility that any new legislation could be introduced before the end of this parliamentary session. Any new legislation would have to be lodged in the next parliamentary session. I am flexible as to whether we keep this petition open or close it with a recommendation to write to the Scottish Government about including a ban on glue traps as part of the Animal Welfare Commission's remit. I will go with the majority view, but I am happy to close the petition with a recommendation to the Scottish Government on that basis.

**The Convener:** I think that the petition has had an impact on people. Maybe some folk had read about the issue, but I did not know anything about it. The petitioners and the professionals are arguing about whether there is a specific need and whether the guidance is strong enough. I am not convinced, in what remains of the parliamentary term, as to what the Public Petitions Committee can do, even though we recognise that that tension has to be resolved in some way. As David Torrance rightly says, if it is to be resolved through legislation, that would not be introduced until the new session of Parliament. There is therefore an opportunity—I am sure this will happen—for animal welfare campaigners to have conversations with individual parties on what will be in their manifestos on the issue. Maybe that will resolve the issue of whether legislation will be taken forward. That is an area of opportunity for the petitioners.

10:30

My view is that we should close the petition, but we should write to the Scottish Government saying that we think that the commission should look at the issue and that there should be a code of practice to govern the use of glue traps in Scotland and to flag up that that should be part of the commission's remit.

Is Tom Mason back online? I do not think that he is yet. Do other members have a view on the suggestion that we close the petition but make the recommendation, which I think is reasonably solid, on the question of what the role of the commission should be on the issue?

**Gail Ross:** I totally agree with that. Could we copy that letter to the cross-party group on animal welfare? That would ensure that it would have sight of what is happening and could follow that up for us.

**The Convener:** That is a very practical suggestion that I think people would agree with. I will call Tom Mason if he is back online, but if not, we will have to make a decision and move on.

**Tom Mason:** Yes, convener—I think I am here. Can you hear me?

**The Convener:** Some interesting objects on your desk are certainly here.

**Tom Mason:** I have the wrong camera on at the moment.

**The Convener:** That is okay. If you make your contribution, we can sort that out for next time.

**Tom Mason:** I agree with the recommendation that you describe. I am happy to close the petition, but we need to make sure that the Government progresses the issue in a satisfactory manner.

**The Convener:** I think that colleagues are agreed to close the petition under rule 15.7 of standing orders, but we will write to the Scottish Government making a recommendation in relation to the role of the animal welfare commission and flag up to the cross-party group that it is an issue that the committee has considered in some detail. To repeat my earlier comment, there is nothing like an election to concentrate the minds of parties on individual issues that they may want to put in their manifestos.

We agree to close the petition. We thank the petitioners for their engagement with the committee. I am conscious that the other stakeholders have been very rigorous in their submissions, which has helped the committee in its deliberations. Maurice Corry wants to come in.

**Maurice Corry:** I just want to clarify that I agree with what we have decided. It is important that we make the cross-party group aware as well—that is a good idea.

**The Convener:** We are agreed to close the petition and we thank the petitioners for the role that they have played.

### **Hidradenitis Suppurativa (Specialist Support) (PE1682)**

**The Convener:** The next petition for consideration is PE1682, on access to specialist support for hidradenitis suppurativa sufferers in Scotland, which was lodged by James Jamieson. The petition calls on the Scottish Government to establish a specialist clinic for hidradenitis suppurativa sufferers in Scotland.

Since the petition was previously considered in December 2019, the committee has received a written submission from the Scottish Government. In that submission, the Scottish Government states that all territorial boards in Scotland provide services for the condition, which are delivered by a range of clinicians, including dermatologists, with input from regional plastic surgery services. The submission also highlights that any clinician can request a specialist service; however, to date, no clinician has sought national designation of a service for HS.

I am interested in members' views on the petition. Along with Rona Mackay, who, at that time, was a member of the committee, I had the privilege of meeting the petitioner. He made a compelling case that he feels that his very specific condition is not being recognised, and that he is speaking for other people in that regard.

We need to think about whether we can add anything. We have had the opportunity to highlight the condition, and it might be that services are different in different parts of the country, which is

obviously a concern, or that there is simply a lack of understanding about this very particular and debilitating condition. I will call each member to express their views.

