



OFFICIAL REPORT
AITHISG OIFIGEIL

Public Petitions Committee

Wednesday 13 January 2021

Session 5



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PUBLIC PETITIONS COMMITTEE

1st Meeting 2021, 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:

Finlay Carson (Galloway and West Dumfries) (Con)

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP)

David Stewart (Highlands and Islands) (Lab)

CLERK TO THE COMMITTEE

Lynn Russell

LOCATION

Virtual Meeting

Scottish Parliament

Public Petitions Committee

Wednesday 13 January 2021

[The Convener opened the meeting at 09:00]

New Petitions

Non-statutory Child Advocacy Services (Regulation) (PE1838)

The Convener (Johann Lamont): Good morning. I welcome everyone to the first meeting in 2021 of the Public Petitions Committee, which is being held virtually. I wish everyone a happy new year. I am on audio only, because of connection problems, so you will hear me rather than see me.

As members are aware, chamber business will commence at 11 o'clock. We will aim to progress our agenda in full, but if we are unable to do so, we will carry over to our next meeting, on 27 January, any petitions that we are unable to consider today. The amount of time that we have this morning and before Parliament goes into recess adds to the pressure on us.

The first item on our agenda is the consideration of new petitions. The first new petition for consideration is PE1838, on the regulation of non-statutory child advocacy services, which was lodged by Martin Baker and Katherine Bailey. The petition calls on the Scottish Government to ensure that non-statutory child advocacy services are properly regulated to ensure competence, transparency and accountability. I welcome Christine Grahame, who is in attendance for our consideration of the petition.

Submissions have been received from the Minister for Community Safety and the petitioners. The minister says:

"Any regulation of child advocacy services would require a full consultation and primary legislation. The scope for, and effect of, regulation may be limited as child advocacy services are not only provided by organisations or persons acting in a professional capacity."

The minister also notes that

"The Children (Scotland) Act 2020 ... does seek to improve the ways in which a child's views are heard. ... Section 21 of this Act requires the Scottish Ministers to make such provision as they consider necessary and sufficient to ensure that all children concerned in relevant proceedings have access to appropriate child advocacy services."

The petitioners note that they are

"disappointed by the Minister's passive response to the ... equalities and human rights issues raised"

in their petition. They highlight, in particular, that

"the present situation in which some child advocacy services operate beyond transparency, accountability or scrutiny raises issues of the right to a fair hearing and right to family life."

I call Christine Grahame to speak about the petition from her constituents' perspective.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Thank you, convener, for allowing me to speak. The petitioners are, indeed, my constituents.

An important line in the committee's vision statement says that you consider

"issues which may affect a small number of people but have a significant impact on the quality of their lives."

That is where I will start.

I support child advocacy services, as do my constituents. However, when those services go wrong, they can go very wrong for individual people, and, at the moment, there appears to be no way of undoing that wrong. The bulk of advocacy workers are excellent people, but there is currently no regulation. Advocacy can be provided by a whole range of people, including members of the family. However, I am not talking about members of the family providing advocacy, because the petition is about non-statutory services; I am talking about organisations—paid or unpaid—that provide such services.

Advocacy support services are used in a whole range of areas, including health, education, social work and civil court proceedings, yet they are currently not subject to regulation or oversight—they have been missed out from that.

Convener, in your introduction, you quoted the Minister for Community Safety as having said that

"Any regulation of child advocacy services would require a full consultation and primary legislation",

which is an admission that there is currently no regulation. That is not correct.

The minister also said:

"The scope for, and effect of, regulation may be limited as child advocacy services are not only provided by organisations or persons acting in a professional capacity."

Be that as it may, if parties are assisting children—that is all that they are supposed to do; they are not supposed to change what they say or persuade them—in very difficult and complex circumstances, training and regulation is required for the sake of the advocacy workers, third parties and, in particular, children.

I note what you said about section 21 of the 2020 act. However, as I read that, it is not about regulation; it is simply to do with the provision—whether advocates should be paid and how they would be accessed. Regulation is not mentioned. That is the concern that my constituents have.

I suspect that other people—maybe only a few, but enough for it to matter—will have their family and personal life impacted by this. I understand that you are under a lot of pressure and that we are coming to the end of the parliamentary session. However, I suggest that the committee should press the minister for an answer and find out whether she has concerns that this is an unregulated “profession” and whether, in another session, any incoming Government would consider looking at the issue in more detail.

In the meantime, we should see how far this penetrates and find out in what ways other individuals have been similarly affected.

The Convener: Thank you, Christine. That was very helpful and adds to our thoughts on the matter. I will now go round the committee and ask for views.

There is an issue. Christine Grahame made the point that it might affect only a few people but that it is, nevertheless, important that we explore it. I hope that we will think about whom we might contact to get an understanding of views on regulation.

Tom Mason (North East Scotland) (Con): I take on board what Christine Grahame said. We should go in the direction that she suggested. However, we also need to speak to various stakeholders, such as the Law Society of Scotland and the Children and Young People’s Commissioner Scotland—to get better and broader information on the subject, at which point we can make some more sensible decisions.

David Torrance (Kirkcaldy) (SNP): I support my colleagues’ calls to write to key stakeholders, and I would also like to write to the minister.

Maurice Corry (West Scotland) (Con): I agree with what my colleagues have said, and I support the suggestions.

Gail Ross (Caithness, Sutherland and Ross) (SNP): I, too, thank Christine Grahame for her valuable insight.

Two points in our papers struck me. The first is that the issue has been raised as evidence in the Equalities and Human Rights Committee as part of its consideration of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill. Therefore, it is on the record in another committee. The second point that struck me is the uncertainty about whether child advocacy workers are protecting vulnerable groups—PVG—scheme checked.

I am absolutely in agreement that we should write to all the stakeholders that have been mentioned—and any others that the clerks feel are appropriate—as well as to the minister.

The Convener: Thank you very much. We recognise that there is an interesting issue to be addressed. The case for that has been made by both the petitioners and Christine Grahame.

There is a question mark over the minister’s response. Bear in mind that that was the minister’s first go at it, so she might reflect on what else has been said to relevant bodies such as the Law Society of Scotland, the Children and Young People’s Commissioner Scotland and Who Cares? Scotland. If the clerks think it appropriate to write to other organisations, we hope that they will do so.

The only question is at what point we should write to the minister. It would be useful for the minister to comment on what has been said after we have received submissions from the organisations, rather than for us to receive correspondence ahead of such time. However, we can leave that to the judgment of the clerks. We recognise the importance of the issue and will have the opportunity to respond to any submissions that are made.

I thank Christine Grahame for attending today.

Professional Dog Walking Industry (Regulation) (PE1842)

The Convener: The second new petition for consideration is PE1842, which was lodged by Valerie Deerin-Morris. The petition calls on the Scottish Government to regulate and license the professional dog walking industry.

The Scottish Government’s submission explains that professional dog walking, dog minding and other associated services are not currently governed explicitly by animal welfare legislation. The welfare of dogs subject to such services is, however, protected by the general requirements of the Animal Health and Welfare (Scotland) Act 2006.

During stage 3 of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill, the Minister for Rural Affairs and the Natural Environment outlined some of the on-going improvements that are being made concerning the welfare of animals. Those include further licensing legislation, consultation on animal transport improvements and continuing work on illegal puppy dealing. The Government suggests in its submission that the plan could be extended in due course to cover those offering animal services such as dog walking and training.

I think that the petition is really interesting, and I got some comfort from what the minister said. It is reassuring that there is an awareness of the issues that have been highlighted and that some of them could be addressed through provisions

that are already in place. The petitioner makes a compelling case for something to be done in the area; the question is how that is done.

David Torrance: As professional dog walking becomes more and more important, I believe that there should be some form of regulation of it. I would like to keep the petition open and to write to the Minister for Rural Affairs and the Natural Environment, requesting further information on the Scottish Government's plans to extend animal licensing legislation, including anticipated timescales and whether the provisions will be extended to include the professional dog walking industry.

