



OFFICIAL REPORT
AITHISG OIFIGEIL

Rural Affairs, Islands and Natural Environment Committee

Wednesday 29 September 2021

Session 6



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RURAL AFFAIRS, ISLANDS AND NATURAL ENVIRONMENT COMMITTEE
6th Meeting 2021, Session 6

CONVENER

*Finlay Carson (Galloway and West Dumfries) (Con)

DEPUTY CONVENER

*Beatrice Wishart (Shetland Islands) (LD)

COMMITTEE MEMBERS

*Karen Adam (Banffshire and Buchan Coast) (SNP)

*Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP)

*Ariane Burgess (Highlands and Islands) (Green)

*Jim Fairlie (Perthshire South and Kinross-shire) (SNP)

*Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con)

*Jenni Minto (Argyll and Bute) (SNP)

*Mercedes Villalba (North East Scotland) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Libby Anderson (Scottish Animal Welfare Commission)

Professor Cathy Dwyer (Scottish Animal Welfare Commission)

Chief Superintendent Mike Flynn (Scottish Society for Prevention of Cruelty to Animals)

Professor Simon Girling (Scottish Animal Welfare Commission)

Dr Peter Goddard (Scottish Animal Welfare Commission)

Tim Gordon-Roberts (Scottish Government)

Amy Hogarth (Scottish Government)

Kirsty Jenkins (OneKind)

Dr Andrew Kitchener (Scottish Animal Welfare Commission)

Màiri McAllan (Minister for Environment, Biodiversity and Land Reform)

Dr Romain Pizzi (British Veterinary Association)

Dr Simon Turner (Scotland's Rural College)

LOCATION

The Sir Alexander Fleming Room (CR3)

Scottish Parliament

Rural Affairs, Islands and Natural Environment Committee

Wednesday 29 September 2021

[The Convener opened the meeting at 10:45]

Subordinate Legislation

Forestry (Exemptions) (Scotland) Amendment Regulations 2021

The Convener (Finlay Carson): Good morning, and welcome to the sixth meeting in session 6 of the Rural Affairs, Islands and Natural Environment Committee. Before we begin, I remind all members using electronic devices to turn them to silent. I must also apologise for the delay—we had a technical issue. I thank the minister and the witnesses in the following evidence-taking session for their patience.

Agenda item 1 is consideration of a set of amendment regulations, which are subject to the affirmative procedure. I refer members to paper 1. I welcome to the meeting Màiri McAllan, Minister for Environment, Biodiversity and Land Reform, and her officials: Tim Gordon-Roberts, regulations manager, Scottish Forestry; and Amy Hogarth, solicitor, Scottish Government.

I invite the minister to make an opening statement.

The Minister for Environment, Biodiversity and Land Reform (Màiri McAllan): Despite the delay, I would still like to make some opening remarks, just to give the committee an overview of our proposal.

Thank you for having me along to discuss the Forestry (Exemptions) (Scotland) Amendment Regulations 2021. The Forestry (Exemptions) (Scotland) Regulations 2019 set out the felling activities that can be carried out without a specific felling licence from the regulator, which in this case is Scottish Forestry.

The first proposed amendment to the regulations is to correct a minor typographical error in the definition of “statutory undertaker”, where the word “power” will be amended to “pier” as originally intended.

The second and more substantive amendment seeks to respond to an unintended consequence that has arisen from new planning regulations laid earlier this year that created a permitted development right for peatland restoration projects. If not corrected, it could potentially result

in the tree-felling component of peatland restoration schemes not being given the full consideration and proper scrutiny by Scottish Forestry that is supposed to happen, and, at its worst, it could result in large-scale tree felling as part of a peatland restoration project without sustainable forest management principles being applied.

That unintended consequence was identified during the development of the PDR for peatland restoration, and the proposed response that we are laying before the committee today was agreed on as a pragmatic way of ensuring that sustainable forest management will be fully integrated with peatland restoration permitted development rights.

Applicants for peatland restoration schemes that propose deforestation are already required to obtain an environmental impact assessment from Scottish Forestry and to apply to the local authority for the permitted development right. The effect of this amendment will be that they will also need to apply to Scottish Forestry for felling permission. Such permission can be applied for at the same time as requesting the environmental impact assessment that I mentioned, and we would advise that that be done prior to applying to the local authority for the permitted development right. With regard to the planning period for a peatland restoration PDR, the process is a rigorous one, requiring in-depth surveys and data analysis, and I am comfortable that the process contains sufficient time to cover this additional step of obtaining a felling licence.

I do not want to speak for too long, so, in summary, Scottish Government policy, including Scottish Forestry policy, supports the restoration of peatlands involving deforestation where it can be shown that the change of land use is in line with public benefit and can produce a public good. The obvious example is emissions reduction, but there are others including biodiversity gain and community benefit.

I hope that that explains our proposals, and I am content to take members’ questions.

The Convener: Thank you, minister. I invite questions from members.

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): On the basis of what you have just said, minister, would it be fair to say that this is an uncontentious piece of legislation?

Màiri McAllan: I think that that is right. It is uncontentious because it is only intuitive that anyone undertaking a peatland restoration project that requires deforestation should apply for a felling licence. Indeed, that has been borne out in the behaviour of those who have sought to use the peatland PDR provisions. Something that I have

been thinking about is the extent to which, in the interim period while this amended system has not been operating, people have been applying for peatland PDRs. I am aware of two such projects; one has already begun to prepare to apply for the felling licence, even though it was not strictly required, and the other is considering whether such a move is necessary. These amendment regulations are intuitive and uncontroversial.

Rachael Hamilton (Etrick, Roxburgh and Berwickshire) (Con): I agree, minister—I do not think that this is controversial in any way. However, I note that no impact assessment has been carried out, and I seek your reassurance that you have the capacity and resource to deal with applications for felling licences in these circumstances.

Màiri McAllan: You make a good point. The impact assessments were carried out across the board during the development of the peatland restoration permitted development right, and I am content that this small amendment, which puts in place the course of action to redress the matter that was agreed during the earlier process, is bound up with all that and that the previous assessments still apply.

The Convener: Was there any suggestion that there were bodies out there that were looking to use this loophole to fell trees without going through the proper process? Is that why these amendment regulations are being put in place?