**David Torrance:** I am sympathetic to the petition, but the Government has highlighted that the territorial boards should be providing the services and specialists to deal with HS. I do not think that the committee can take the petition any further, so I am happy to close it under rule 15.7 of the standing orders.

**Tom Mason:** I am happy to close the petition at this juncture. I was having a few connection problems, which I have finally resolved. Can you see me?

**The Convener:** I am not seeing you, but we are hearing you, which is the most important thing at this stage.

**Tom Mason:** I am happy to close the petition.

**Gail Ross:** It is a difficult one. I hear what you say, convener, about meeting the gentleman. I did not meet him, but from what you have said, it seems that this is a personal issue. The evidence that we have from the Scottish Government leads me to think that it is an issue about accessing the appropriate care from the local health board.

David Torrance is correct—as a committee, I do not think that we are able to take the matter any further. However, I suggest that the petitioner seeks the involvement of his local MSP, to see whether they can push the health board to provide more individualised services for him.

To close the petition is not to say that we do not want to do any more, but I think that we have taken it as far as we can. The petitioner has my every sympathy, and I thank him for bringing the petition to us. I feel that it is now a case for an individual MSP to take forward. I would also close the petition.

**Maurice Corry:** I agree to close the petition under rule 15.7 of the standing orders.

**The Convener:** Thank you. The suggestion that Gail Ross made about the petitioner continuing to pursue his individual support needs with his local MSP is perhaps the best way forward. I have a concern that the Scottish Government is basically saying that, if a clinician wants the specialist service, they, or the petitioner, need to request it. There must be something in the system that would trigger that service. Of course, we have dealt with that issue before. The petitioner's condition seems to fall between two stools—it is not so rare that it flags itself, and it is not so common that there is general provision for it.

We need to be honest with the petitioner that, at this stage, we have highlighted his concerns, and

they are in the system, which we hope will have an effect. However, in terms of his individual experience, it is perhaps something that his elected member could pursue on his behalf with the health board and other relevant officials.

As I am not seeing disagreement, I believe that the consensus is that we close the petition under rule 15.7 for the reasons that have been highlighted. Again, I thank the petitioner for taking the time to petition the committee and meet my colleague and I, and for engaging with the committee in the way that he has done. If, in a year's time, there has been no progress and he feels that people with the condition that he suffers from are still in the same position, he can of course return to the committee.

### **Suicide Awareness (Support for Young People) (PE1725)**

**The Convener:** PE1725, which is on suicide awareness and support for young people, was lodged by Ann Marie Coccozza on behalf of Families and Friends Affected by Murder and Suicide. The petition calls on the Scottish Government to make suicide awareness education, information and training mandatory for all high school pupils and teachers, and for all carers and parents, and to provide specific ring-fenced funding for the training.

As our paper outlines, the committee agreed to meet FAMS to inform our inquiry into mental health support for young people. Maurice Corry MSP and I had the great privilege in February 2020 of meeting the petitioner, FAMS staff and people who have used the services that are provided by the charity. I think that I speak for us both when I say that it was clear that the charity serves as an important source of support for people who are affected by suicide in the community in which it operates.

Our paper outlines some of the key messages that we heard during the meeting that were relevant to our inquiry work, and how those messages helped to inform our subsequent report, which was published in July.

We have to take a view on the petition. I am conscious that the petition made a positive contribution to our report on mental health and young people. Maurice Corry and I got a great deal out of the meeting with FAMS. I cannot believe that it was only in February this year, because it feels like a long time ago. In February, of course, we could not have imagined what was ahead of us. We have to think about what we want to do next with the petition. There is no doubt that it has already informed a lot of our work, including the work on our report. We can think further about

how we disseminate that, and about the Scottish Government's response.

I ask for Tom Mason's view, first.

**Tom Mason:** We have certainly covered the distance on the petition. The report will make a major contribution to what will happen. I am not sure how we will highlight any concerns that have been raised, except via the report, which I hope has the effect that it should.

The petitioner has helped us considerably, but I think that it would be sensible to close the petition and see how the advice environment progresses, and how successful the efforts to reduce the suicide rate are, the results of which will be the measure of success. We should await those results. If the petition has to be revisited in the future, that can be done.