Maurice Corry: I agree entirely. I am particularly concerned that the Government addresses the number of dogs that a dog walker can walk at one time, so that a pack of dogs cannot be out with one person. I am happy to go with the action that David Torrance suggested.

Gail Ross: The Government's initial response shows that penalties kick in once there is an animal welfare issue. The idea of regulating the professional dog walking industry is to prevent animal welfare issues from arising in the first place. Maurice Corry is absolutely right about the issue of the number of dogs, which the petitioner mentions in her submission. I was interested to learn that some local authorities have introduced bye-laws, which shows that such action can be taken. I agree that we should write to the minister to pick up those points and ask for the timescale.

Tom Mason: I have nothing to add to what my colleagues have said.

The Convener: There is a recognition that there is an issue, and it is clear that the Government is aware that there are significant issues relating to animal welfare. Gail Ross's point about our being proactive in recognising that issues might be developing, as opposed to simply investigating existing problems, was well made.

We agree to write to the Minister for Rural Affairs and the Natural Environment to seek further information in that regard and to ask how the Government will deal with the issues that have been flagged up in the petition.

Commissioner for Ethical Standards in Public Life in Scotland (Review) (PE1843)

The Convener: PE1843, which was lodged by Ewen Cameron, calls on the Scottish Government to review and consider revision of the governance, accountability and integrity of the Commissioner for Ethical Standards in Public Life in Scotland and to ensure that they adhere to the seven principles of public life as stipulated in the Nolan principles:

selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

09:15

The Scottish Government's submission advises:

"I have reviewed the aim and content of the petition, the subject matter of which concerns the functions and operation of the Commissioner for Ethical Standards of Public Life in Scotland. That office-holder is appointed by the Scottish Parliamentary Corporate Body, with the agreement of the Parliament. The holders of such offices are commonly referred to as 'Parliamentary Commissioners' a genre of office-holder characterised by a need to ensure independence in their regulatory or quasi-judicial function, including from the Scottish Ministers."

On that basis, the Scottish Government states that it

"would not consider it appropriate to offer any views at this point"

on the petition.

We might simply want to get information from the Scottish Parliamentary Corporate Body on the issues that are flagged up. However, I will go round members again.

Maurice Corry: We need to write to the Scottish Parliamentary Corporate Body to seek its views on the matter and on the action that is called for. It is in the corporate body's hands to do that.

Gail Ross: I am in complete agreement. We should investigate the issue a little further, and the most sensible place to go is the corporate body. I agree with that course of action.

Tom Mason: I agree. We should write to the corporate body and seek further information.

David Torrance: I agree with my colleagues.

The Convener: We are agreed to write to the Scottish Parliamentary Corporate Body to seek its views on the action that is called for in the petition.

National Health Service Boards (Regulatory Complaints Body) (PE1844)

The Convener: PE1844, by Jennifer Greenhorn, calls on the Scottish Government to introduce an external regulatory complaints body to improve complaints procedures in national health service boards.

The Scottish Government notes that the Scottish Public Services Ombudsman provides the role of the external independent regulatory body for NHS complaints, as called for in the petition. The Government advises that the NHS model complaints-handling procedure has a statutory foundation in the Patient Rights (Scotland) Act 2011. The act and supporting legislation provide a specific right for people to make complaints, raise concerns, make comments and give feedback.

The petitioner states that the NHS is solely responsible for the handling of all complaints that are received and is in full control of the figures that it shares externally. The petitioner also advises that the SPSO is not an external regulator and has no powers to ensure that the NHS makes improvements.

I cannot be the only member who has had dealings with people who feel that they have been treated badly in the NHS and who have a sense of dissatisfaction about how a complaint was pursued once it had been looked at internally. The SPSO's role is to look at whether a complaint has been handled properly rather than at the substance of the complaint. Therefore, it feels to me that there is a wee bit of a gap. There is a lack of confidence that complaints, some of which can be very serious, given the nature of the work that the NHS does, are taken seriously. It might be that the problems that are complained about cannot be addressed, given the nature of the issues.

I feel that there is an issue, but the question is about what can usefully be done. Would another layer or body actually resolve the problem?

Gail Ross: I absolutely agree, convener. If another body was set up, it would have to be completely independent. There is a bit of an anomaly in that NHS boards, in essence, investigate themselves or their staff or members. I have dealt with people who have been dissatisfied with the way in which a complaint was investigated or not upheld. It seems that only really persistent people manage to have their complaint looked at again. Not everyone has the means or even the energy to pursue issues further.

I think that there is a gap, but if we are to make any recommendations, we need to hear more from other health bodies. I would also like us to hear from the SPSO, so that we can find out what its view is. We should write to Healthcare Improvement Scotland, Care Opinion and the patient advice and support service, as well as any other bodies that the clerks think appropriate.

Tom Mason: There is undoubtedly a problem here. I do not know of any case that I have had that has been dealt with by the ombudsman satisfactorily, such that people have been content with the outcome, so I think that we need to continue our consideration of the petition.

The NHS health boards carry huge budgets, but they are essentially unaccountable. It is true to say that they judge themselves. We need to obtain more relevant information, which we could do by writing to the SPSO. It is essential that we get more information before coming to any conclusions.

David Torrance: I have nothing to add beyond saying that I think that we should write to key stakeholders to get their views on the petition.

Maurice Corry: I agree with my colleagues, and I have nothing further to add.

The Convener: I think that there is recognition that there is an issue with people having confidence in the health service, given that the existing health bodies do not have a role in dealing with complaints. Members agree that we should write to the relevant stakeholders and organisations that might have a view, which have been flagged up by Gail Ross and others. We should also write to the Scottish Public Services Ombudsman, because it would be interesting to find out its view on the matter. My sense is that the ombudsman's job is not to intervene but to look at whether the complaint was handled properly. We should look into that further.

We agree to take forward the petition by writing to the relevant bodies to ask for their views on the matters that have been flagged up by the petition.

Rural Scotland (Healthcare Needs) (PE1845)

The Convener: PE1845, which has been lodged by Gordon Baird on behalf of Galloway Community Hospital Action Group, calls on the Scottish Government to create an agency to advocate for the healthcare needs of rural Scotland to ensure that health boards offer "fair" and "reasonable" management of rural and remote healthcare issues. I welcome Finlay Carson to the committee for our consideration of the petition.

As the clerk's note explains, the clerks have requested the Scottish Government's views on the petition on a number of occasions, but the information has not been forthcoming. The committee recognises that, in general, the Scottish Government has been able to provide its views at the initial stage of consideration of a petition. That has been extremely helpful to our consideration of new petitions. It is therefore disappointing that we have not yet had a response on PE1845, although we appreciate that health officials, in particular, are under a lot of pressure at the moment. That cannot be overemphasised.

Two submissions from the petitioner are included in our papers. In the first, examples are provided of cancer patients in Galloway who must travel to Edinburgh for specialist care. The petitioner believes that that situation would be improved if there were a body to advocate for the healthcare needs of rural Scotland.

In the second submission, the petitioner highlights the findings of the Sturrock report, which examined cultural issues relating to allegations of

bullying and harassment in NHS Highland. Although that report focused on NHS Highland, the petitioner states that its findings and recommendations are relevant to all of rural Scotland.

Since our meeting papers were published, the Scottish Parliament information centre briefing has been updated to explain that there are three regional cancer networks across Scotland. NHS Dumfries and Galloway is in the South East Scotland Cancer Network alongside NHS Borders, NHS Fife and NHS Lothian, rather than being grouped with other western health boards in the West of Scotland Cancer Network.

The committee has also received a submission from Caithness Health Action Team expressing its support for the action that is called for in the petition. It believes that the establishment of such an agency would improve the experience of patients in Caithness. It is clear that there is interest in the petition's proposal.

I invite Finlay Carson MSP to address the petition, after which I will ask committee members for their reflections on how we should move forward with the petition.

