



OFFICIAL REPORT
AITHISG OIFIGEIL

Citizen Participation and Public Petitions Committee

Wednesday 11 December 2024

Session 6



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CITIZEN PARTICIPATION AND PUBLIC PETITIONS COMMITTEE

19th Meeting 2024, Session 6

CONVENER

*Jackson Carlaw (Eastwood) (Con)

DEPUTY CONVENER

*David Torrance (Kirkcaldy) (SNP)

COMMITTEE MEMBERS

*Foyso Choudhury (Lothian) (Lab)

*Fergus Ewing (Inverness and Nairn) (SNP)

*Maurice Golden (North East Scotland) (Con)

*attended

CLERK TO THE COMMITTEE

Jyoti Chandola

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Citizen Participation and Public Petitions Committee

Wednesday 11 December 2024

[The Convener opened the meeting at 09:30]

Decision on Taking Business in Private

The Convener (Jackson Carlaw): Good morning and welcome to the 19th and final meeting in 2024 of the Citizen Participation and Public Petitions Committee. Agenda item 1 is to agree to take in private agenda items 4 and 5, which are to look at our petition signature process and the forthcoming work programme for the new year. Are colleagues content to do that?

Members indicated agreement.

Continued Petitions

Detainees in Custody (Access to Medication) (PE1900)

09:30

The Convener: Agenda item 2 is consideration of our existing continued petitions, the first of which is a petition that is of long standing and one with which the committee has been heavily concerned. PE1900, which was lodged by Kevin John Lawson, calls on the Scottish Parliament to urge the Scottish Government to ensure that all detainees in police custody can access their prescribed medication, including methadone, in line with existing relevant operational procedures and guidance.

We last looked at the petition on 6 March, when we agreed to write to the Minister for Drugs and Alcohol Policy to seek an update on the work of relevant health boards in obtaining controlled drug licenses and implementing written policies on access to prescribed medication. We have received a detailed table—which colleagues have in the meeting papers—that outlines the current position of all health boards on that matter.

The minister has stated that “as part of the” Scottish Government’s

“on-going work to support a positive outcome from this petition ... officials have been engaging with the relevant areas following the rapid review ... to ensure ... that processes are put in place to support the delivery”

of the agreed actions in the set timescales.

Regarding NHS Grampian, the minister has stated that

“the premises inspection took place on 4 October 2023. Following that inspection, there were some actions that required follow-up, which have since been actioned. NHS Grampian have had no further communication with regards to their application for a controlled drug licence, but understand that a delay is not unusual.”

A number of health boards have checked and subsequently confirmed to the minister that their custody suites do not require a controlled drug licence. Some boards already have the licence in place and others have since applied for the licence. The minister has stated her intention to request

“annual updates from health boards”

to ensure their continued compliance with the requirements that were set out in the rapid review.

The petitioner has provided two written submissions to the committee. He feels that there is

“a complete lack of courage by the Scottish Government to implement their own policies, Scottish Law and the Human Rights Act.”

He states that

“detainees have the right to ... have enough information about their condition, treatment options, the benefits and risks relevant to them, and alternative options for them to give informed consent to treatment”

and highlights that

“This includes the opportunity to ask questions and discuss concerns.”

We have effected some progress on the petition over the time of our consideration. Do colleagues have any suggestions for action?

Fergus Ewing (Inverness and Nairn) (SNP): I think that the committee has played a role in cajoling the Scottish Government and the health boards into moving forward slightly more quickly. However, it is frustrating that the petition is now three years old and that, although NHS Grampian responded over a year ago, it does not appear to have received a response to its application for a licence.

I suggest that we write to the Minister for Drugs and Alcohol Policy to ask when the annual updates from each health board are due; to request that the committee receive an updated table once the information is available and an early and detailed update on NHS Grampian's work in the area since the so-called rapid review; and to ask whether the Scottish Government intends to undertake any proactive work with health boards to ensure compliance with that review.

The Convener: Thank you. No member has indicated that they have other suggestions, so are colleagues content to accept Mr Ewing's suggestion?

Members *indicated agreement.*

The Convener: We will keep the petition open and progress on that basis.