**Gail Ross:** We certainly cannot overstate how important the petition has been, and will continue to be. It is more important than ever now, given that we find ourselves in the midst of a pandemic. In her response to our inquiry, the Minister for Mental Health stated exactly the same thing. She also stated that, in response to the pandemic, provision has been brought forward and funding increased for various initiatives. She listed those, but I will not repeat the list, given our time constraints.

I look back to our meeting with teachers in the Edinburgh International Conference Centre this past year. They were sympathetic towards mental health first aid and suicide awareness training, but many did not want it to be mandatory. We need to be mindful of the views of the profession—hence, the recommendations in the committee's report about initial teacher training and continuous professional development.

Tom Mason is correct: as a petitions committee, we need to be mindful of where we are and where we can go. The report is strong and has a lot of recommendations to the Scottish Government, and the ministers' response detailed a lot of work, which we need to see bedded in.

Provision differs among health boards; it is up to us, as elected members, to pursue that work individually, which I do in my area.

I suggest that we close the petition under rule 15.7 of the standing orders. I thank the petitioner profusely for their involvement, and for bringing the subject to us. It is not an easy one; it has certainly not been easy for us to deal with. The petitioner should feel extremely proud for having initiated a lot of change in the Government. They would be free to bring the petition back in a year.

10:45

**Maurice Corry:** I endorse everything that Gail Ross and Tom Mason have said. I must say that I was deeply moved by our visits to various establishments and by our meetings with teams—so much so that I am working to establish a FAMS team in Alexandria in the Vale of Leven, alongside other mental health work. The message from the visits was powerful: all teachers and school staff, including janitors and dinner ladies, need to be aware and mindful of suicide issues, so it is important that mental health first aid training is included in initial teacher education. I back all that work.

We were deeply moved by our meetings, not just with the teachers whom we met at the EICC, but with school staff in the Borders, Motherwell and Govan, with people who cried out for help and support on the issue and with families. My goodness! We met the matter face on when we visited families in Motherwell.

The best way forward is to close the petition. The team has produced an excellent report. The Government needs to work on a lot. I am deeply concerned that the work might not cascade down to local authorities—their families teams and education teams, in particular—so I am tremendously supportive of all we can do to strengthen the situation. The Government needs to ensure that teachers and school staff at every level are given the opportunity to have the training that is needed.

I thank all those who asked us to visit them and thank everyone for the information that we received. One or two positive things have happened in my area since then.

**David Torrance:** I agree with everything that committee members have said. I thank the petitioner once again for highlighting issues around mental health to the people who contribute to the work of the committee, and to the Government, which had to respond.

**The Convener:** We agree to close the petition; that is not to say that we are closing the issue, which is clearly on-going. Gail Ross is right to highlight that we can, in the current circumstances, only consider with dread what the consequences of lockdown will have been for some young people's mental health, as well as for that of the adult population. Our report's implications will be on-going.

I am conscious that the petitioner and the group that she represents will be dealing with that directly with the community. One issue that we should reflect on is the extent to which such support is available in other places. Maurice Corry's point about trying to ensure that it is available at local level is important.

I am unconvinced by the Scottish Government's argument that it is unable to mandate the content of teacher training. Perhaps such training cannot be made compulsory, but the Government could certainly flag up to colleges and universities the need for teachers—indeed, all school staff—to be trained on the matter. It is not sufficient to say that training cannot be mandated and to close the issue. Local authorities might well prioritise use of their resources in line with local priorities, but we can still flag up to them that the subject really matters.

The consensus of the committee seems to be that we should close the petition. The issues that it flags up will be on-going. The importance for young people of understanding how to look after themselves, and the role of the school and the community in supporting them in that regard are underlined by the work that has been done by the groups involved.

We thank the petitioner for their engagement and their warm welcome to the committee when we visited. We wish her group well in its continuing work to support people in the local community. As we have said, there is an opportunity to bring the matter back to the committee in a year, if the petitioner feels that that is necessary.

### **Local Authority Public Meetings (Audio Recording) (PE1731)**

**The Convener:** PE1731, which is on permitting audio recording of local government public meetings, was lodged by Tom Taylor. The petition calls on the Scottish Government to amend the Local Government (Scotland) Act 1973 to permit audio recording of all public council meetings by members of the public.