Finlay Carson (Galloway and West Dumfries) (Con): Thank you for the opportunity to speak to the petition, which I very much support.

We need to make it clear that the petitioners are looking for equality and that they are not looking for anything that anyone in an urban area of Scotland would not be looking for. In particular, the petition highlights issues with cancer treatment pathways. As the convener has already said, currently the default pathway is to the east of Scotland. As members know, the journey to Edinburgh from the likes of Stranraer or Drummore in the far south-west covers a considerable distance. Quite simply, we are looking for an opportunity for policies to be reviewed to ensure that there is equality throughout Scotland.

We are corresponding with the Cabinet Secretary for Health and Sport on travel expenses. Some health boards will pay travel expenses for people who have to travel to the central belt for cancer treatment, for example, but those payments are not available for patients in Dumfries and Galloway.

I am sure that Gail Ross will appreciate that legislation such as the Islands (Scotland) Act 2018 tries to ensure that we have a level playing field and that everybody across Scotland gets the opportunity to access services in the same way, whether the person is on an island or in the middle of Edinburgh.

I would very much welcome the petition being continued, and potentially even the creation of the role of a rural health commissioner being seriously considered. That has been done in Australia, and would ensure that any decisions that are made are not to the detriment of people who live in rural areas.

The Convener: Thank you; that is useful.

Tom Mason: There were always going to be issues with services to rural communities, and I take on board what Finlay Carson said. I think that we need to write to the Cabinet Secretary for Health and Sport to get some more information about her views and also to the Scottish rural health partnership to seek its views. We can see what we come up with and progress the matter accordingly.

David Torrance: I agree with my colleague that we should keep the petition open and that we should write to the Cabinet Secretary for Health and Sport and the Scottish rural health partnership.

Maurice Corry: I agree with my colleagues and have no further comment to make.

Gail Ross: I thank Finlay Carson for attending the meeting and giving his views from the other end of Scotland in relation to where I am residing.

Finlay Carson mentioned the Islands (Scotland) Act 2018. It is worth while taking a moment to reassure him that the proposed remote rural communities (Scotland) bill, which is a member's bill that I consulted on, is exactly along the lines that he mentioned. That bill would do pretty much the same as the Islands (Scotland) Act 2018. Nearly all the consultation responses were positive about the bill, which would create remote rural impact assessments and remote rural or rural proofing, which would probably address a lot of the concerns in the petition.

Unfortunately, there tends to be a gap between the perception of what should be provided for people in remote rural areas and what it is possible to provide. I go back yet again to the situation with the maternity ward in Caithness. We had obstetricians without paediatricians. If we could get a model in which there could be more births in Caithness, I would absolutely, 100 per cent support that.

A lot of people up here think that we should have a full special care baby unit the same as the one that they have at Raigmore, but that is just not possible. That is not just a budgetary issue; it is also a skills issue. This might sound horrible, but even if we have paediatricians, neonatal nurses and a full ward, we do not have the volume of sick babies and children for the practitioners to keep

their skills up. Even the paediatricians in Inverness have to go south for training every now and again.

09:30

I support the idea of a rural health commissioner. Even if it were to improve the communication between the Scottish Government health department, the rural health boards, and members of the public, we would probably be halfway there, but there is a failure to communicate exactly the points that I have just made.

I agree, therefore, that we should seek more views on this. I would write to the cabinet secretary, the Scottish rural health partnership, and anyone else that is appropriate. I would also press the Scottish Government to take forward the remote and rural communities bill as part of its programme for government in the upcoming session. If not, I hope that a member will pick it up as a member's bill. There are several ways to get these issues through.

The Convener: Maurice Corry wants to come back in briefly.

Maurice Corry: Having been the chairman of the health and social care partnership and integration joint board in Argyll and Bute, I concur with Finlay Carson and Gail Ross. Those are exactly the problems that we were trying to address when we were in the early days of the IJB formation.

I agree with Gail Ross that Finlay Carson's idea about a rural health commissioner is excellent; so much needs bringing together, because there are different issues even within the islands and rural communities, let alone between them and the central belt. I commend that idea.

The Convener: Thank you. There is agreement that there are further issues to address, but that, at both ends of the country, there are more challenges than simply that of provision.

I note what Gail Ross said about a future programme for government. That will depend on which parties form that Government, but this will be something that it should be aware of. However, I think that we agree that we should write to the Cabinet Secretary for Health and Sport and the Scottish rural health partnership. If, in consideration of the petition, the clerks think that there are other groups that we might wish to write to, we can also do that.

A82 (Upgrade) (PE1846)

The Convener: The next new petition is PE1846 on upgrading the A82. The petition was lodged by Louise Glen on behalf of Highland News and Media *Inverness Courier* and it calls on the

Scottish Government to upgrade the A82. I welcome David Stewart MSP, who is attending the committee for consideration of the petition.

A submission has been received from the Scottish Government, and it advises that it has

"recently finished consulting on our Road Safety Framework for the next decade which proposes Vision Zero".

It further notes:

"In terms of future Scottish Government transport investment priorities over the next 20 years, these will be determined by the second Strategic Transport Projects Review (STPR2) currently underway."

The Scottish Government also states that

"STPR2 will help to deliver the vision, priorities and outcomes for transport as set out in NTS2 and includes consideration of the A82"

and that

"There are over 20 options being considered that are specifically for the A82 which include route and junction improvements, realignment and a bypass of Fort William."

I will call David Stewart MSP to speak before committee members consider what we should do with the petition.

David Stewart (Highlands and Islands) (Lab): I thank the Public Petitions Committee for allowing me to support the petition to upgrade the A82. I also congratulate Louise Glen from the *Inverness Courier* on her initiative on the issue. That is what good campaigning newspapers at the local level are all about.

As you may know, convener, for the past decade I have been a road safety campaigner, following the tragic deaths of two 16-year-olds in Inverness that led me to campaign on initiatives for young drivers, such as a proposal for a graduate driving scheme, which the committee has considered in the past and which the Scottish Government and the road safety charity Brake have all supported.

National transport statistics show that the number of deaths and injuries per head is higher in the Highlands and Islands and, indeed, the north-east than it is in other parts of Scotland. Historically, the A82—which is a road that I know well, particularly the Inverness to Fort William stretch—has had a poor road safety reputation. Of course, I understand that all roads carry risks of collision, death and injury, but there are specific characteristics of the A82 that I want to mention—very quickly, because I know that time is tight.

First is geography. The sweep along the north of Loch Ness is, as many members will know, full of double bends. Visibility is poor and there is little opportunity for overtaking. Secondly, there are a lot of problems with slow-moving tourist traffic—

caravans and hire cars in particular—viewing Loch Ness and, indeed, the monster, when occasionally it shows itself. The third factor is heavy commercial traffic, particularly for forestry and freight. Again, that is slow moving and difficult to overtake.

I would like to touch on a wider issue. Clearly, the solution is to look at boosting freight facilities grants, which would move more freight to sea and rail. I highlight the work that the smelter in Fort William is doing on that subject. The committee might want to look at that, because it would certainly help.

The final characteristic is the very narrow carriageway, which, bearing in mind that the A82 is a trunk road, is quite unusual and has certainly caused some issues.

There is a strong history of community campaigning to improve the road, which goes back decades. I flag up Councillor Brian Murphy and local business leaders in Lochaber, who have been at the forefront of the campaign. I applaud them for the work that they have done.

The committee should be aware of some additional factors. There is a big focus on cycling and motorcycling tours in the area. Lochaber is the national home of such tours, which clearly adds extra pressure on the roads. As a Highlands and Islands MSP, I am aware, however, that tourism is very important and I am not suggesting trying to reduce cycling or motorcycling. I merely make the point that that is an extra characteristic.