Train Fares (PE1930)

The Convener: PE1930, which was lodged by George Eckton, calls on the Scottish Parliament to urge the Scottish Government to ensure that a requirement of future rail contracts is that customers be given information on the cheapest possible fare as a matter of course, and to recognise the vital role of the existing ticket office estate in delivering on that aim.

We last considered the petition at our meeting on 7 February, when we agreed to write to the then Minister for Transport on the outcomes of the fair fares review. We have received two responses from the Cabinet Secretary for Transport, the first

of which alerted us to the publication of “Fair Fares Review—Main Report”, noting that it contains a number of recommendations relating to fares and ticketing.

The second response states that the Scottish Government had been working to refresh its smart and integrated ticketing strategy delivery plan, which it duly published back in August. The Cabinet Secretary for Transport also tells us that ScotRail is in the early stages of trialling an account-based travel or pay-as-you-go scheme, with progress also being made to introduce split-ticketing functionality to the ScotRail website and app. It is already a pay-as-you-go scheme on the railways. I am sure that that is what we used to call it in the old days. Pay as you go—I thought that meant that you bought a ticket. It is fancy language for buying a ticket.

We have also received two submissions from the petitioner, the first of which details a freedom of information request to ScotRail about split ticketing, while the second sets out the petitioner's on-going concerns about the limitation of split-ticketing options via ScotRail's ticketing platform, the impact of reduced hours for station ticket offices—which I think has been the subject of a debate in the chamber—and the need to invest in digital system upgrades to ensure that the ask in the petition can be realised.

Do members have any comments or suggestions for action?

David Torrance (Kirkcaldy) (SNP): I wonder whether the committee would consider closing the petition under rule 15.7 of standing orders, on the basis that ScotRail has previously stated its support for the end goal of having a system that would enable automatic calculation of the cheapest fare for passengers and is pursuing a pilot scheme to support the same.

The report on the fair fares review has now been published, and the Scottish Government is continuing to progress the review recommendations, including through its smart, digital, integrated ticketing and payments delivery system.

The Convener: Are we content to accept that? I will just officially recognise that pay as you go is apparently contactless tap-in. There we are. That is my prehistoric ignorance of such matters.

Foyso Choudhury (Lothian) (Lab): I am sorry—I do not know whether I missed this. Did you say that there was supposed to be a report out in August? Can we ask the Scottish Government what happened to that report?

The Convener: The report was published in August.

Are members content?

Members indicated agreement.

Youth Violence (PE1947)

The Convener: PE1947, which was lodged by Alex O’Kane, is another petition with which the committee has been extensively involved. It urges the Scottish Government to address the disturbing culture of youth violence in Scotland.

We last considered the petition on 6 March, following our site visits, and we agreed to write to the Minister for Victims and Community Safety, seeking her response to a number of points. In particular, we requested clear information on what a whole-system approach to youth offending looks like when addressing repeated incidences of violence perpetrated by a young person.

The minister’s response recognises that, although the aim is to keep children out of the criminal justice system, in some cases that will not be possible or appropriate. The minister highlights that the United Nations Convention on the Rights of the Child states:

“The arrest, detention or imprisonment of a child ... shall be used only as a measure of last resort and for the shortest ... period of time”.

The severity of a crime will influence whether it is proportionate to arrest a child and present them at a police custody centre.

The Scottish Sentencing Council’s guidelines on the sentencing of young people are also highlighted. The guidelines focus on rehabilitation but note that other factors, such as protection of the public, punishment and expressing disapproval of the offending behaviour, can be taken into account. That is very consistent with the experience of those of us who heard evidence. The submission explains that young people aged 12 to 17 who have committed a serious sexual offence or are considered to be a serious sexual harm can be managed in various ways. That includes care and risk management or multi-agency public protection arrangements, if they have been convicted of the offence in a criminal court.

On victim support, the minister points to the “Standards of Service for Victims and Witnesses” document that is published by key criminal justice agencies. The document seeks to explain what happens at each stage of the criminal justice process, the standards of service that can be expected and who can be contacted for help or advice.