Since our last consideration of the petition, we have received submissions from the Minister for Local Government, Housing and Planning and the petitioner. The minister advises that the Government does not believe that there is a significant risk, following experiences in England and Wales, or that there is any justifiable need for additional safeguards, and that it would be amenable to directing officials to progress the amendment. That is a very positive response.

I am struck by the difference between what a device for recording events looked like in 1973 and what one looks like now. As somebody who had an old-fashioned tape recorder, I think that people would be appalled if we started whipping those out at public meetings. However, the world has moved on so much—the capacity to record things discreetly is significant now, and we all have such devices at our hand. The minister has indicated that there is no reason why the change



should not happen. The matter seems simple to me, but I call members to speak.

**Gail Ross:** We no longer need to press “record” and “play” at the same time.

I agree with the convener. When the committee first considered the petition, there was talk about who would be able to record, and about how some councils webcast some meetings live, which allows people to go back and check things, while others do not, which has created a disparity. There was initially a worry about sensitive and confidential information, but local authorities hold meetings behind closed doors when they cover matters that pertain to staff contracts or other sensitive information.

I am absolutely delighted to hear the minister’s response and will be happy to close the petition under rule 15.7 of standing orders. I congratulate the petitioner on their success. There is no need for the committee to have another reply from the Government, but it might be pertinent for us to send a short note or letter to ensure that the Government is taking the steps that are identified in the petition.

**Maurice Corry:** I agree with Gail Ross. However, having been a councillor, I know that there is a right to go into private session. That facility is available to councils anyway, so I have no problem with the change.

As the minister said, times have moved on and technology has moved forward, so I see no reason why we should not close the petition.

**David Torrance:** I am happy to close the petition and have nothing else to add.

**Tom Mason:** We have made some progress. It would be good to send a note to the Government to make sure that it does what it has said it will do. It is right to close the petition.

**The Convener:** There is clearly general agreement that we should close the petition. We acknowledge the progress and we welcome the indication from the Scottish Government that it wants to take the issue forward. We agree to write to the Scottish Government to say that it is on that basis that we have agreed to close the petition.

We thank the petitioner very much for their engagement with the committee. If they feel that progress has not been made, there is the opportunity for them to return to the matter in a year. The response has been very positive for the petitioner; I hope that they recognise that they have secured progress.

### **Water Safety (PE1770)**

**The Convener:** The final continued petition for consideration today is PE1770, on improving

water safety, which was lodged by Margaret Spiers. The petition calls on the Scottish Government to work with all relevant bodies across Scotland to improve water safety by ensuring that all waterways have life-saving equipment—such as lifebelts and buoyancy throw bags, with ropes, to allow multiple attempts at rescue—and that tampering with water safety equipment is made a criminal offence under the heading of endangering public safety.

The petition was last considered in January 2020. Since that meeting, the committee has received written submissions from the Scottish Government, Water Safety Scotland and the petitioner. The committee has also met the petitioner to gather more information on the petition. In its written submission, the Scottish Government explains that inland and coastal waters are affected by a combination of Scots common law and statutory requirements, the majority of which come under the remit of local authorities. Although the submission states that it is for local authorities to agree on and adopt their own water safety policies, it also highlights that the Minister for Community Safety wrote to all community safety partnerships to encourage them to engage with Water Safety Scotland and support the implementation of the national drowning prevention strategy.

I had the privilege of meeting Margaret and Duncan Spiers, whose work on this issue is driven by the tragic loss of their son Christopher. They have done immense work. If you go along the side of the River Clyde, as I had the opportunity to do during lockdown, you will see the distinctly coded ropes as a mark of their achievements.

Some people still seem to think that it is appropriate to vandalise water safety supports such as ropes. I cannot think of anything more awful and pointless than preventing somebody from being saved if they fall into water. As a committee, we have been very struck not just by what has driven the petition but by the practical measures that have been delivered. Ivan McKee, who is the Spiers’s local MSP, has spoken to me directly, and I know that he is in direct contact with the family and supports their petition.

We have had the opportunity to highlight some of the important issues that have been flagged up by the petition and we need to think about whether there is anything further that we can do. My view is that we would want to close the petition, but I ask the committee for its views.