Màiri McAllan: I do not think that that is the case. This was recognised from the very beginning as an unintended consequence. Indeed, given that the course of action to redress it was decided at that point, too, it has always been understood that it should not happen. I have no evidence that people have sought to exploit it. In fact, as I said to Alasdair Allan, there are two live applications, and one of those applicants is already applying for the felling licence, even though it is not strictly required at the moment.

The Convener: Given the push for peatland restoration to tackle climate change, do you foresee other legislation being introduced to ensure that the drive to restore more peatland is not abused in ways that might be harmful to the environment?

Màiri McAllan: I am not entirely sure what you mean, convener, but we will both agree that one of the reasons why we have these exceptionally stretching climate targets is that we have in our natural world an ample opportunity to sequester carbon. One of the biggest questions that we will all have to grapple with over the next five, 10 or 15 years is land use and the changes in land use that will best take us towards those targets fairly and in a way that is good for dealing with the nature crisis

and for communities. In fact, what we are discussing is the epitome of that in the way these two issues have come together and the need to strike a balance with regard to public benefit.

Ariane Burgess (Highlands and Islands) (Green): Thank you for coming to talk to us about these amendment regulations. I am curious about any burden that might be put on Scottish Forestry. I know that it is already processing felling applications, but will this create any more of a burden for the organisation?

Moving on to the underlying point of my question, I know from my other committee that the whole area of licensing and granting permissions is very much stretching planning departments. That concerns me, given that, in this parliamentary session, we will be shaping Scotland for the next 20-plus years, and departments must be staffed and resourced properly to do that work.

Màiri McAllan: Thank you for those points. I agree with you; as peatland restoration grows in popularity and as we do what we need to do in forestry and planting, the pressure will mount on the folks who consider the applications. In these circumstances, I am absolutely confident that Scottish Forestry has the capacity to take on what it will be required to do. In fact, this approach will take some weight off the local authorities. Because in the interim period applicants were not required to apply to Forestry Scotland for a felling licence, the issue would have fallen to local authorities for consideration. This correction allows the matter to go back to Scottish Forestry, which I am confident can manage things.

The Convener: As there are no further questions, we move to item 2, which is formal consideration of motion S6M-01170, to approve the regulations.

Motion moved,

That the Rural Affairs, Islands and Natural Environment recommends that the Forestry (Exemptions) (Scotland) Amendment Regulations 2021 be approved.—[*Màiri McAllan*]

Motion agreed to.

The Convener: Is the committee content to delegate authority to me to sign off our report on our deliberations on this affirmative SSI?

Members indicated agreement.

The Convener: That completes our consideration of the instrument. I thank the minister for her patience and her officials for their attendance.

I briefly suspend the meeting.

10:55

Meeting suspended.

11:20

On resuming—

Animal Health and Welfare

The Convener: We move on to agenda item 3. I apologise again to the witnesses who were waiting to join us; as they will be aware, we have had an information technology glitch. We have taken the decision not to hear from the second panel today in order to give us enough time to ask the questions that we have for our first panel.

On our first panel of stakeholders, we have Kirsty Jenkins, policy officer, OneKind; Dr Romain Pizzi, president, Scottish branch of the British Veterinary Association; Chief Superintendent Mike Flynn, Scottish Society for Prevention of Cruelty to Animals; and Dr Simon Turner, senior researcher, animal and veterinary sciences, Scotland's Rural College.

Given time constraints, we will not have introductions from witnesses but will move straight to questions. I will open with questions about the impact of European Union exit in relation to animal welfare.

Can witnesses identify any gaps in the regulation of animal health and welfare following EU exit, such as operationally with regard to disease surveillance or with regard to veterinary or biosecurity capacity in the United Kingdom? We are well aware that we have labour shortages across sectors.

We will start with Romain Pizzi, to give us a heads-up on what is happening with the veterinary workforce and to address the other issues.

Dr Romain Pizzi (British Veterinary Association): Thank you for the invitation to give evidence. There are a couple of key points, some of which are covered in the BVA's manifesto.

One of our concerns is about the recent trade agreement with Australia. Although there is a 15-year phasing out of tariffs, we are concerned that the announcement paves the way for tariff-free and quota-free imports and that we will outsource any animal welfare problems—disadvantaging farmers and the community in Scotland who are making good efforts to improve animal health and welfare—to places where there may be lower standards. We are therefore calling on central Government to spell out how it will safeguard animal welfare. We want a new formal statutory trade and agriculture commission with veterinary involvement to ensure that.

We are also aware of workplace problems with veterinary capacity at the moment. Although we have been coping with export health certification in Scotland, we have estimated from the British

Veterinary Association's perspective that, between January and August of this year, an extra 204 years'-worth of certified time has been spent on export health certification.

The actual veterinary demands have largely not yet materialised, because things have been delayed in relation to everything being fully operational. When the provisions for the scheme for the temporary agri-food movements to Northern Ireland get phased out, we will need certification for many more goods that will be moving from Scotland to Northern Ireland. That was originally due to happen on 1 October.

The problem is that the Department for Environment, Food and Rural Affairs estimates that between 70,000 and 150,000 extra health certificates will be needed to meet that Northern Ireland demand. That is the equivalent of another 70 full-time official veterinarians, which will be very difficult to meet.

We also know that the updates to EU animal health law will present a particular problem for Scotland, as certificates relating to fish and shellfish will require an official veterinarian's signature. In the past, the fish health inspectors have provided that. The British Veterinary Association has been in discussions with the Fish Veterinary Society and the Royal College of Veterinary Surgeons, as well as with DEFRA, to see how we can make that work. Although it has been delayed for now, the problem has not been resolved, which is a significant concern.

The other concern from the British Veterinary Association is that we need import checks for sanitary controls, and we are not assured that that requirement is being met. The border checks are going to be phased in, but there has been no consultation with the veterinary profession at large, and there have been no assurances by the Government that relevant biosecurity risks associated with our delaying implementation have been properly assessed or managed.

We are fortunate that Scotland has relatively good biosecurity. We are a tuberculosis-free country compared with England, for example. However, that relies on good surveillance, and the first part of surveillance is import scanning. While we have problems with capacity, just delaying those import checks is problematic. We put Scottish agriculture at risk as well as animal health and welfare. It is much simpler to prevent problems than it is to address them afterwards, as the foot-and-mouth pandemic showed everyone. That is a particularly worrying point.