The petitioner has provided a new submission, in which he once again expresses his concerns about the justice system and reiterates his view that youth violence is aggravated by a lack of consequences, deterrence and punishment. I have

to say that that is very much what those of us on the committee at the time who met and took evidence from people felt was being very clearly and strongly expressed.

The petitioner also raises concerns about funding, arguing that

“a lack of funding was inevitably going to lower the bar in every field of service”

and that it would put young people

“at risk and the public in more danger.”

David, were you on the committee when we took this evidence?

David Torrance: I think so, yes.

The Convener: So you and I are the only two who are left from that time. If you are happy to support it, I am quite happy to propose that, in the first instance, we write to the Minister for Victims and Community Safety to ask what actions the Scottish Government will take following the summit on youth violence in January 2025; to seek an update on the development of a collaborative plan for harm reduction and violence prevention; and to ask how victims are made aware of the “Standards of Service for Victims and Witnesses” document when reporting a crime.

More particularly, having taken evidence, gone on site visits and heard from a number of people, we are at the point at which it is time to invite the Cabinet Secretary for Justice and Home Affairs, the Minister for Victims and Community Safety and the Lord Advocate to give evidence. From experience, I know that, if we take one or the other, one will say that it is the other’s responsibility. Having them all here might facilitate the discussion. Anyway, we will ask them to come and give evidence on this and other petitions relating to serious crime committed by young people, although I think that we will want to get the update first, to inform that discussion.

Fergus Ewing: I agree with all of that. Having read the submission from Siobhian Brown, the community safety minister, I think that although it is one of the longest submissions that I have seen—it is more than seven or eight pages—and although, to be fair to the minister, it covers a lot of ground, it is still very general.

I remember from those distant days when I was community safety minister that specific bodies sought to play a variety of specific roles. We had Medics Against Violence; there was the use of naloxone; there were various diversionary schemes; and there was the cashback for communities funding. Although that funding is mentioned in the last paragraph of the minister’s submission, there is no specific statement about how much money is involved. The idea is to

confiscate drug dealers' takings and use that money to help to solve the problems that they have partly created in society.

I should also mention the violence reduction unit: John Carnochan and his successor played very active parts in helping to turn around the lives of youngsters who were on the verge or cusp of criminal careers.

This is a very difficult area, convener, and I know that there are no simple solutions. Like you, I have sympathy with the petitioner's comment in his supplementary submission that for the victim, in particular, and the accused, the experience of going through the criminal justice system, where you might give a precognition, wait a year and still nothing happens, is in some ways almost as bad as the original problem, if it was a relatively minor one.

I think that we should hear from the minister, but we should also ask for more specific information on each of the policy strands that are designed to help young people who are on the cusp of becoming a serious problem to themselves and society, and how effective those strands are. After all, at the end of the day, it comes down to these programmes.

I was struck by how very general the response from the minister was. I could not go and explain it to a constituent—some of the abbreviations and acronyms passed me by, so goodness knows how the public are expected to understand any of it. There is a risk of descending into jargon.

The Convener: That is very much the petitioner's concern, too.

Certainly, that particular visit was one of the most harrowing that I have made. We respected the anonymity of the victims of violence and their parents, but the way in which they had been targeted and their lives ruined with the perpetrators carrying on regardless was really very difficult to hear about.

It was a long response from the minister. I felt that I was almost being given a manual, against which I would like to test the actual life experience of people who have been subjected to such violence, because the minister's response seems almost to be floating above practical experience in its otherworldliness. It could do with a little bit of worldliness.

I am quite happy to pursue some detail, but it would be good to test with the minister the experiences as we heard them, as they are very much still being represented by the petitioner. Are we agreed, colleagues?

Members *indicated agreement.*

Patients with Autonomic Dysfunction (Specialist Services) (PE1952)

09:45

The Convener: PE1952, which was lodged by Jane Clarke, calls on the Scottish Parliament to urge the Scottish Government to instruct Scotland's national health service to form specialist services, training resources and a clinical pathway for the diagnosis and treatment of patients exhibiting symptoms of autonomic nervous system dysfunction—dysautonomia.