The A82 has been a source of worry to road safety campaigners and business leaders. I appreciate that the Government is looking at 20 different options for the A82. Of course, I support vision zero's target of halving the number of deaths and accidents by 2030. I ask the committee to keep the petition open and review progress on the road. If the committee is writing a legacy report for the next session, I ask it to flag up the issue. It is important that we look at developments in the future.

I am happy to talk about some of the detail. I do not argue that we have seen a big drop in statistics or the road getting safer. I would flag up that in the past 10 years, we have had 56 deaths on the A82. Any improvement is a good improvement, and of course I would argue that one death is one death too many. I am happy to answer any questions, if that is appropriate at this stage.

The Convener: It will not be possible to go back and forth with you, because of time, but your comments were helpful. The issue for the committee is how much benefit we can add. You make a very strong case for work being done. The

Scottish Government has said that it is doing work and that we should be reviewing that.

The question is whether we close the petition, with the petitioner having the option to come back if there is no progress or insufficient progress. That option is open to the petitioner, because it is the end of a parliamentary session and so there is not the constraint of having to wait for a year.

You make a compelling case about the route. As you say, it is a tourist route, a business route and a commuter route—it is all of those things. The work that is being taken forward is critical in terms of safety and doing the things that we want that route to do.

I will bring in committee members in a moment. My view is that if we closed the petition, that would not be to say that the matters are not important. The question is how best they can be taken forward. I would like the committee's focus in the future be on what the Scottish Government has done to meet the commitments that it has already made. The intention would not be to undermine in any way the seriousness of the issues that you and the petitioner have outlined.

David Torrance: I agree that the committee does not have time to do the petition justice. I am happy to close it under rule 15.7 of the standing orders, on the basis that the Scottish Government is considering the 20 options through engagement with local stakeholders as part of the strategic transport projects review, which is expected to be finished in 2021. If the petitioner is not happy with the recommendations, I ask them to bring the petition back in the new parliamentary session.

Maurice Corry: The A82 is in the north part of my West Scotland region, going up Loch Lomondside to Crianlarich, and I am well aware of the issues there. Obviously, in various meetings with Transport Scotland, BEAR Scotland and the Scottish Government, I hear about the developments that are under way in the area. Certainly, I have been applying pressure on the Scottish Government and Transport Scotland to make the road safer, and there are developments, so I am comfortable that things are happening. In our stakeholder review meetings in relation to the Rest and Be Thankful on the A83 and the A82, we raise issues about the A82 every time.

I have confidence that the Scottish Government's programme for the review of the roads will deliver. We need to keep pressure on the Government, but I do not think that we will achieve anything by keeping the petition open at this stage, so I agree with the convener and David Torrance that we should close it on the basis that has been mentioned.

Gail Ross: Obviously, local members' input is extremely important in such cases. I, too, agree

that the issue is hugely important, and David Stewart is right that one death is one too many. I have looked at the papers in depth, and I agree that there is nothing further that we can do on the issue, given that the STPR 2 is due to report in two phases this year. As Maurice Corry said, he has seen the improvements that are going ahead. Therefore, I am content to close the petition in the knowledge that the petitioner does not need to wait for a full year to bring it back. *[Interruption.]*

The Convener: That was an intervention from your colleague, the cat.

Tom Mason: I have nothing to add to members' comments. We should close the petition at this stage.

The Convener: I think that we are agreeing to close the petition on the basis that there are 20 options for the A82 and that the approach will be informed through stakeholder engagement. However, I suggest that we flag up to the petitioner their right to bring back a petition once they see what progress has been made. Although it would not be in our legacy paper, the committee should also write to the cabinet secretary to flag up the important issues that have been raised and the concerns that the committee has highlighted. I suppose that, if the petition had come at a different stage in the parliamentary cycle, we would have looked at it more, because we think that there are important issues here. We could underline to the cabinet secretary what David Stewart and other colleagues have said, and what the petitioner has said.

We agree to close the petition under rule 15.7 of the standing orders. We recognise that there are important issues and that close attention will be paid to what the Scottish Government says, and we agree to write to the Government to flag up those issues. I thank David Stewart for attending.

Age of Criminal Responsibility (PE1847)

The Convener: PE1847, by Barry Donnan, calls on the Scottish Government to urgently raise the criminal age of responsibility to a minimum age of 14.

The Scottish Government's submission refers to the Age of Criminal Responsibility (Scotland) Act 2019, which raised the age of criminal responsibility from eight to 12 years of age. As the bill that became that act progressed through Parliament, amendments to increase the age of criminal responsibility to 14 and 16 were rejected.

09:45

The Scottish Government confirms that raising the age of criminal responsibility is a high priority and that, as a result, it has prioritised the changes

that will have the most positive material effect for children now. It highlights, however, that that change is a significant reform and requires careful evaluation to identify further changes. The act requires the Scottish ministers to review the operation of the act within three years of the commencement of section 1, which is planned for autumn 2021.

In response, the petitioner refers to paragraph 22 of the United Nations Committee on the Rights of the Child's "General Comment No 24: Children's Rights in Juvenile Justice", issued last September, which states that children aged 12 to 13 years are unlikely to understand the impact of their actions or to comprehend criminal proceedings due to the fact that their frontal cortex is still developing. The petitioner is concerned that, until the act is fully enacted, any child between the ages of eight and 11 can still be investigated for committing a crime.

This issue has been current in the Parliament recently, and the Parliament has made a decision on it. I suspect that it is an issue that Parliament in the new session will consider and it will be at that stage that this petition becomes relevant. The petition certainly addresses a lot of important issues.

I note that the Scottish justice system has in place a children's hearings system, which means that young people who are caught up in the situation that is outlined in the petition will be dealt with in a slightly different way here. Although some would say that Scotland is behind the curve on a lot of these questions, the existence of the children's hearings system gives me some reassurance.

There are some interesting issues here but, again, I say that the Parliament has recently considered the issues in detail and has taken a different view from that of the petitioner. It might be that this is another example of a petition that could be considered further in the new session of Parliament, when the issues have been progressed somewhat.

Maurice Corry: This is an interesting petition and it has some quite deep meaning. As we know, the amendments to increase the age of criminal responsibility to 14 and 16 were rejected during the passage of the 2019 act. Also, the Scottish Government has confirmed that reviewing the age of criminal responsibility is a high priority, as you said, convener. Therefore, I think that we should close the petition, especially given that the Scottish ministers must review the operation of the act within three years of the commencement of section 1.

In closing the petition, we should write to the Cabinet Secretary for Justice to ask the Scottish

ministers to consider the action that the petition calls for when they review the operation of the act.

Gail Ross: I was on the committee that dealt with the bill during its passage and discussed what the age of criminal responsibility should be. It was a contentious debate, and quite a few people, including the Children and Young People's Commissioner Scotland, pushed for it to be set at 14, especially when we got news of the UN's general comment, which I think was about a week before we were due to vote on the issue.

I was one of the people who were sympathetic to the push to raise the age to 14, but I was also sympathetic to the Government's argument that more work needed to be done. The three-year review period in the legislation was a compromise in that regard. Having gone through the whole process and listened to all the evidence, I wish that we could have gone to 14 in one jump. However, the official advice from the Government was to do it in increments in order to take the public along with us.

I think that the compromise that we reached was the right one, so I agree that we should close the petition under rule 15.7, in the knowledge that we did everything that we could and that the situation will be reviewed. If members in the next session of Parliament feel that it is the right time to raise the age, the issue will be consulted on at that point.

Tom Mason: I do not have anything more to add to what other members have said—*[Inaudible.]*—close the petition—*[Inaudible.]* We will see what happens in the next session of Parliament.

David Torrance: I agree to close the petition under rule 15.7 of standing orders.

The Convener: There is recognition of the importance of the issues that are raised in the petition, and the Parliament has studied the matter in depth. Gail Ross made the point that there will be a review. That provision was put in place precisely to address some of the concerns about how the matter could be progressed.