**Maurice Corry:** I declare an interest in that I am the deputy convener of the cross-party group on accident prevention and safety awareness, and I have had quite a lot to do with water safety. We are looking at the issues, and the number of local authorities that do not have water safety policies

for coastal and inland waters is incredibly stark. Only about three local authorities have policies fully in place, another two authorities' policies are in the making and the rest have none.

11:00

When we raise the issue with them, there seems to be a lack of urgency to look at it. The Royal Society for the Prevention of Accidents and Water Safety Scotland also encourage local authorities to have policies. The cross-party group is carrying out research and, in my deputy convener capacity, I have written to COSLA to see how we can encourage local authorities to do a lot more to put water safety policies in place.

About two years ago, when I challenged the ministers who were responsible for community safety about the issue, the retort was that it is not a statutory requirement. It is up to individual officers and local authorities to come up with a view. The problem is that funding is based on statistical risk assessment and, if the stats do not stack up, priority is not given to that aspect of local authority work and the funding for it might go somewhere else. It is an education process.

I am reluctant to close the petition, because, although as the holder of another office I have written to COSLA, I think that the Public Petitions Committee should tease more out of COSLA and Police Scotland. There is clearly something here that we need to rectify and I would not want the parents of the deceased to feel that their work has gone unnoticed. I know that it has not gone unnoticed and that the convener has done a lot of work with them, for which I am grateful. I am passionate about the petition and I think that we should continue it. A lot of work is going on. Only three days ago, I convened a meeting about water safety with local authorities. I am minded to ask the committee to write to COSLA and Police Scotland to get a definitive—[Inaudible.]

**The Convener:** Thank you. You provided various stats on how many authorities have policies.

**David Torrance:** I thank Maurice Corry for that information; I would have thought that more local authorities would have water safety policies in place. I would like to keep the petition open and, like Maurice, write to COSLA and Police Scotland for their views.

**Tom Mason:** I agree that we should keep the petition open. It is a very important issue and, if we can get it right, the opportunity to save lives is quite extensive. Equipment and the like being in good condition can be the reason why lives are saved. It would be a good idea to keep the petition open, write to COSLA and Police Scotland to get more information and push the process at local

levels to make sure that policies become comprehensive.

**Gail Ross:** I thank Maurice Corry for that very helpful information. I agree that the petition is not yet ready to be closed. We still need to pursue a number of issues. It is a good idea to write to COSLA and Police Scotland, so I agree with that course of action.

**The Convener:** There is a clear view that we have not quite finished with the petition. The point that Maurice Corry made about not all local authorities having a water safety policy is a matter of concern, and I hear the strength of feeling across the committee about that.

The petition is about policy around water safety, enforcement and the extent to which we should look at addressing the behaviour that is causing a lot of the issues. It is not just that the appliances and appropriate safety measures are not there but, if they are there, they are vandalised, so there is a question about educating people who would think about doing such a thing. The consensus of the committee is that we should write to COSLA and Police Scotland to seek their views on the action called for in the petition.

## New Petitions

### Learning Difficulties and Disability Qualifications (PE1789)

11:04

**The Convener:** Agenda item 2 is consideration of new petitions. The first new petition for consideration is PE1789, on learning difficulties and disability qualifications, which was lodged by James A Mackie on behalf of the 1673 network. The petition calls on the Scottish Government to increase the number of professionals such as speech and language therapists, educational psychologists, physiotherapists, psychiatrists and occupational therapists who are qualified to assess children and parents with learning disabilities and difficulties and behavioural problems in order to reduce the number of children who are taken into care.

As our note for the petition outlines, the clerks have requested the Scottish Government's views on the petition on a number of occasions, but the information has not been forthcoming. I make the general point that, because of Covid, we have been asking the Scottish Government for its views at the initial stage when we are considering a petition. That has proved to be helpful, because it has given us an early insight into the Scottish Government's thinking and has perhaps reduced the amount of time between a petition being lodged and our getting views on it. That has been productive, so it is disappointing that we have not had a response on this petition, although we appreciate that education in particular is under a lot of pressure at the moment.

I can see the general case for the petition. There are issues with support services for young people and the assessment of need. We know that a lot of people in the autism community, for example, talk about getting a late diagnosis. Teachers need to speak to educational psychologists, but fewer of them are available. I am never clear whether that is to do with policy or just the scale of the financial challenges for local authorities.