We last considered the petition on 6 March, when we agreed to write to the Scottish Government. We have since received a response from the Minister for Public Health and Women's Health, stating that there are no current plans to develop a dedicated specialist autonomic nervous system service in Scotland. It also says that most people with autonomic nervous system symptoms experience them as part of other underlying conditions, and that they are cared for within existing pathways for their underlying condition.

The minister also explains that she has been advised that it is well within the remit of neurologists to diagnose and manage such symptoms as part of their routine practice, in the majority of cases. The submission also states that cardiologists might also see people with autonomic nervous system symptoms for assessment and investigation, including in circumstances when symptoms do not occur as part of a separate neurological disease.

The petitioner and Lesley Kavi, who is a trustee and chairperson of PoTS UK, have provided a joint submission to the committee. The submission states that PoTS UK has seen no evidence of investigations into the needs of people with postural tachycardia syndrome and related dysautonomia. They are confident that the majority of general neurologists in Scotland would not want to accept referrals for PoTS and they are keen to receive evidence from the minister that would prove otherwise.

The submission also provides personal testimonies from across Scotland that highlight the difficulties that individuals have faced when seeking appropriate treatment for their condition.

The petitioner's submission and the testimonies that we have received contradict the view of the minister, as expressed in her earlier submission. Do colleagues have any comments or suggestions for action?

David Torrance: Would the committee consider writing to the Minister for Public Health and Women's Health to highlight the petitioner's recent written submission and to ask what information is

available and what monitoring takes place that gives the Scottish Government confidence that people are receiving satisfactory care, despite the individual experiences that are noted in the petitioner's recent submission? What information does the Scottish Government have on the number of clinicians who are currently treating or willing to accept patients with PoTS, and what steps will the Scottish Government take to improve understanding of autonomic dysfunction among general practitioners?

The Convener: I would be happy to draw to the minister's attention the testimonies that we received as an illustration that she might find useful in challenging any advice that she might be being given on what everybody thinks, because obviously not everybody does think that way.

Are members content with that?

Members indicated agreement.

Hormone Replacement Therapy (Blood Tests) (PE2012)

The Convener: PE2012, which was lodged by Angela Hamilton, calls on the Scottish Parliament to urge the Scottish Government to remove the need for follicle-stimulating hormone blood tests in women aged 40-45 who are experiencing menopause symptoms, before hormone replacement therapy can be prescribed to relieve their symptoms and replenish hormone levels.

We last considered the petition at our meeting on 6 March 2024, when we agreed to write to the British Menopause Society and NHS Education for Scotland. The latter has advised that there has been a slight delay in the delivery of its online learning modules on menopause and menstrual health, but notes that the resource will be free to access for practitioners working in Scotland, and will include cases describing the lived experience of women who are facing barriers to accessing HRT preparations.

We have received a brief response from the British Menopause Society, which refers to the National Institute for Health and Care Excellence guidelines that set out that blood tests are often not necessary to diagnose perimenopause or menopause in women aged 40 to 45. It is the society's view that diagnosis, and hence the need or otherwise for treatment, should be based on history, period pattern and the presence or otherwise of symptoms.

Are there any suggestions for action on the back of that?

David Torrance: Would the committee consider closing the petition under rule 15.7 of standing orders on the basis that NICE guidelines state that, for women aged 40 to 45, HRT can be

offered without the need for blood tests when other menopause symptoms are present? There is now a specialist menopause service in every mainland NHS health board, with a buddy system in place for the islands health boards. NHS Education for Scotland has been commissioned to create an online learning package on menopause and menstrual health, which will be free to access for practitioners working in Scotland, and includes cases describing the lived experience of women facing barriers to accessing HRT preparation.

The Convener: Are there any other suggestions, or is the committee content that we close the petition on the basis that has been detailed by Mr Torrance?

Members indicated agreement.

The Convener: It appears that we are content, so we thank the petitioner for lodging the petition with us, but we will close it on the basis of the information that we have received.

Children and Young People (Protection from Trauma) (PE2051)

The Convener: PE2051, which was lodged by Dianne Youngson, calls on the Scottish Parliament to urge the Scottish Government to establish a consistent and transparent reporting mechanism for incidents affecting the health of pupils in schools; review and improve on the existing guidelines for schools in dealing with at-risk pupils; place in law monitoring of reporting mechanisms, with ultimate responsibility being placed with Scottish ministers and local authorities; and reform the exclusions procedure to include consideration of whether exclusions may cause further harm.