We are agreed that we should close the petition under rule 15.7 of standing orders. That decision is not in any way to undermine the issues that have been flagged up—the Parliament has wrestled with them in detail. In closing the petition, we recognise that work is being done on the issues, including the review. We agree to write to the Cabinet Secretary for Justice to flag up the committee's considerations.

In closing this and the other new petitions, I should, of course, thank the petitioners and highlight that they have the opportunity to bring back a petition in the new session. We recognise

the important work that they have all done in flagging up issues to the committee.

Snooker and Pool Venues (Covid Restrictions) (PE1848)

The Convener: PE1848, by Paul Marinello, calls on the Scottish Government to allow snooker and pool venues to open at all levels of the five-tier system of coronavirus restrictions, except tier 4.

In his initial written submission, the petitioner challenges the assessments that have informed the Government's decisions on snooker and pool halls. He states that halls have good mechanical ventilation as part of their licensing requirements; that physically distancing is aided by the size of the tables that are being used; and that players wear face masks while in play. The petitioner also highlights that snooker is the only non-contact sport that is not allowed to operate in tier 3, which he considers to be unfair.

Since the publication of our papers, the committee has received a response from the Government. It explains that

"the decisions on what can open during the different tiers are set out in our Strategic Framework, which includes measures across a wide number of settings and provides a comprehensive approach to reducing infection rates and suppressing the spread of the virus."

It says that, although the Government currently has

"no plans to allow pool and snooker halls to reopen outside of tiers 0 and 1",

it keeps

"the content of the Strategic Framework under regular review."

The committee has also received two submissions from Scottish Snooker, which is the national governing body for snooker and billiards in Scotland. In the submissions, the organisation echoes the petitioner's concerns about the assessments that have been made and suggests that the strategic framework, as it relates to snooker and pool, is based on incorrect information.

The committee has received an additional submission from the petitioner, in response to the Scottish Government's submission. He reiterates his challenge to the framework and states that

"everything should be done that is necessary to fight covid 19 and save lives",

but

"no business or sport should be unnecessarily disadvantaged either, should there be a solution."

This is an interesting petition. The petitioner makes a strong case for a proper understanding of

what snooker and pool venues do. I guess that, in the current context—we are at the height of the crisis—there is not a lot of room for movement. However, it is the role of individual businesses and organisations to flag up such matters. Government cannot fully understand how different businesses operate, and the petitioner makes an interesting and important case. There are examples in other areas, too, of the officials drawing up the framework without having a particular awareness or understanding of how individual businesses operate. There are interesting issues to be flagged up that can inform any future decision making.

Gail Ross: I think that there are two main points. My initial reaction is that I do not want to challenge any decision that has been made regarding the Covid regulations, because if we did so and there was then an outbreak, that would be quite negligent of us. However, as the convener said, the argument that the framework assessment is in some way flawed merits further action. I want to flag up the issue and write to the cabinet secretary and the Culture, Tourism, Europe and External Affairs Committee as part of its on-going considerations.

The convener is right that, if changes are to be made, it will be very difficult to get any made now, but I have great sympathy with any businesses that are struggling in the current financial climate. It must be awful for them. Some important points have been made. We should take further action by writing to the aforementioned people and to the committee.

Tom Mason: This is an interesting petition. The industry has advocated what it wants, given its circumstances, in detail. It is right that any activity should be examined in detail to ensure that the logic to closing down businesses, if that is necessary, is clearly articulated. Writing to the cabinet secretary and the committee is the right thing to do. The assessment could then act as a framework for the study of other industries, and it could show what needs to be done to maintain businesses. We cannot just close everything, or else nothing will be left in the end. One gets to the point of thinking, “What’s the point of doing anything if everything closes down?”

It is right to keep the petition open and to write to the cabinet secretary and the committee.

David Torrance: I agree with my colleagues.

Maurice Corry: I, too, agree with my colleagues.

The Convener: In that case, we agree that important issues have been raised. We recognise how difficult the challenges are. The deputy convener talked about how difficult it is to make judgments in the current context, but specific

issues relating to particular businesses should be taken into account in decision making.

We agree that we will write to the relevant cabinet secretary and the Culture, Tourism, Europe and External Affairs Committee to highlight the issues that have been flagged up to us.

Psychiatric Hospitals (Review of Non-forensic Detentions) (PE1849)

The Convener: The final new petition on our agenda is PE1849, which was lodged by Barry Gale, Ruth Hughes and Tracey Gibbon on behalf of the mental health rights Scotland group. The petition calls on the Scottish Government to launch an independent review of all detention of non-forensic patients in high-secure and medium-secure psychiatric hospitals, with a focus on the necessity and appropriateness of the care and treatment that are provided; on exploring all reasonable options for early rehabilitation, with full participation of the patient and their family carers; on the practice of admitting patients unnecessarily to high-secure and medium-secure hospitals and then requiring them to appeal in order that they can get out; and on the conditions under which courts may impose restriction orders.

In her written submission in response to the petition, the Minister for Mental Health highlights that an independent review into delivery of forensic mental health services across Scotland is currently on-going and is due to conclude in early 2021.

Issues that are being considered as part of the review include: the ease of movement of patients both down and up through levels of security; the impact of appeals against conditions of excessive security across the mental health system, including demand for low-secure services and the extent to which that can be met by the current forensic estate; delivery of services for intellectual impairment, learning disability and neurodevelopmental disorder and autistic spectrum disorder; movement of people from low-secure or medium-secure services to the community, as well as consideration of delays in that and their causes; and the support and services that are needed to successfully treat people in the community, and difficulties in providing or accessing such services.

The minister highlights that an independent review into mental health and incapacity legislation has also been commissioned, which is expected to report in September 2022.

10:00

In their response, the petitioners state that there is a gap between the policy and the practice, and they note the Mental Welfare Commission’s

concerns about patients being held in conditions of excessive security due to there being a lack of suitable places to move them on to, and the need for that to be addressed.

This is a really interesting petition, partly because it gives me information that I was not previously aware of. I am struck that people can, because there is not another place available, be placed somewhere but then find it difficult to get moved out of that place, and I am struck by what happens to people in the system if they react to that.

I am grateful for the quality of the response from the Minister for Mental Health, which is substantial and gives us comfort that many of the important issues are to be addressed by the Government. I do not know what members think, but it might be that we can close the petition while acknowledging that there is a lot of work to be done, and that the petitioners might want to come back to us with something that calls for scrutiny of that process. I was very struck by the importance of the issues that the petition flags up.

Tom Mason: I have had some personal experience of such things—not as a patient, but as a named person for a couple of people—and I found the system to be frustrating, awkward and frightening. It was not a good experience. The fact that people can, as the convener said, go into the system voluntarily then cannot get out again is unacceptable. Therefore, although progress is being made and a review has been commissioned, writing again to the Minister for Mental Health to ask for a response to the petitioner's comments is vital so that we get essential progress on the matter. It is to be hoped that a better situation can be arrived at.

David Torrance: I agree with my colleague that we should write to the minister to seek further information. However, I want to close the petition under rule 15.7 of standing orders, on the basis that the minister has commissioned an independent review of delivery of mental health services across Scotland. That review is due to conclude in 2021, and the petitioners will have a chance to lodge a petition in the new session of Parliament if they are not happy with the recommendations in the review report.

Maurice Corry: I am of the opinion that we should not close the petition. Tom Mason's comments are absolutely correct; we should follow the path that he has suggested. Furthermore, members might be aware that the United Kingdom Government is undertaking a massive review of mental health legislation and exactly the issues that are raised in the petition. I accept that that legislation is for England and Wales, but I think that we could point the Scottish Government to

some of the findings of that review. Therefore, I think that it is too early to close the petition.

Gail Ross: This is a difficult one, because I can see merit in both suggestions. The minister's reply was quite full. I do not know that writing to her again now will give us any more information. I think that we need to wait until the recommendations are brought before us.

The point that Maurice Corry made about the UK Government's review of mental health legislation is important. If we are to have a world-class system, we need to work with other Governments and to learn lessons from best practice elsewhere.