I think that we would want to get further thinking from the Scottish Government through the Minister for Children and Young People on the issues that are flagged up in the petition.

I ask for members' views.

**David Torrance:** Every MSP will have had concerns raised with them about assessment. I am happy for the committee to write to the Minister for Children and Young People to seek her views on the action that is called for in the petition. I

would also like to write to the trade unions to find out their views.

**The Convener:** I suggest that we write in the first instance to the Scottish Trades Union Congress, because a range of professions are involved. It might be better to write to the STUC and ask it to seek information, or should we write to specific unions directly?

**David Torrance:** I agree that we should write to the STUC and get a general view from it first.

**Tom Mason:** We certainly need a bit of information to take forward the petition. We should write to the Government and certainly to representatives of professional bodies to seek their views. We do not necessarily need information from all the professional bodies, but we should ask some of the leading ones in order to get guidance on where we are going on the issue and ensure that we have the framework right. We can then fill in the gaps next time round.

**The Convener:** Would it be acceptable to leave it to the clerks to think about what the appropriate bodies might be?

**Tom Mason:** Yes.

**Gail Ross:** I understand why we have not had a response from the Scottish Government, although the responses that we have received in advance have certainly been extremely helpful in our deliberations. The subject of the petition is quite detailed, so I agree that we should write to the minister, and I am happy for the committee to write to any other relevant organisation that is suggested.

**Maurice Corry:** I agree with all that has been said. We should write to the Minister for Children and Young People and the STUC, as you said, convener. I sit on the cross-party group on dyslexia and I have done a lot of work on and spent time dealing with learning support needs at first hand, so I certainly support that.

The issue is coming up in the Covid emergency. The other day, I received a case from a constituent whose child, who is in further education, was a bit worried because he was not able to complete some of his work. He could not get support from lecturers, because they are now working online and cannot meet students one to one, which is important.

I fully support keeping the petition open and seeing what we can do to get it sorted.

**The Convener:** There is consensus on the work that is to be done. We will write to the Minister for Children and Young People to seek views on the action that is called for in the petition, and we will ask clerks to look at the best way to identify the views of trade unions and professionals.

### European Union Flag (PE1810)

**The Convener:** The second new petition for consideration today is PE1810, lodged by Philip Smith, on replacing the European Union flag with the Commonwealth flag. The petition calls on the Scottish Government to fly the Commonwealth flag in place of the EU flag at Scottish Government buildings.

In its written submission, the Scottish Government explains that the decision was made to continue flying the European flag from the main Scottish Government buildings to send an

“unequivocal signal of the commitment to the values that underpin the EU and of solidarity with EU nationals resident in Scotland”.

I am content that the Commonwealth flag is flown once a year, because the Commonwealth is an important body with an important role to play. In the recent past, the Scottish Parliament has taken a view and made a decision on the flying of the European flag.

**Tom Mason:** This is a matter of consistency. Technically, flying a flag to represent Europe will, in due course, mean the Council of Europe flag, as opposed to the European Union flag. If we fly the Council of Europe flag, we should also fly the Commonwealth flag, the NATO flag and a whole load of other flags. Therefore, putting up the Commonwealth flag would be inconsistent.

I would take the EU flag down permanently, but we will not make any progress on that with the Scottish Government, because it is adamant about what it wants to do. We will have to close the petition in response to what the Government has said.

**Gail Ross:** The submission from the Scottish Government is clear about the policy that is in place. I disagree with Tom Mason: I do not think that it is the Scottish Government that is adamant, as it was a decision that the Scottish Parliament made. Under rule 15.7 of the standing orders, I would close the petition.

**Maurice Corry:** I will correct Gail Ross on that point. The decision was taken by the Scottish Parliament in regard to the flags at the Parliament building, but the decision about flags at Scottish Government buildings was taken at Government level. There is a distinct difference.

The issue rages through councils, and I have been through it many times. The Scottish Government's policy is clear—the Scottish Parliament also set a policy—whether we agree or disagree with it.

I agree with the convener that it is important that the Commonwealth flag flies, which it does on Commonwealth day, as should the armed forces

day flag on armed forces day and the red ensign on merchant navy day. As long as we can keep that going, that is fine. Flags will always be contentious; I have seen that over the years.