We last considered the petition on 21 February and agreed to write to the Cabinet Secretary for Education and Skills. We were keen to receive a timeline for the development and publication of the joint action plan on relationships and behaviour in schools, and information about how the Scottish Government expects its call for accurate recording of incidents in schools to be achieved.

The joint action plan on relationships and behaviour in schools has now been published and covers the period from 2024 until 2027. The cabinet secretary highlighted the Government's review of the national anti-bullying guidance. She noted in particular that a sub-group was established to identify and consider changes to the supplementary guidance on recording and monitoring.

The submission notes that Education Scotland plans to publish a toolkit of good practice on recording and responding to bullying incidents.

In the light of the cabinet secretary's response following the publication of the plan for 2024 to

2027, do colleagues have any suggestions for action?

Maurice Golden (North East Scotland) (Con): I think that we should close the petition under rule 15.7 of standing orders, on the basis that the Scottish advisory group on relationships and behaviour in schools, the Convention of Scottish Local Authorities and the Scottish Government have published a joint action plan on relationships and behaviour in schools, which covers the period from 2024 up to 2027.

The Convener: As there are no other suggestions, are colleagues content to close the petition on the basis of the cabinet secretary's response and as detailed by Mr Golden?

Members indicated agreement.

Trespassers (PE2060)

The Convener: PE2060, which was lodged by Daithi Broad, calls on the Scottish Parliament to urge the Scottish Government to review and revise existing legislation to offer better protection against trespassers. This is another petition that we last considered on 7 February. We agreed to seek the Scottish Government's views on whether it intends to carry out work relating to the issues raised in the petition and to ask whether it would carry out any relevant awareness-raising work.

The Minister for Victims and Community Safety states that the Trespass (Scotland) Act 1865 effectively addresses the issue of persistent repeated trespassing. She also states that the Scottish Government does not consider that strengthening of the act is required and that no further work is planned in the area. She explains that the Government has received virtually no representations on the issue and will not take any direct action unless new and substantial evidence comes to light—so there we are.

Fergus Ewing: We have considered the issues carefully, and I understand where the petitioner is coming from and the concerns about the issue. However, we should close the petition, on the basis that the Scottish Government is of the view and has stated that the Trespass (Scotland) Act 1865 effectively addresses the issues raised, and that it does not believe that there is a need to strengthen the act and does not intend to undertake any further work, because it has received virtually no representations on the issue.

I might add that the freedom of access regulations do not apply to the curtilage of private property. Perhaps that was not a point that the petitioner agreed with, accepted or felt was operative in practice, but that is the law under the 1865 act, and it was part 1 of the series of issues that he raised. I think that the petitioner's issues

have been considered and responded to in this instance.

The Convener: Yes, and I might have expected there to have been more representations, but clearly there have not been. Are colleagues content to support Mr Ewing's recommendation?

Members indicated agreement.

Rape Charges (Under-16s) (PE2064)

The Convener: Our next petition, PE2064, which was lodged by Julie Mitchell, calls on the Scottish Parliament to urge the Scottish Government to ensure that under-16s charged with rape are treated as adults in the criminal justice system.

We last considered the petition at our meeting on 6 March, when we agreed to write to the Lord Advocate, seeking an update on her review of diversion from prosecution as it relates to sexual offences and requesting figures on cases of rape by under-16s. The committee also made reference to the petition in its letter to the Minister for Victims and Community Safety on PE1947, as the issue of serious crimes committed by young people cuts across both petitions. We considered PE1947 just a short while ago.

The Lord Advocate's response states that the review is making good progress. At the time of her submission, a review of the existing prosecution policies and round-table discussion events had taken place. That included contributions from stakeholders who represent children in conflict with the law.

The response also states that a senior advocate depute has been appointed to conduct an examination of all cases of rape that were diverted or referred to the reporter in the past five years. That examination will inform the revised prosecution policies, which were due for publication by mid-summer.