I do not know what value keeping the petition open would give either the committee or the petitioners at the moment, given that the petitioners can come back in the new session, which is likely to coincide with the recommendations in 2021.

We have the option to put the matter in our legacy paper. It is quite important that we do that, because it is a huge issue—which I would say about anything to do with mental health.

I am comfortable with the minister's response and with closing the petition, but we should cover the matter in our legacy paper and invite the petitioners to come back when we know what the recommendations are.

The Convener: It is clear that committee members agree that the issue is important. My view is that we would, had the petition come at a different point in the parliamentary session, have kept it open, and we would have got a response from the minister, because the petition flags up really important issues.

However—I will let members back in if they do not think that this is right—my feeling is that the compromise is that we should close the petition, given the independent review, but we should also write to the Minister for Mental Health to flag up the question whether the review will cover the issues that are highlighted in the petition. We can also underline that we think that the review should highlight those issues. I think that the minister would be alive to that suggestion.

We can also say that we are interested in timescales and that we will, as a consequence, put in our legacy paper that the committee has looked at the issue, and that there is an expectation that the petitioners might submit another petition when the review is concluded, or earlier because of what is included in the review.

In agreeing to close the petition, we would in no way be undermining the significance of the issues that have been flagged up, but we need to be realistic about our input. We can write to the

minister and put the matter in our legacy paper. Is there concern about that?

Maurice Corry: I fully understand where we all stand on the matter. However, I heard by chance this morning news about the UK Government's move on mental health. I think that there will be a lot of information in that review. If the committee moves to close the petition, I would like us to make sure that we also make a point of referring to the UK Government's outcomes on the mental health legislation review.

Having just led a campaign and opened the mental health support unit of my local general hospital, I know a lot about the issue. It has dug up other matters that we did not realise at the beginning would be involved. I think that we should leave no stone unturned. It is important that the minister be made aware that a review is going on south of the border, as well. I hope that the professionals and politicians will get together for the betterment of the whole country.

The Convener: That is a reasonable point. In truth, I note that the Scottish Government review is already under way, so it is almost ahead of what is happening in the rest of the UK, but we can include that point in our letter to the Minister for Mental Health. We can note that that review is going on, and we can seek assurance that there will be co-operation, which I am sure will be the case.

As far as I can see, members agree that we will write to the minister as I have outlined. We underline and emphasise to the petitioners that we recognise how important the issue is. We want it to be considered by the minister also in the context of what is happening elsewhere, including the review that Maurice Corry mentioned. We note that the petitioners can bring the matter back in a petition in the new session, if they want more focus and emphasis on the issue ahead of the review being concluded.

We agree to close the petition, but we recognise the important issues that it raises and are very grateful to the petitioners for bringing them to our attention. I have full confidence that the issues will be addressed in the new session of Parliament simply because, as we have all said, they have had such a direct impact on people's lives.

Continued Petitions

A75 (Upgrade) (PE1610)

A77 (Upgrade) (PE1657)

10:10

The Convener: Item 2 is consideration of continued petitions. The first continued petitions for consideration are PE1610 by Matt Halliday, on upgrading the A75, and PE1657, by Donald McHarrie on behalf of the A77 action group, on an A77 upgrade. I welcome Finlay Carson, who is in attendance for the petitions.

PE1610 calls on the Scottish Government to upgrade to dual carriageway the A75 Euro route along its entirety, as soon as possible. PE1657 calls on the Scottish Government to dual the A77 from Ayr, at Whitletts roundabout, south to the two ferry ports that are located at Cairnryan, including the point at which the A77 connects with the A75.

The committee previously agreed to consider the petitions together, and last considered them on 27 June 2019. At that meeting, the committee agreed to defer holding a round-table discussion with relevant stakeholders until after the Scotland's Futures Forum event "Our Future Scotland: Dumfries and the South West" had taken place. It also agreed to write to the Cabinet Secretary for Transport, Infrastructure and Connectivity. Scotland's Futures Forum's event was originally postponed because of unavailability of speakers, and was eventually cancelled as a result of the Covid-19 pandemic. At present, the forum does not have any plans to run the event.

Submissions have been received from the Cabinet Secretary for Transport, Infrastructure and Connectivity and from both petitioners. Those are summarised in the clerk's note.

At the Conveners Group's meeting on 13 November 2019, the chair raised the petitions directly with the First Minister. The First Minister advised that she would respond to the committee in writing. Despite repeated requests by the clerks, that information has not yet been received.

There is frustration about the matter. In the past, there has been a lot of very positive discussion about the importance of the route—not only from a safety perspective, but for the economy. For many reasons—which are not at the door of anyone in particular—the issue has been stalled. There is now a question about how we take the matter forward.

I call Finlay Carson to flag up the issues in relation to the petitions before I ask members for their views.

Finlay Carson: I again thank the committee for the broad non-party-political position that it has taken. That position reflects that of the communities that the A75 and A77 are routed through. A cross-political-spectrum committee meets regularly, which consists of organisations from Dumfries and Galloway, Northern Ireland and South Ayrshire, all of which contribute to and lobby for action on the two routes.

As the convener said, we were disappointed that we were not able to hold the round-table discussion that would have allowed the petitioners and committee to sit face to face with the cabinet secretaries for finance and transport, and to drill down into why no action has been taken. It is equally—if not more—disappointing that, despite repeated letters to the First Minister, we are yet to receive a response on the petitions.

I would also like to comment on how disappointing the contribution from the Cabinet Secretary for Transport, Infrastructure and Connectivity was. He highlighted investment in the roads, but that amounts only to investment to maintain them and to keep them in the condition that they should be in.

The only positive thing that has come out recently is that the change of management organisation—the operating company—to Amey has seen a rapid and welcome improvement in maintenance of the verges and vegetation along the routes.

The cabinet secretary also highlighted South of Scotland Enterprise's initiation. However, I question what that has to do with investment in major infrastructure routes, because the agency certainly should not be funding that.

We are now seeing the increased importance of the A75 and A77 as links to Cairnryan and onward to Belfast, Larne and down into the Republic of Ireland. The route is undoubtedly becoming more important, and the petitions have the support of the major haulage associations and the ferry companies.

10:15

I ask the committee to consider writing again to the First Minister to get the information that was requested way back in November 2019. I imagine that the north channel partnership, which brings together the relevant local authorities, would welcome the opportunity to feed in to the process.

I also ask the committee to consider again constituting a round-table discussion. I appreciate that we are very short of time in the run-up to the election, but I would appreciate the committee considering that suggestion so that we can get the facts in front of the petitioners.

The Convener: Thank you very much.

Realistically, holding a round-table event, were the committee to agree to it, would be something that we would include in our legacy paper as a worthwhile idea. I do not want to pre-empt what other members think about what we should do with the petitions, but I think that that is how we would address that suggestion.

David Torrance: I agree with the convener that holding a round-table event is a suggestion that should go in our legacy paper. The committee should also write to the First Minister to seek a formal response to the request that was made at the Conveners Group meeting on 13 November 2019. Given that the north channel partnership has been reformed, I think that we should seek its views on the petition, too.

Maurice Corry: I fully agree with everything that David Torrance said, and I support the proposed action.

Gail Ross: I, too, support that action. I have nothing else to add.

Tom Mason: I have nothing to add, other than to say that I support the general tone of the committee's discussion.

The Convener: I think that we agree that there is an issue. I suspect that given that the UK is no longer in the European Union, there must be pressure points on the routes, and that the pressures will only increase.

We agree to write to the First Minister for a response. We will also write to the north channel partnership. We recognise that the petitions address important issues that will not be resolved overnight. As far as taking action is concerned, we expect to put our suggestions on that in our legacy paper.

I thank Finlay Carson for his attendance. I have no doubt that our successor committee will look at the issues in the future.