Another complication is that we no longer have direct access to the European surveillance network, so we do not have as good information on what risks are posed from imports, and we are

not checking what is actually coming in. We are very fortunate that we have a superb chief veterinary officer in Scotland. She is very proactive and has really good personal relationships. However, relying on the personal relationships of the chief veterinary officer is not an ideal way to get information on what is happening with diseases and surveillance in Europe. That is a major concern for us.

This is what the British Veterinary Association is pushing for in order to make the whole situation more functional and to improve things, although there is a limit to what everyone can do. The current system involves a lot of archaic bureaucracy, which we need to overhaul to reduce the time costs and the errors associated with that. We really need to review the requirements for inspection certification and to get those as slick and fit for purpose as is needed.

We need to negotiate a form of mutual veterinary agreement with the EU that will help to ease the problems with moving and trading food and feed between Great Britain as a whole and the EU and Northern Ireland in both directions as the different import controls take effect. That is a big problem for us.

Moving away from agriculture, we have similar problems with companion animals. Pet travel requirements are also impacted by workforce matters at the moment. The pet passport scheme documentation used to be relatively easy to fill in. Now, we have a nine-to-12-page document, the animal health certificate, which is much more complex and problematic. It is much easier for veterinarians to get it wrong. I find it quite difficult to work through, and it can take 45 minutes to an hour for a vet to do it, which brings a big knock-on cost for owners. There is a risk that someone may go through all of that and make an error, which is a major concern, and vets are much more cautious about agreeing to do them. Just as the need for increased capacity across all those areas is expanding, there is reticence among many members of the profession to engage in that work, with some actually pulling back from it.

There is a limit. The paperwork is set out by the EU, and it cannot be changed by the Government. The British Veterinary Association is asking for some help for vets in completing the certification form for companion animals, with simple things such as a basic checklist to make things a bit more error free. There is no point in incurring all the expense and time, when we have limited capacity and there is lots of pressure and unhappiness on the part of the animal owners, if we then make errors. Obviously, animal welfare then falls in from that.

I know that we are short of time and that there are other aspects to discuss, but this is probably a

good time to ask the other participants to speak. If there is anything specific on which you would like me to give further information, I would be happy to address that.

The Convener: I will bring in Dr Simon Turner to address that point. I will then go to supplementary questions from Alasdair Allan and Rachael Hamilton.

Dr Simon Turner (Scotland's Rural College): Thank you for the opportunity to give evidence.

Regarding European exit, I agree that the programme of the Government seems to be appropriate and well aligned with moves within the European Union for ending cage confinement for pheasants, layers and pigs.

11:30

Following on from Romain Pizzi's points, we would share concerns regarding external competition from imported animal products that are produced to lower standards. We need to avoid a perfect storm whereby we almost export welfare problems in such a manner that those problems are potentially larger and less transparent than they are with animals that are produced in this country. At the same time, we reduce the profitability of Scottish farmers to safeguard animal welfare. For instance, we know that, if farmers have insufficient capital to employ labour, reduced labour has a major impact on animal welfare in various sectors—in the sheep sector, in particular. That is clearly likely to be one of the key areas where farmers will seek to reduce costs. We have seen that already in recent years and decades. We need to prevent that kind of perfect storm from occurring.

On the point about aligning and keeping pace with European legislation, we need to keep an eye on aligning with compliance. The European Court of Auditors has raised concerns regarding the lack of harmony and implementation among European member states, with a general lack of compliance. If the European Union gets on board with that, we need to ensure that we comply, too.

The Convener: On that point, can I have your views on where Scotland should or should not seek alignment with the EU? Would you like to respond on that, Mike?

Chief Superintendent Mike Flynn (Scottish Society for Prevention of Cruelty to Animals): [*Inaudible.*]—SSPCA's point of view, as you know, animal welfare does—[*Inaudible.*]—and we have some of the best standards in the world. What we would like to see—[*Inaudible.*]

The Convener: I am sorry, Mike, but I will stop you there. We cannot hear you at the moment. We will go to Kirsty Jenkins, and we will hopefully get

your connection stabilised a bit. Do you have any comments, Kirsty?

Kirsty Jenkins (OneKind): Yes, convener. Thank you for the opportunity to speak today. Dr Turner made some good points about where we plan to stay aligned with the EU and the need to be aware of potential problems with compliance and so on. The UK and Scotland are making some positive moves away from what the EU currently has regarding the potential ban on live exports, for example. However, there are other areas where the EU could possibly have some things that we would want to stay aligned with. One example would be the sustainable aquaculture guidelines, which the EU has recently published. They have a chapter specifically on animal welfare, which is something that we would welcome in relation to salmon farming in Scotland, for example.

The Convener: Alasdair Allan has some supplementary questions.

Dr Allan: Dr Turner, you mentioned the perfect storm that might arise from the situation following Brexit. One of the issues, which you touched on, concerns trade deals. Will you give us more of your views on the implications that trade deals might have for the kind of meat that comes into the country and animal welfare standards? Will it be even more of a perfect storm if the United Kingdom Internal Market Act 2020 has an impact on Scotland's discretion to alter some of these things by its own hand?

Dr Turner: I would not say that I am qualified to comment specifically on trade deals and their implications. On the harmonisation or lack of it in the UK, we must recognise that Scotland has a unique skill set, partly as a result of our predominance of pasture-based ruminant systems. That is perceived—*[Inaudible.]* We need to protect that. As a result of the 2020 act, there is a risk of a race to the bottom and our ending up with the same legislation as the least ambitious of the four nations. We need to protect ourselves from that for the benefit of Scotland's external marketing position. I will leave it at that.

Dr Allan: It was interesting to hear the descriptions of the animal welfare problems that could arise from the 2020 act if we are not careful. Dr Turner mentioned ambitions for animal welfare. What might your ambitions be if we intend to keep pace with European legislation? Aquaculture has been mentioned, but what other ambitions might you have?

Dr Turner: It would be easy to get specific about that but, as a general principle, we need to question whether we want to keep pace or to think in certain ways about staying ahead of the European Union. Arguments could be made that the UK and Scotland, in particular, have been

ahead of our European competitors in some sectors for a number of years. However, the difference has diminished in recent years. We might want to think about whether we need to stay ahead.