On the number of cases, the response states that there were 266 cases reported of rape or attempted rape between 1 January 2018 and 31 December 2023 for children aged 12 to 15. Those cases were reported jointly to the children's reporter and the procurator fiscal. The Lord Advocate goes on to say that there were 462 cases reported of serious sexual assault between 1 January 2018 and 31 December 2023—the same time period—by children aged between 12 and 15, which were reported jointly to the children's reporter and the procurator fiscal.

I think that the issues here persist and are of concern. Do members have any comments or suggestions for action?

David Torrance: I wonder whether we could write to the Lord Advocate to seek an update on the review of diversion from prosecution in cases of serious sexual offences, and, following on from the suggested action for PE1947, on Scotland's culture of youth violence. Could we also invite the Cabinet Secretary for Justice and Home Affairs, the Minister for Victims and Community Safety and the Lord Advocate to give evidence on the petition and on other petitions relating to serious crime committed by young people, at a future meeting?

The Convener: We have two petitions for which we would seek to bring together our respective ministers and the Lord Advocate. Are members content with that proposal, on the back of seeking further information in the first instance in both cases?

Members *indicated agreement.*

The Convener: The petition will be kept open, along with the petition in the name of Alex O'Kane, and we will speak to the minister in respect of both.

New Petitions

09:58

The Convener: Agenda item 3 is consideration of two new petitions. As I always do, I say to anybody who might be tuning in because they know that their petition is being considered for the first time that, in advance of the consideration, we invite the Scottish Parliament's independent research body, the Scottish Parliament information centre, to provide the committee with a briefing on the issues raised. We also seek a preliminary view from the Scottish Government on the issues raised. We do both those things in order to expedite the progress of our consideration of the petition.

Black Grouse (Protection) (PE2119)

The Convener: Our first new petition, PE2119, which was lodged by Calum Campbell, calls on the Scottish Parliament to urge the Scottish Government to review the operation of the woodland creation scheme.

The petition has four particular asks: to make it mandatory for all new deer fencing to be marked, where necessary, with wooden droppers as it is erected to help prevent bird strike; to require all work on these schemes to be stopped or paused by the end of March to protect ground-nesting birds; to require NatureScot to carry out initial and annual environmental impact assessments to consider the effects of woodland creation on resident wildlife; and to ensure that any recipient of a forestry grant who then puts the forest up for sale must return the grant in full when sold.

10:00

In the background to the petition, Mr Campbell raises concerns about bamboo canes being used to mark deer fences in a section of the Cairngorms national park. He suggests that they are cheaper and less effective than wooden droppers, and they have led to black grouse flying into the fence and being killed. The SPICe briefing provides information on the use of netting and other measures, such as sawn wooden droppers, which are intended to help reduce the risk of birds colliding with fences. It also notes that bamboo should be used only as a last resort to mark fencing on extremely high-exposure sites.

In its response to the petition, Scottish Forestry notes that the choice of marking material and position of deer fences will require consideration of the visibility of the marker, the proximity of the fence to grouse activity and the durability of the material, with particular focus on the exposure of

the site and what that means for the longevity of the material.

The response goes on to detail Scottish Forestry's processes for considering woodland creation applications and its statutory duties to assess and determine whether a project is likely to have a significant effect on the environment.

We have also received a submission from the petitioner in which he raises concerns that the target of planting new trees might not achieve the expected carbon capture, particularly where planting takes place on heather moorland. Mr Campbell also highlights on-going concerns about the specific site in the Cairngorms. Scottish Forestry had instructed the forestry agents to undertake remedial work to address the impact on the black grouse population, but, by the beginning of November, that remedial work had not yet taken place.

The petition raises quite a specific issue, and we have received what I thought was quite a comprehensive response to it. Do members have any suggestions?

Fergus Ewing: I have spent a little while studying the quite voluminous papers in the petitioner's case and the Scottish Forestry response. Incidentally, I notice that the petition has more than 700 supporters, so it has plainly attracted considerable interest.