Mental Health Treatment (Consent) (PE1627)

The Convener: Our next continued petition is PE1627, which was lodged by Annette McKenzie. The petition calls on the Scottish Government to provide for consultation with and consent from a parent or guardian before medication to treat mental ill health is prescribed to a patient who is under 18 years of age.

The committee most recently considered the petition in June 2018, when it agreed to hold an inquiry into how young people access mental health services and treatments. During its consideration of the petition, the committee considered written and oral evidence from the

petitioner and key stakeholders, including the Scottish Government, the Scottish Youth Parliament, the Children and Young People's Commissioner Scotland and the Royal College of General Practitioners.

The committee noted that there was strong support among key stakeholders for the idea that young people under the age of 18 should be able to give consent to treatment for themselves. However, the evidence highlighted the existence of serious concerns about the experiences of young people in seeking help for their mental health. The committee therefore agreed to hold its inquiry. The clerk's note details the key milestones of our inquiry, which culminated in the publication of our final report on 24 July. Following its publication, the committee secured time for a chamber debate on the report's conclusions and recommendations on 1 December 2020.

I think that we drew a lot from the petition and were all struck by the testimony of the petitioner, Annette McKenzie, on the tragic circumstances in which she lost her daughter. It was clear that there is a huge desire to support young people, but it was also clear that there are strong views on confidentiality for under-18s.

Nevertheless, our report says that the importance of looking for support from their family or somebody whom they can trust in respect of any treatment that they are having is the kind of issue that a practitioner would flag up to a young person. That does not resolve the issues for young people, which are on-going and will be even more important, given Covid. Our report recognised that.

The question is whether the committee can take any issue further. My view is that we have done a substantial amount of work. Although that will not in any way address the huge gap in Annette McKenzie's life, we recognise the importance of what she has done in highlighting a range of issues relating to the challenges that young people face and the support that they can be offered not only in the educational setting—in schools, for example—but in the workplace, given that employers also have a responsibility.

What are members' responses on the action that we might take now?

Maurice Corry: As the convener knows, I was very fortunate to attend several of the field visits that we had, and I was struck by the work that was going on. There are lots of examples in which there have, sadly, been great tragedies. However, massive work is done and massive support is given by volunteers and others in our communities.

For the record, I thank Annette McKenzie for the huge effort that she has made in bringing a most important issue to our attention. If it gives her any

consolation, I have adopted some of the issues that were mentioned in our report and in the debate. With the mental health support unit, we have opened up the Vale of Leven hospital in West Dunbartonshire, and I have also co-ordinated with one of the key people in Families and Friends Affected by Murder and Suicide when we met in Motherwell. I have carried forward some very positive things with my team and the Defence Medical Welfare Service. I thank Annette McKenzie for giving me the opportunity to do that; I also thank her on behalf of the DMWS. As the convener said, we have made an enormous effort, culminating in the report and the debate in the Parliament last year.

We should close the petition under rule 15.7 of the standing orders on the basis that, following the committee's consideration of the petition, it has noted strong support among key stakeholders for the ability of young people under the age of 18 to consent to treatment for themselves—we support that; the committee has also undertaken an inquiry, which I referred to, and we published our report in July last year. I am content that we close the petition on that basis.

Gail Ross: I, too, record my thanks to Annette McKenzie. It is no small feat to get a parliamentary committee inquiry and then a debate in the chamber; that is a huge achievement in itself. The number of stakeholders that we engaged with and the amount of evidence that we were able to draw in gave us quite a clear picture of mental health provision, and the gaps in it, for our children and young people in Scotland.

Like Maurice Corry, I have drawn on the report for my local area. We have undertaken a short inquiry into what is available in the north, and NHS Highland is undertaking a full inquiry into its mental health services. The report can be drawn on by a lot of organisations and individuals. As has been said, it will not fill what must now be a massive gap in the petitioner's life, but I hope that it will give her some comfort that it will help to improve services for a lot of young people throughout the country.

In that vein, I think that the committee's work on the matter has come to an end, and I agree with Maurice Corry that we should close the petition under rule 15.7 of standing orders. Again, I wholeheartedly thank the petitioner for her input.

Tom Mason: I came late to the petition and I have been impressed with the information that has been drawn out and the gaps that have been identified and potentially filled. The committee's report will continue to act as a motivator and as a framework to carry forward work on the issue. At this stage, we cannot add anything more. I have never met Annette McKenzie, but I am impressed with her courage. The right thing to do is to close

the petition at this stage. We should be reasonably content that the petition has done a reasonably good job.

David Torrance: I agree with everything that my colleagues have said. I am happy to close the petition under rule 15.7 of standing orders. I thank the petitioner for all her efforts.

The Convener: I think that we are agreed to close the petition. In relation to the work that the petition flagged up, I know that Annette McKenzie and others have an on-going concern about the impact of Covid on stress among young people, as well as the impact of stress pre-Covid. That issue must continue to be a major focus of Government at every level. We need to think about the services that are provided to young people and try to understand how young people are feeling. The issue is exercising people in local communities. I hope that the committee's work will help to inform responses to the issue. As I said, the report flags up the challenges that all too many of our young people have faced both during Covid and pre-Covid.

We agree to close the petition. We thank Annette McKenzie for all that she has done. We recognise that we have not addressed the major challenges that she has had to face, but her courage has been inspirational. We recognise just how difficult things have been for her and for the many families that face similar circumstances. I have no doubt that the future Public Petitions Committee will come back to look at the issue. We thank Annette for her engagement with the committee and wish her well.

Housing Legislation (Review) (PE1756)

The Convener: The next continued petition is PE1756, by James Mackie, calling on the Scottish Government to review current housing legislation in circumstances where a non-tenant has been responsible for domestic or elder abuse. Since the committee considered the petition previously, a submission has been received from the Scottish Government. The petitioner was invited to comment on it but advised that he had no comment to make.

The Scottish Government explains that the Domestic Abuse (Protection) (Scotland) Bill has been assigned to the Justice Committee as the lead committee and that that committee issued a call for evidence on the bill on 10 November. Informally, it is hoped that the bill will be passed in March 2021.

The Scottish Government is currently taking forward the actions that are outlined in "Adult Support and Protection—Improvement Plan 2019-2022: Delivering improvements to support and protect adults at risk of harm in Scotland". The

Government notes that the plan aims to complement and strengthen local adult support and protection improvement activity, provide assurance and identify future areas for improvement so that adults who are at risk of harm in Scotland are supported and protected.

Do members have comments or suggestions for action? It seems to me that the bill that has been introduced might address some of the important issues that have been raised.

Gail Ross: I agree that the adult support and protection improvement plan is dealing with some of the issues, and I note the Domestic Abuse (Protection) (Scotland) Bill, which we hope will be passed in March 2021. Taken together, those initiatives address most of the points that are raised in the petition. Therefore, we should close it under rule 15.7 of standing orders.

Tom Mason: I agree with Gail Ross that the bill closes some of the gaps. At this stage, we cannot do anything more, so we should close the petition.

10:30

David Torrance: I agree with my colleagues that we should close the petition under rule 15.7 of standing orders.

Maurice Corry: I agree with my colleagues that we should close the petition under rule 15.7 of standing orders.

The Convener: It seems that we agree that the issues that are being flagged up should be addressed in the legislation that is coming up, and that we therefore agree to close the petition at this stage, while being mindful that the petitioner can bring back a petition in the new session of Parliament if he so chooses. The committee thanks the petitioner for the engagement with the committee. We agreed to close the petition under rule 15.7 of standing orders.

Stocking of Salmon Rivers (Consultation) (PE1782)

The Convener: PE1782, which was lodged by Robert White on behalf of the Scottish Gamekeepers Association's fishing group, calls on the Scottish Government to ensure that a full stakeholder consultation is carried out before Marine Scotland formalises policy on the stocking of Scotland's salmon rivers. The committee asked the Scottish Government about its intended consultation on salmon stocking in Scotland's rivers and requested a summary of the outcomes as regards the petition. Marine Scotland responded to say that it will hold meetings with stakeholders on 14 December to discuss Marine Scotland's scientific evidence on risk management in considering stocking, and the existing Scottish

Government salmon stocking policy. Marine Scotland also stated that, on the basis of the feedback that it had received in the consultation meetings, it will conduct a written consultation next year.