With regard to matters such as cage-free systems, for example, we need to ensure that the timeline is not out of sync with the European Union. Some quite ambitious targets are being discussed for the removal of animals from cage systems, and we need to follow that.

I could speak about many different research priorities that we ought to be addressing, such as finding alternatives to the use of carbon dioxide for the stunning of pigs. We have been looking at the potential for low atmospheric pressure stunning of pigs. The research evidence from Scotland's Rural College, the University of Edinburgh and the University of Glasgow suggests that there has not been a refinement in that area for animal welfare. We should perhaps be thinking about possible alternatives in order to stay ahead of our competitors on that.

Rachael Hamilton: Dr Pizzi, I have a question on something that you said in answer to the first question. Am I right in saying that, because food safety is a devolved area, Scotland would be within its legislative competence if it introduced its own food safety checks on imports? Would you support that?

Dr Pizzi: There is a commitment in the Scottish National Party manifesto to move towards a Scottish veterinary service. We see both advantages and potential risks in that. There are some big advantages, as Simon Turner and others have said. In Scotland, we have been quite lucky in that we have positioned ourselves with high-welfare, high-value, premium agriculture products, and we tend not to want to dilute that with low-welfare, low-quality products coming in, either from elsewhere in the UK or from outside it. That would be problematic.

The opportunities to do things from a uniquely Scottish perspective come from the fact that our situation is quite different from the situations of many other parts of the UK. We have about 50 per cent of the trout farming and pretty much all the salmon farming, which is of huge economic and agricultural importance in Scotland. That is often missed when there is a UK-wide perspective. In moving to a more Scotland-centric system and a Scottish veterinary service, there is an opportunity to budget and plan and bring that more into perspective. For example, the British Veterinary Association is very keen on our having legislative protections for farmed fish at slaughter. That is of particular importance in Scotland because of the aquaculture segment, but it tends to get diluted in a UK context. At the moment, we still rely on that

being industry run, and we know that changes are coming from EU imports.

The other risk—the situation is pretty much the same in Europe—is that diseases do not respect borders, as we have learned from Covid and other diseases. We need to be cautious about a new Scottish veterinary service causing us to become insular. The border between England and Scotland might exist for us and for legislation, but viruses could not care less about it. There will need to be very good liaison between the Scottish veterinary service, as it collaborates and develops, and the rest of the UK. We also have to get better information from the rest of Europe in order to make it all work. Data sharing, collaboration and communication will be important, because the UK as a whole is one epidemiological unit. That is how we manage Covid and other diseases, because of the ease of movement. There is a potential risk in having the systems separated.

It is a question of striking the right balance, but that can be achieved. There is great potential for us to maintain good animal welfare and health, but we need good, continued investment in disease surveillance. Dr Turner is the expert on that, but I note that, at the moment, we are quite different from England, where the Animal and Plant Health Agency does everything. In Scotland, SRUC manages the surveillance part, and it changed recently to using a hub-and-spoke system. With a Scotland-centric veterinary service, we will need to assess how well that has worked for stakeholders, get a variety of opinions and evidence and use that as a basis for deciding the best way to make the service fit for Scotland, without making us so insular that we put ourselves at risk.

The Convener: Jim Fairlie has a brief supplementary question.

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): Will we have time for questions on the farm animal side, convener? It might be better if I ask my question in that section rather than while we are discussing the broader picture.

The Convener: If you want to ask your questions on farm animals now, that is fine.

Jim Fairlie: Mr Pizzi, at the start of your answer about the food regulations and standards, you said that we could be offshoring them. Do you agree that the Neil Parish amendment, which was agreed to in the UK Parliament, represented a missed opportunity?

I will focus on three main things—bovine viral diarrhoea, TB and Johne's disease. Dr Allan talked about our ambition for the industry and what we want to achieve. We are well on the way to eradicating BVD, if we have not already done so; our TB status is far better than England's; and we now have a plan to get rid of Johne's altogether,

although that is a long-term plan and it will not be easy. Do we not need to have a very Scotland-centric system to allow us to continue with the standards that we have and eradicate Johne's?

Dr Pizzi: That is a good question. Simon Turner is the expert and he will be able to comment on the specifics. However, there is definitely an opportunity for the Scottish veterinary service, and we look forward to seeing and feeding back into the updated version of Charles Milne's report.

It will be about finding a structure that actually works. It is paramount that there is adequate funding for surveillance, because we can have a Scotland-centric system but, if we are not careful with the budgeting, it will not be fit for purpose. The budgeting to maintain good surveillance becomes crucial, as does communication—there will be risk coming from outside Scotland—and maintaining the UK as the bigger epidemiological unit. Although Scotland is officially TB free, there is still considerable risk.

11:45

I am not the farm animal disease expert. Simon Turner is the person to speak to the specifics on that. However, we see an opportunity in the situation. We also see opportunities for many things given the agricultural consultation that went out recently. We are disappointed that, in that consultation, there is surprisingly little mention of animal health and welfare and there is not a single mention of veterinary intervention. That seems unbelievable.

On replacing the common agricultural policy, we know that Scotland is aligning itself very much with the EU, but we see an opportunity to reward good animal health and welfare practice so that there is public funding for public goods in a way that was not possible with the common agricultural policy.

There is a lot of potential, and we know that finding the balance will be the challenge.

The Convener: Simon, will you explore the suggestion that something like 20 per cent of mortality in the livestock industry in Scotland could be prevented by vaccination? What is your opinion on the introduction of a national vaccination scheme to address some of the issues that Jim Fairlie has raised?

Dr Turner: I am afraid that I do not have a veterinary background. Romain Pizzi flatters me. I would have to direct you to some of my colleagues at SRUC.

The Convener: Romain, do you have any thoughts on a national vaccination scheme? If we could reduce mortality, it would have a considerable impact on the carbon footprint of livestock production in Scotland.

Dr Pizzi: I cannot speak to the specifics, unfortunately. Although I am the Scottish branch representative for the BVA, my background is quite different. I will ensure that we come back to you with a more specific answer in writing, which will also save you some time.

The Convener: That would be helpful.

Ariane Burgess: I will direct my question to Kirsty Jenkins and Mike Flynn, if he is back with us. There is a high probability that the new trade deals will allow the importation of animal food products that do not meet the United Kingdom's animal welfare standards. What are your thoughts on how that situation could be managed and how residents of Scotland could be encouraged to value meat and other animal food products that meet high welfare standards?