I vote to close the petition under rule 15.7 of the standing orders. It is clear that the Scottish Government has no plans to make any changes to its flag-flying policy.

**David Torrance:** I am happy to close the petition under rule 15.7 of the standing orders.

**The Convener:** There is a consensus that, regardless of members' views on the flying of various flags at particular times, the Scottish Government has made it clear that it has no plans to change its policy. In the recent past, as I said, the Scottish Parliament has also taken a view on the issue. I think that we are therefore agreeing to close the petition.

As did others, we emphasise the importance of the appropriate flags, including the Commonwealth flag, being flown at appropriate times.

I thank the petitioner for engaging with the Public Petitions Committee, and for highlighting the issues as they did. After a year, they have the opportunity to return on the same issue, if they feel that that is appropriate.

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

11:15

**The Convener:** The last new petition for consideration is PE1812, on protecting Scotland's remaining ancient, native and semi-native woodlands, and woodland floors. It has been lodged by Audrey Baird and Fiona Baker, on behalf of Help Trees Help Us. The petition calls on the Scottish Government to deliver world-leading legislation to give Scotland's remaining fragments of ancient, native and semi-native woodlands and woodland floors full legal protection, before the United Nations climate change conference of the parties—COP26—takes place in Glasgow in November 2021.

I welcome Jackie Baillie, who is in attendance for this petition.

The Scottish Government's response describes the possible protections which are available for woodlands. It acknowledges that there is no specific legislation to protect ancient woodlands.

The petitioners' written submission was received after our papers were circulated; the clerks have therefore sent that information to us separately. The submission highlights the various threats to Scottish woodlands, such as the fact that tree

preservation orders are onerous and offer little protection, and other legislation is outdated. The submission also states that the Scottish Government has not addressed the specific issues in the petition, including the lack of protection for woodlands in private ownership that have no statutory designation or formal protection, unlike the measures for commercial forestry that have been mentioned by the Scottish Government.

Since our meeting papers were published, a late submission from the Woodland Trust has been circulated to members.

In order to facilitate our discussion of the petition, I ask Jackie Baillie to make an initial contribution. I will of course allow her to come back in later, but she may have initial comments on the petition.

**Jackie Baillie (Dumbarton) (Lab):** Thank you, convener. I will not test your patience and the committee's by wanting to come in too often. I thank you for the time this morning.

I will make a couple of fundamental points about the petition, because it is important. Ancient and native woodland that currently has no statutory designation and is in private ownership has no effective legal protection at all. Despite the Government's codes, guidelines, strategies, plans and documents, we have a confusing landscape that does not provide protection. The petition is urging the Government to grasp the opportunity to show clear leadership on the world stage by fully protecting our ancient woodlands, before it hosts COP26 next year.

Secondly, the value of ancient and native woodland floors is completely unrecognised, and outdated legislation does not offer the protection that we would all want to see.

Thirdly, only 1 per cent of Scotland's ancient woodland, and 3 per cent of its native and semi-native woodland, is left; and the Woodland Trust has registered 274 ancient woods in Scotland that are currently threatened by development. Whether that involves illegal felling or development that falls through the cracks, the reality is that our national woodland resources are being eaten away.

Ancient woodlands are irreplaceable. Fines are too little, too late; they do not save the woodland. Fewer than half of Scotland's woodlands are in good condition. Often, that is in part down to landowners, with problems of poor management, neglect, overgrazing or undergrazing, invasive species—the list is endless.

We need to do something. National planning framework 4 includes six high-level outcomes. Granting full legal protection to our ancient and native woodlands would meet three of those. The petitioners aspire, as I think we all do, to a future

Scotland that respects and protects precious, life-giving trees.

Thank you for your time, convener. I hope that the committee will take action before it is too late.

**The Convener:** Thank you.

It felt to me that something significant in the direct experience of the petitioners had raised their concerns. I do not pretend in any way to be an expert, but it would be worrying that these very precious historic resources would be lost to modern development that was simply being unthinking.