The petitioner's submission confirms that that meeting took place and trusts that

"the future consultation will take account of the most relevant international science and the best local knowledge from different parts of Scotland"

and that it will involve the full range of stakeholders.

My sense is that the committee's role in the petition has come to an end, but I am interested to hear the views of members.

Tom Mason: As the petitioner requested, a full consultation has been taking place and will continue to take place. At this stage, I therefore see no further role for the committee, so I recommend that we close the petition.

David Torrance: Considering that everything that the petitioner has asked for is going ahead, I am quite happy to close the petition under rule 15.7 of standing orders.

Maurice Corry: I agree with what my colleagues have said and I have nothing further to add. We should close the petition under rule 15.7 of standing orders.

Gail Ross: It seems as though we have a successful outcome, so I congratulate the petitioner. Obviously, he is welcome to bring the issue back to Parliament if he is dissatisfied with the way things go. He does not need to wait for a full year for that. At the moment, therefore, the committee has no other option but to close the petition under standing orders rule 15.7.

The Convener: We are agreed that we wish to close the petition, while recognising that progress has been made and that there has been significant movement and a willingness to consult, and emphasising that, should that progress stall or not be carried through, the petitioner is free to come back. The committee agrees to close the petition under rule 15.7 of standing orders. We thank the petitioner for his engagement with the committee and recognise that progress has been made as a consequence of the petition being submitted.

Childhood Cancers (PE1783)

The Convener: PE1783, which was lodged by Fiona Govan, calls on the Scottish Government to raise public awareness of harder-to-treat childhood cancers and provide additional funding for finding cures. Since the committee's most recent consideration of the petition, a submission has been received from the Scottish Government.

The petitioner has been invited to comment on it, but nothing has been received to date.

The Scottish Government advises that it has already taken a number of actions to provide parents with valuable information about childhood cancers, including the parent club and an insert on childhood cancer in the personal child health record. It states that the glow gold childhood cancer awareness campaign group provided input to the redesigned "Ready Steady Baby!" publication, which includes key signs and symptoms of childhood illness. The latest clinical review of the detect cancer early programme also focused on eight pathways, including children, teenagers, and young adults.

It feels to me that there has been progress on this matter and that, at this point, the Public Petitions Committee should close the petition on the basis that action has been taken. Do members have views?

David Torrance: First, I want to thank Fiona Govan for submitting the petition. I believe that action is being taken on the issues that she raised. The Scottish Government will publish its new cancer plan for children and young people soon, and it has provided updated information to raise awareness of childhood cancers, including in the personal child health record, the parent club and "Ready, Steady, Baby!" Due to the progress that has been made, I am happy to close the petition under rule 15.7 of standing orders.

Maurice Corry: I agree with David Torrance, and I also want to thank Fiona Govan for the work that she has done to bring the issue to our attention. Clearly, action is being taken by the Scottish Government, and I therefore agree to close the petition under rule 15.7 of standing orders.

Gail Ross: This is an important and personal petition, and I also want to place on record my thanks to the petitioner. A body of work is under way on the matter, as has been mentioned previously, so I am comfortable that we close the petition.

Tom Mason: I agree with my colleagues.

The Convener: We agree to close the petition. We recognise that there has been progress on a number of items that have been identified by the Scottish Government and that the petition has secured a recognition of those important issues.

As Gail Ross said, we recognise that this is an issue that is of personal importance to the petitioner, and we are grateful to her for submitting the petition. Of course, if she feels that insufficient progress has been made, she can submit a further petition to us. Again, when a petition deals with an issue of personal importance, the challenges are

greater so, in closing the petition, we place on the record our thanks to her.

Spòrs Gàidhlig Funding (PE1795)

The Convener: The next continued petition for consideration—I suspect that it will be the last one that we will be able to deal with today—is PE1795, on maoinachadh do Spòrs Gàidhlig, or funding for Spòrs Gàidhlig. The petition, which was lodged by Màrtainn Mac a' Bhàillidh on behalf of Misneachd, calls on the Scottish Parliament to urge the Scottish Government to meet Bòrd na Gàidhlig to discuss longer-term and sustainable funding for Spòrs Gàidhlig, which is a social enterprise that delivers outdoor learning to young people through the medium of Gaelic.

When we last discussed the petition, the committee agreed to write to the Deputy First Minister and Cabinet Secretary for Education and Skills highlighting the need for long-term sustainability for vulnerable organisations such as Spòrs Gàidhlig, and to ask the Scottish Government for its views on how it will support such organisations.

The former Minister for Public Health, Sport and Wellbeing responded. In his submission, the minister described a revised mode of delivery for Spòrs Gàidhlig due to the pandemic and said that it is too early to know whether that is working but that Bòrd na Gàidhlig is monitoring that. The minister also stated that Bòrd na Gàidhlig will make a decision on the funding before 31 March 2021.

On the longer-term funding issue, the former minister stated that the Scottish Government's community and third sector recovery programme has been in place since September 2020, offering financial support and specialist advice and support. He also described the bòrd's actions to support Gaelic organisations, saying that it is currently considering a second round of the Covid-19 support fund before Christmas 2020.

This is an issue that is close to my own interests. I think that there has been progress, but the issue of whether that is sustainable in the long term might be the subject of a petition in the future. However, I think that we have gone as far as we can with the petition at this stage. At a later stage, we will know more about the impact of Covid on this organisation and similar ones, so my feeling is that we should close the petition at this point but understand that there needs to be close monitoring of progress.

Maurice Corry: I endorse the points that you have made. I thank the petitioner for lodging the petition and bringing it to the committee's attention. It is very important that sports issues continue to be highlighted by communities in rural

areas, particularly given the effects of the Covid pandemic and the issues that will no doubt follow on from it.

I advocate closing the petition under rule 15.7 of standing orders on the basis that the Scottish Government and Bòrd na Gàidhlig have put in place funding and processes to assist organisations such as Spòrs Gàidhlig through the Covid-19 pandemic. If the petitioner found that there had been no progress in due course, he would be quite within his rights to lodge another petition with the committee.

Gail Ross: As we know, a lot of organisations throughout the country, particularly those in the sporting sector, are in a difficult situation. I agree that we have probably taken the petition as far as we can take it. As the convener and Maurice Corry suggested, there will need to be extra scrutiny of funding arrangements once we start to come out of the Covid situation. The petitioner will be keeping a close eye on what is happening and can lodge another petition in the new session.

I feel that we have no option but to close the petition under rule 15.7.

Tom Mason: Short-term funding and a certain degree of stability seem to have been achieved. As is the case with all organisations, the post-pandemic situation is unknown, and the petitioner or other people can lodge another petition in due course.

We have no option but to close the petition.

David Torrance: I agree with my colleagues' recommendations.

The Convener: There is agreement that we want to close the petition under rule 15.7. We recognise the importance of the funding that has been put in place, and we hope that the Government will keep a close eye on that area. Longer-term sustainable funding is a challenge for all organisations, but Spòrs Gàidhlig has made a strong case on the basis of its circumstances. We thank the petitioner for his engagement, and I reiterate that there is the opportunity to return to the matter in the new parliamentary session.

Given time constraints, we are not able to address petitions PE1801, PE1812 and PE1823, but we assure the petitioners that there will be a full consideration of their petitions at the committee's next meeting, which will be on 27 January. We thank the petitioners for their engagement. I hope that they will recognise that timings are not under our control.

I thank committee members for being so professional and efficient in dealing with today's petitions. As I have said, it was not within the committee's gift to decide timings; there are

obviously pressures on the Parliament's time. I
thank the clerks and the broadcasting team.

Meeting closed at 10:43.

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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