Kirsty Jenkins: That is a good question. Trade negotiations pose a huge threat to our animal welfare standards, as Simon Turner mentioned. The internal market act exacerbates the risk for Scotland because the Scottish Government does not have a role in the trade negotiations and the act means that we will be required to allow such products into Scotland. It is tricky, because the power that we have in Scotland is limited.

On your point about how individual people can be encouraged to make changes, the introduction of animal welfare labelling would be really beneficial in general, but particularly with the risk of products coming in from other countries that may not meet our welfare standards. We would support "method of production plus" labelling, which would mean that labelling would describe the method of production. We have such a thing for eggs, which are labelled according to whether they are organic or free range, for instance. We should extend that to meat and dairy products.

The "plus" part means that there would also be additional information. For example, the Netherlands has a system of one to three stars, while France has A to E ratings. Such approaches are based on a variety of animal welfare measures. As far as that kind of labelling is concerned, a UK Government consultation is open on the matter. We would strongly welcome the introduction of such labelling as it would allow consumers to use higher-welfare products.

Ariane Burgess: Is Mike Flynn back with us?

Chief Superintendent Flynn: Yes. Some excellent points have been made, but one thing that the SSPCA has been pretty adamant about is the fact that we have some of the best farmers in the world. High animal welfare costs farmers a lot of money, and we are concerned about products coming in from countries with lower animal welfare standards or veterinary provisions. It would have been good if the programme for government had

mentioned sustainable Scottish labels with a strong emphasis on not just environmental and economic issues but social acceptability, including good animal welfare. We are here to support Scottish farmers, not to put them at a disadvantage.

Dr Pizzi: From the BVA's perspective, I completely agree with Kirsty Jenkins and Mike Flynn. In many ways, we are leading the rest of the UK—for example, Scotland is the only part that does not have non-stun slaughter. However, having our higher-welfare approach can disadvantage our farmers and producers, because non-stun products still end up on Scotland's supermarket shelves and there is no way of differentiating them, no matter whether they come from England or from overseas. As a result, we are harming our farmers, producers and systems that are investing in better welfare.

The BVA is calling for clear labelling of meat and meat products from animals that have not been stunned before slaughter, in order to allow consumers to make that choice. Quality Meat Scotland and the other farm assurance schemes are really important in empowering shoppers to make sustained and ethically informed choices, which is to the benefit of Scottish agriculture as it means that we can maintain good animal welfare and health standards.

We have produced infographics to help with what the different schemes mean, but we really need clearer labelling with regard to non-stun slaughter. We are pushing for that because, although Scotland is already leading on this, we are not getting the credit. Our market is being disadvantaged because supermarket meat is not labelled according to whether the animal has been stunned.

Jenni Minto (Argyll and Bute) (SNP): We heard Dr Pizzi's views on the Scottish veterinary service, but how do the other panellists think the services in Scotland could be changed or improved? Dr Pizzi might want to add to his earlier comments.

Chief Superintendent Flynn: Thank you for the question. Having been in the society for 34 years, I remember what used to be called the Ministry of Agriculture vets. Over the years, funding has systematically dropped and dropped. If we are going to do this properly—I am fully supportive of that—it must be funded and manned properly. Romain Pizzi told us about the shortage of vets, but that applies across the spectrum. The number of people who are involved in livestock veterinary medicine is diminishing. If we are to maintain our high animal welfare standards for livestock, it is—
[*Interruption.*]

The Convener: I am sorry, but we have lost Mike Flynn again. Kirsty, would you like to comment? We will try to get Mike back.

Kirsty Jenkins: I do not think that I need to add anything. Mike Flynn and Romain Pizzi have made some good points, and they are better placed than I am to talk on the topic.

The Convener: Simon, do you have any comments on the new veterinary service?

Dr Turner: I cannot comment specifically on that, but I support Romain Pizzi's points about the pressing need for more livestock vets. We also need on-going training of vets in some non-health aspects of animal welfare.

Although I agree with Mike Flynn's point that high animal welfare provision can cost money, I suggest that, in many cases, we can ensure a win-win by improving productivity, economic performance and animal welfare simultaneously. That can be delivered by a dialogue involving vets and farmers. A case in point is that only 4 per cent of Scottish beef farmers use body condition scoring of their cattle in the recommended way. That approach has been available and known about since the 1960s, but it is poorly adopted. There is little knowledge among farmers and the veterinary profession of how to do that simple, zero-cost procedure. That is an example of how we can improve feed use, animal welfare and disease resistance in animals through a bit of training and dialogue involving vets and farmers.

Rachael Hamilton: I have a question on the support that the UK Government offered in the early months of this year with regard to environmental health officers and official veterinarians to help with export checks. Has that been of benefit to local authorities? Should we be looking at a long-term strategic intervention in that regard?

Dr Pizzi: I will probably have to send you something further in writing to give you more factual information, because that is not my specialty. The problem is that I do not think that the issue is being tested adequately at the moment because, with international trade, we have pushed proper checks into the long grass, so we have not really tested to see how robust the system is.

In Scotland, we have coped better with capacity than has been the case in England, which is great, but our agriculture is quite different. I have highlighted the problems that we have with agriculture, which is economically really important to Scotland and is not similarly important down in England, so it is perhaps neglected by central Government. Once everything is running as it supposedly should be, it will probably be too late

to find out that the system does not work. I am not sure that that is a solution in itself.

In Scotland, we benefit from the fact that many bits of our system function better than those in other parts of the UK. For example, Scotland has much better employment and retention levels than England has. The chief veterinary officer and everyone else working in the field have been very good. The terms of employment for vets are beneficial and are being held out as a model for the rest of the UK to follow. However, we are acutely aware of not just veterinary capacity but funding. If there is to be a separate Scottish veterinary service, it is essential to realise that it may need additional funding to function at the current level. We can see advantages to that, and I have highlighted some of the risks.

I want to briefly mention veterinary capacity in the UK. Overall, the BVA welcomes the fact that the SRUC is considering opening a new vet school. However, there is no point in doing that if there is no additional funding because, otherwise, we will just dilute the funding between the existing vet schools and the new one, and that will water everything down. We need additional funding to ensure that we do not dilute the current veterinary education and to try to better engage with the market. The market forces are very important in what is driving that proposal.