**Gail Ross:** I read the petition and then the response from the Scottish Government with its lists of protections, including biodiversity strategies, forestry strategies and site of special scientific interest designations. If it had been left there, I probably would have thought that plenty of protections were in place. However, given the petitioners' response to that submission, the response from the Woodland Trust and the evidence that Jackie Baillie has just given us, I now believe that not enough protections are in place for these very important ancient woodlands, which are probably being cut down without our knowledge, unfortunately.

Jackie Baillie is also absolutely right about fines; it had struck me as well that punishing people is too late. Protections need to be in place to stop the harm happening in the first place. I agree that something has to be done.

Forest floors were mentioned as well and, like you, convener, I was struck by the petitioners' personal experience of what had happened in a woodland. There were no planning restrictions, or what was needed was not there, so someone was allowed to just go ahead and make that bike track without any comeback at all.

I think that we need to pursue this. We should write to NatureScot—previously Scottish Natural Heritage—to seek its views. Given what Jackie Baillie said about national planning framework 4, I would also want to follow that up and write to strategic development planning authorities to seek their views on the actions that are called for in the petition. I would also thank the petitioners for their interest in this very important matter.

**Maurice Corry:** I thank Jackie Baillie for her interesting comments and input on the petition. I also thank the two ladies, Audrey Baird and Fiona Baker, who are residents in my region and whom I know well.

It is a very interesting petition, on something that we need to preserve. I am minded to write to NatureScot, as Gail Ross said, and to the various strategic planning authorities to call for action.

Jackie Baillie made a very interesting point about where the legislation lies with regard to privately owned lands. I would want to write to Scottish Land & Estates, which is the association that covers that issue, because we need to get that sorted out as well. We do not want to take that off the radar; I absolutely appreciate that point that Jackie made, because there is a lot of that around.

I think that it is important. Maybe we need to write to COSLA for information on planning at its level for protection of our ancient woodlands. I support that we carry out those procedures, and that we certainly do not close the petition.

**David Torrance:** It is not often that I agree with Jackie Baillie, but in this instance I agree with everything that she says. I back up what committee members have said about who we need to write to try to protect ancient woodlands.

**Tom Mason:** Jackie Baillie said just what I wanted to say, but she is far more articulate than I am on the subject. This is a very important area to get right. The petitioners were confronted by their experience of the cycle track, but that is just what has prompted us to look at the issue. We need to take it much more widely than that, to include the whole process that we have for ancient forests and woodlands in the context of a total strategy for the countryside. Planting, and the extension of tree planting generally, is important. There are initiatives for that and it corresponds with keeping the ancient woodlands as well.

Collecting information from NatureScot and getting into the planning framework are vital. We could keep the petition open for the moment and get that information to see whether we can get a direction sorted out to prompt the various authorities to get the process going so that we get woodlands and tree planting in the planning framework and there is a positive outcome for everybody. That is very important not only for the countryside but for people in the cities to enjoy the countryside. The ancient forests are part of that. We should keep the petition open, collect information and progress.

**The Convener:** I am slightly troubled by Jackie Baillie being the consensus builder. I suppose that there is a first time for everything. [*Laughter.*]

We are saying that we want to write to NatureScot, the strategic development planning authorities and Scottish Land & Estates. I am not sure that we need to write to COSLA if we are going to write to the planning authorities. However, if people feel strongly about that, we might come back to it. I am a wee bit concerned about simply sending correspondence that will not get an effective return.

I will bring in Jackie Baillie before we come to a final view.

**Jackie Baillie:** Thank you very much, convener. I will always try to build consensus.

I thank the committee for its positive comments and its support for the petition. Once we lose our ancient woodlands, that is it. I know that anything that we can do to protect them will be appreciated not just by the petitioners but by people across Scotland who value ancient woodlands. I thank the committee very much for its time.

**The Convener:** I see from the chat box that people are content that we write to NatureScot, the strategic planning authorities and Scottish Land & Estates. I think that we agree that it is not necessary to write to COSLA at this stage.

We recognise that the issue is important. I thank Jackie Baillie for her time and the petitioners for the work that they have done to bring the petition, which has a compelling argument, to the committee's attention.

I thank the broadcasting staff for their support again today—we have managed to get through the meeting without too many glitches—and the clerks and members, who have made my job relatively straightforward, for once.

*Meeting closed at 11:27.*

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.

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