Jim Fairlie: I have a specific question on veterinary capacity. You will know that the Scotch brand demands that a veterinary plan is in place and is updated every year, whether it is for a beef herd or a flock of sheep. In the field, we are finding that more veterinary practices are focusing on small animals and are going away from working with farm animals. Do you see a point at which there will not be capacity in the veterinary service to allow us to do what we currently do, let alone follow our ambition to where we want to go?

12:00

Dr Pizzi: That is an excellent question; you have highlighted a real problem. The BVA has been engaged with all the stakeholders in trying to solve that problem, as we have seen it developing over several years. The combination of Brexit and Covid has exacerbated everything.

We feel that there is not just one solution. A new vet school would help, but it would not solve everything by itself, because the way in which the legislation is set out for the Royal College of Veterinary Surgeons is such that, once someone has qualified as a vet, they can choose to do what they want. The SRUC's approach is to try to increase the diversity and backgrounds of people coming into the veterinary profession. That is great, but it does not mean that people will stay.

The British Veterinary Association is trying to encourage engagement with all the stakeholders to change some of the market forces, because many agricultural placements—in meat hygiene, in particular—have relied on EU veterinarians, and market forces meant that the work and pay were appealing. However, that source of veterinarians has gone now, and the work is not competitive with other draws from veterinary practice. There is a shortage of vets everywhere.

We can train vets better, we can select them from a stronger background and, in veterinary education, we can change the perception of food security, which we are quite keen to do. There are many benefits and appealing aspects for veterinarians in doing that kind of work, but that is not always conveyed in veterinary training. The problem is that, if we do not also address market forces, people might go into it but then be pulled into pet animal medicine or something else—that is how market forces work at the moment. There is a shortage of vets across the board, even in pet animal medicine, as you will have seen in the media.

The solution has to be very joined up. A new vet school or any other single solution will not solve the problem that is developing and that we can see as we scan the horizon.

The Convener: We are conscious of the shortage of time, so we will move on to questions from Ariane Burgess.

Ariane Burgess: My question is on farm animal welfare. In the context of the Scottish islands, in particular, I am interested in hearing your thoughts on the maximum journey times for farmed animals, which are a maximum of nine hours for calves up to nine months old, 12 hours for newly weaned pigs and 21 hours for sheep and cattle. How can we set maximum journey times that do not unduly distress animals while allowing for the longer distances that need to be covered between the mainland and the islands?

Chief Superintendent Flynn: Obviously, long-distance transport is a concern for everybody in the sector, including farmers. The number of abattoirs has diminished over the years, and a lot of places used to be served by their local abattoir. There is talk of mobile abattoirs coming in, but they present problems, too. Places such as Shetland and Orkney are strong on animal welfare and rearing animals, which play an important part. Scientific evidence should be followed at all times. A lot of research is going on and, if it is followed, it will reduce a lot of problems.

Dr Turner: I agree that we need research on the design and animal welfare impact of mobile abattoirs. It seems that there is value in them, but we need to get it right. There is a huge body of

research on animal transport, but it is skewed towards the transport of fit animals for slaughter. There has been much less research on the transport of young animals and animals that are nearing the end of their productive lives—end-of-lay hens, cull sows and so on.

When it comes to objectively setting maximum journey lengths, thermal thresholds and so on, we need the research to happen. With regard to the specific case of the Scottish islands and Scotland more generally—transport is not my specific area, although we have colleagues who are very well versed in this—I understand that, if there is a change in the view on transporting animals from the islands in cassettes, which is currently regarded as neutral time rather than as part of the actual journey, that would pose problems with calves, as it would exceed the nine-hour transport limit.

There are also issues if we regard layer hens as requiring the same maximum four-hour journey length as broilers. That would pose problems with moving those hens down to England, where they are currently slaughtered. There are specific practical issues, and some basic research is needed to define some of those thresholds objectively for some classes and ages of animals. We have not done that yet.

Kirsty Jenkins: We appreciate the work that has been done by both the UK and—[*Inaudible.*]—improve standards during transport, but we feel that the maximum journey times are still too long. We should be aiming for the fewest and shortest journeys possible. The potential for small local and/or mobile abattoirs should definitely be utilised more to help to shorten journey times.

The situation with the Scottish islands is unique, and it poses challenges—I understand that. We are not against exceptions being made for transport to and from the islands, particularly because they have been designed with welfare in mind, and the forms of transport are somewhat different from other forms of transport. However, they should be interim measures. In the longer term, we should be considering shorter supply chains, shorter journeys and local abattoirs. As I understand it, a lot of farmers want that. That would benefit local communities as well as animal welfare, so it is kind of a win-win. I understand that it will be difficult in the very short term, but that is what we should be aiming towards. We should be aiming to move away from intensive systems and long journeys and back towards local farming and local supply chains.

The Convener: Does anyone have any opinions on the legislative consent motion that has been lodged in the Scottish Parliament regarding animal movements, particularly on the UK-wide ban on the export of live animals for slaughter?

Dr Pizzi: I know that that sometimes looks contentious at first glance. The British Veterinary Association knows that the ban is coming, but we do not support it as it stands. The reason for that—which always takes people aback—is that it sometimes puts all the welfare concerns on to journey length, unfortunately. The problem is that the quality of the journey is possibly even more important for the animals.

The British Veterinary Association always believes that it is best for animals to be slaughtered as close to the point of production as possible. However, we cannot just simplify journeys into length and time. Other factors are important for improving welfare as a whole during transport, and we would like them to be implemented more. Formal training for the transporters of live animals could be improved, with improved enforcement of the current regulations. If they are not followed, it does not matter what they are. Guidance on when an animal is fit to travel could be improved, as Simon Turner said, although we share the concerns about how that may impact on remote and rural farms in the Highlands and Islands.

The BVA also recognises that mobile abattoirs provide opportunities for slaughtering animals close to the point of production. That is great, and we want to investigate it further. However, that must be balanced with the need to ensure that mobile abattoirs do not represent a downgrading of animal health and welfare, which would be counterproductive. That also concerns public health standards.

We need to be assured that mobile abattoirs can result in safe products for consumers—we do not want to apparently improve the situation but end up with a public health problem—and that animal health and welfare can be guarded by them. We would love to work with the Government to ensure that they are viable and to investigate that further.

Dr Allan: I represent some islands, and I appreciate the fact that Kirsty Jenkins talked about treating islands exceptionally. She also spoke about the need to reduce food miles in the longer term. However, does she acknowledge that, on the islands, as in many other parts of Scotland, the whole lamb industry is built on livestock being moved around? To move a bit further down the evolutionary scale, the prawn industry is based on the live transport of prawns, as it is not possible to transport them in any other way, and somewhere in the region of 90 per cent of the market for prawns is in France and Spain. Does Kirsty Jenkins appreciate that, notwithstanding everything that she has just said, we have to be slightly careful when talking about reducing food

miles, promoting local markets, and pretending that we can undo those realities any time soon?

Kirsty Jenkins: I acknowledge that, in the short term and even in the medium term, there will need to be interim measures that might not be exactly as we would like them to be. However, our food systems are broken, and we need to aim towards quite major changes in them in the longer term, including in our animal farming.

OneKind is a member of the Scottish Food Coalition so, obviously, we agree with its ethos. It has outlined a vision for a quite different food system.

As I said, such interim measures might be quite different in the short term. We do not want to penalise farmers or anybody else in the supply chains, so there needs to be a just transition. However, we would like to see quite major changes in the long term.

The Convener: We will move on to questions about domestic animal welfare.

Karen Adam (Banffshire and Buchan Coast) (SNP): I know that we are running out of time, so I will be as brief as I can be, although the answers will probably be quite long.

As a dog owner who has had large-breed dogs, I understand the responsibility that comes with pet ownership and the gravity of the duty of care that is involved. I am sure that the needs and requirements of my large-breed, mostly sofa-dwelling dog, for example, are different from the needs and requirements of dogs that go out and earn their treats for a living.

What would you like to be covered in the review of animal welfare legislation? Do you make a distinction between domesticated companion pets and working dogs?

Chief Superintendent Flynn: That is a very good question. You will all have seen the recent consultation that was more about the implementation of the Dangerous Dogs Act 1991 than the act itself. We have always disagreed with section 1 of that act because it mentions four breeds, which are automatically dangerous. That gives the public a false sense of security. Those are not the most dangerous dogs; mastiffs are coming in from everywhere now.

It is all about responsible ownership and people choosing the right dog—one that fits their lifestyle, needs and capabilities. Basically, behind every dangerous dog is a dangerous and irresponsible owner. We would like the Dangerous Dogs Act 1991 to be changed so that section 1 is repealed, and it should be acknowledged that it is about the animal's deed and not its breed. That would go some way towards helping local authorities and everyone else with control notices, for example.

Kirsty Jenkins: I very much agree with what Mike Flynn has just said.

The wider question is a good one, and it is important to think about it, but I would avoid categorising animals and slotting them into boxes too much. In any given circumstance, the individual animal and what the welfare risks and potentials are should be looked at. I am not sure whether that quite answers your question. I would be happy to say more about it, but the fact is that a dog is a dog, and in any given scenario I would look at its welfare at that moment instead of categorising anything.

12:15

Dr Pizzi: I think that we are in alignment here. We completely agree with the Scottish SPCA that, as far as dangerous dogs are concerned, the issue is the deed, not the breed. In other words, the determinant will be the situation that dogs are placed in.

I would also pretty much align myself with Kirsty Jenkins's point that the basic welfare requirements of dogs need to be met and that additional welfare considerations will depend on individual dogs' situations. Therefore, we cannot really categorise anything, because there are many grey areas. There is a continuum but, unfortunately, that sort of approach is probably unworkable.

I completely agree with Mike Flynn about moving away from seeing the breeds themselves as the problem to considering the people involved and how the dogs are handled, and to a deeds-based approach. Indeed, we have collaborated with others on that.

Dr Turner: I, too, support Kirsty Turner's comments. Whether we are talking about dogs or any type of animal, it is dangerous to silo them into categories. We find that the motivations of the various animals that we manage have been preserved across the process of domestication and that one dog's motivation is probably very similar to that of another. For example, a brachycephalic breed that physically struggles to exercise might still have the motivation to do so, and we need to be cognisant of that and not silo them in a way that is convenient for us.

Karen Adam: I understand what you are saying about not labelling particular breeds and the onus being on the handler, but the situations that some dogs, particularly working dogs, find themselves in are not necessarily the same as those that domesticated, stay-at-home, companion pets might face. That should be taken into consideration in any future reviews, to ensure the protection and welfare of those working animals.

On the back of that, I know that animal welfare problems have arisen during the pandemic. Can you highlight any issues in that respect?

Chief Superintendent Flynn: I will kick off with that. On your first question about working animals and domestic pets, the fact is that the basic law is the same. You still have to provide the same level of care, nutrition and shelter for the animal whether it be a sheepdog, a guard dog, a police dog or whatever.

The pandemic has caused serious issues on the domestic animal front. Puppy sales have gone through the roof, and that has led to animals with very poor welfare coming into Scotland, mainly from the south of Ireland via Northern Ireland. We are seeing a rise in the number of dogs from alleged kill shelters in Romania, which presents another animal health problem that Romain Pizzi highlighted earlier with regard to the lack of proper veterinary inspection at the point of entry. Since Covid began, it has been an absolute nightmare for the domestic pet trade. People are making an absolute fortune, but they are spreading misery.

Kirsty Jenkins: Mike Flynn has made that point quite well, I think, but on the wider question, with regard to both issues that have been highlighted, it is worth thinking about how helpful better knowledge of and education around dogs would be. A huge problem that has been intensified by the pandemic is the lack of proper socialisation and training of dogs in general and the lack of an understanding of dogs' behaviour and body language. That brings us back to the Dangerous Dogs Act 1991 and the pandemic.

Many of those problems are made worse by the fact that people do not necessarily know how to provide for their dogs, especially when it comes to their behavioural needs. The Scottish Animal Welfare Commission is looking at the provision of dog training and at the use of professional dog trainers and how they could be regulated. That might be a solution, rather than slotting different dogs into different boxes through legislation. We should try to have a better overall understanding of dogs and their needs, and training would help.

The Convener: We will move on to questions from Beatrice Wishart.

Beatrice Wishart (Shetland Islands) (LD): I want to continue the line of questioning on domestic dogs. I take on board the comments about responsible ownership and education. Crofters and farmers in my constituency would welcome that, given the impact that irresponsible dog ownership can have through livestock worrying, which is a scourge, especially in the lambing season. Some dog owners simply do not seem to understand that.

I would like to hear the panel's views on dogs and livestock worrying, starting with Mike Flynn.

Chief Superintendent Flynn: That is an issue that we worked closely on with Emma Harper when she introduced her Dogs (Protection of Livestock) (Amendment) (Scotland) Bill at the end of the previous session of Parliament. Livestock worrying represents a huge welfare problem. Again, it comes back to the issue of irresponsible ownership, which relates to the work that the commission is doing on animal training, which Kirsty Jenkins mentioned. That work is all about positivity; it should not involve the use of an electric collar. If a dog is on a lead, it cannot attack a sheep.

People are being issued with notices under the new legislation or dog control notices, but there is no central record for any of that. I could have a dog control notice or a livestock notice served against me, but the only person who would know about it would be the constable or the local authority that served it; another constable or local authority would not necessarily know about it. People who are banned from keeping a dog can just go and get one, because there is no way of monitoring that. A national register would be a way of joining together all the enforcement that is being done.

Dr Pizzi: We support the SSPCA's position in that we have called for a complete ban on the sale and use of electric shock collars. The evidence shows that reward-based training is the most effective training method for dogs and cats. Such a ban would also make sure that the animals were protected from any pain or suffering.

The issue comes back to the fact that it is not the breed of animal or the individual animal that is the problem; we need to focus on the situation and on the people involved, as Mike Flynn said. We know that, via the Scottish Government, a review has been carried out of the guidance on aversive training devices, and we would be keen to see and to feed back on that.

There were some fears of a judicial review if the devices were to be banned, but, when DEFRA announced a ban and there was a judicial review, the court found in DEFRA's favour. There is a serious problem, but I do not think that aversive training devices, such as shock collars, are a reasonable way of mitigating it. We must find other ways to do it.

The Convener: I am conscious of the time. We have a maximum of five minutes left. I invite Rachael Hamilton to ask the final question in this section.

Rachael Hamilton: The SSPCA highlighted the existence of a link between domestic abuse and animal cruelty, particularly during the pandemic.

Does the panel agree that, as part of its wider animal welfare work, the committee should consider raising awareness among veterinarians and other people who work in the industry of the value of establishing that intrinsic link and using it as a way to stamp out the domestic abuse that is happening?

Chief Superintendent Flynn: There is an organisation called the Links Group, which is aimed at linking the veterinary profession, medical staff, police officers, social workers, animal welfare workers and so on.

There is a proven link—it is not just a theory that is going about. A human who harms an animal is five times more likely to harm another human. Certain parts of certain professions, such as the police, social work and animal welfare, take the issue very seriously, but it is just not getting the push that it deserves. To go back to my previous answer, a national register of such offenders could alert social workers and police officers throughout the UK of a potential threat. It is a potential threat, because not everybody who is cruel to animals is cruel to humans, but the incidence is far higher. We should definitely have such a register, and we need education in all sectors.

Many years ago, the Scottish Government invested money in training dentists to spot signs of domestic abuse. That was a kind of thinking out of the box thing. Hairdressers were also trained on the issue. When a lady is sitting getting a haircut in a one-to-one situation, that gives them an opportunity to open up and say what is happening. In a surprising number of cases, we are contacted by police officers investigating a domestic violence incident who found or heard that we investigated an animal cruelty incident involving the same person perhaps a year or two earlier.

The topic is important, and the SSPCA and the BVA are doing everything that we can to raise awareness of it among other professions.

The Convener: If any of the other witnesses would like to respond to that, perhaps they could do so in writing. That will probably also apply to the question that Ariane Burgess is going to ask, because we are very short of time. If you would like to respond but do not have the opportunity to do so, please write to the committee; it would be much appreciated.

Ariane Burgess: I will move on to the theme of wild animal welfare. Are there any gaps in the Scottish Government's agenda in relation to the welfare of wildlife? I will start with Kirsty Jenkins and then go to Mike Flynn, if we have time.

Kirsty Jenkins: I could say a lot on that, but I will keep it brief, as we are short of time.

Lots of changes are coming up in various aspects of wild animal management. We would like to see more of an umbrella framework that guides decision making in wild animal management that is based on evidence and ethics. At the moment, the different topics, methods and species are quite often placed in silos to an extent. That is the big change that we would like.

While we are on wild animals, an immediate concern is the upcoming review of snaring, which the Scottish Government is required to carry out by the end of this year. The previous snaring review in 2016 was limited in scope and did not lead to real change. Snares should be banned because of the amount of suffering that they cause. It is important that this year's review considers that fully.

Chief Superintendent Flynn: I agree with everything that Kirsty Jenkins has just said.

Plans are in motion in the Government to finally ban foxhunting properly, or at least to reduce the size of hunt packs down to a maximum of two dogs, as is the case in England and Wales.

A lot of research is going on into wild animal welfare. I mean no disrespect to anybody in saying this, but the biggest problem that we perceive is the lack of enforcement in general wildlife crime. We welcomed the statement by the Minister for Rural Affairs and the Natural Environment in the previous session of Parliament on setting up a task force to see how the issue can be addressed and whether we can be of any more assistance. That would go a long way towards tackling known crimes. However, I go back to what Kirsty Jenkins said about the culling of mountain hares and brown hares and all that kind of stuff. That is very much on our radar. We would like to see the improvements that have been talked about and then possibly some more.

The Convener: I have one general question to finish, but I would prefer it if the panel members could write to the committee with their responses. The provisions of the UK Animal Welfare (Kept Animals) Bill on the controlling of imports of domestic animals and modernising zoo licensing will have specific implications in Scotland. It would be most helpful if you could feed back your views on whether those implications might cause issues here, and comment on any engagement or consultations that you have had on that bill.

Thank you all very much for your contributions. I very much appreciate your patience, given the IT problems. I have no doubt that we will come back to you at some point later in the session to explore more fully some of the issues that have been raised today.

That brings this part of the meeting to an end, and we will now move into private.

12:30

Meeting continued in private until 12:31.

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