Having considered the documents—carefully, I would hope—I think that we should close the petition under rule 8.15.7 of standing orders, for three reasons. First, Scottish Forestry's very detailed response makes it clear that there is technical guidance to assist with the choice of marking material for deer fences, set out in the Forest Research publication "Fence marking to reduce grouse collisions", which came out in 2012.

Secondly, Scottish Forestry has a statutory duty to assess afforestation, deforestation, forest road and forest quarry projects to determine whether such proposals are likely to have a significant negative effect on the environment, including on black grouse.

Finally, Scottish Forestry can enforce adherence to approved forestry grant scheme contracts, which can include inspection of the scheme's implementation and any remedial work to address any identified issues. I know that it does that already, although there are always some issues of contention.

In suggesting that the petition be closed, I would say that, although we cannot become involved with any particular concern or complaint about specific forestry projects—and the petitioner goes into some detail about specific projects—we might wish to write to Scottish Forestry to draw attention

to the petitioner's specific concerns and the level of support that the petition has received, with more than 700 signatures, and ask that it liaise directly and perhaps meet with the petitioner to have an open dialogue and discussion on the issues that he has raised, as they are important to a large number of people.

The final thing that I would say is that, on the first of the petitioner's asks—that new deer fencing be marked with wooden droppers—Scottish Forestry has, to be fair, pointed out that that did not happen because the fencing was located on very high ground and was exposed to wind, and the weight of the droppers might well have caused the fence to be blown over. That is an obvious practical response—and, indeed, a direct response—to that concern.

I have spoken at some length, convener, because we do not necessarily like to close new petitions straight away. However, I would suggest that, in light of the comprehensive reply that we have received and the fact that the petition seems to relate to specific instances, it would be fruitful for Scottish Forestry to have a serious open dialogue involving the relevant personnel, the petitioner and perhaps any of the petitioner's colleagues who he feels might bring experience to the table.

The Convener: Thank you for that, Mr Ewing. Having heard that, are colleagues content, on this occasion, to close the petition?

Members *indicated agreement.*

ScotRail (Peak Fare Pricing) (PE2120)

The Convener: Our final new petition, PE2120, which was lodged by Tam Wilson on behalf of the Scottish Trades Union Congress, calls on the Parliament to urge the Scottish Government to permanently abolish peak fare pricing on all ScotRail-operated rail routes.

Members will be aware that a pilot for the removal of peak-time fares ran between October 2023 and September 2024. Transport Scotland's analysis of the pilot showed that, although there was a limited increase in the number of passengers, the pilot did not achieve its aims of encouraging significant modal shift from car to rail.

The evaluation also said that the pilot produced benefits of between £1 and £1.25 for every £1 spent, which compares favourably with some major transport investment projects that are being pursued by the Scottish Government.

In its response to the petition, Transport Scotland stated that the rail system relies heavily on the revenue generated during peak hours, and that abolishing peak fares would require diverting a significant amount of public funds—something

between £25 million and £40 million annually—which the Scottish Government says is simply unaffordable in the current fiscal climate.

The response goes on to highlight the discounts that ScotRail has introduced to its season and flexipass tickets, and includes Scottish Government commitments to develop proposals for a new rail fare offering and investment in Scotland's railway.

The petition touches on an area of current party-political and public debate. In that context, we have received a submission from the petitioner in which he acknowledges the fiscal challenges faced by the Scottish Government but says that he believes that the cost of inaction on the matter might be higher in terms of exacerbating environmental issues and social inequalities. He urges the Government to reassess the permanent removal of peak fares as part of its broader efforts to reduce the cost of living, combat climate change and improve public transport access for all.

It is perhaps worth noting, for the benefit of anyone who might be following the progress of the petition, that the Parliament agreed to a non-binding motion that called on the Scottish Government to reverse its decision to reintroduce peak fares on Scotland's railway, and agreed that making public transport more accessible, affordable and reliable is key to supporting more people to use it.

In so far as the petition calls on the Scottish Parliament to urge the Scottish Government to do something, the Scottish Parliament has, through the non-binding motion, progressed, in its own way, that very request for action. In the light of everything that we are hearing and the on-going debate, do colleagues have any suggestions for action?

David Torrance: I wonder whether the committee would like to write to Transport Focus and Transform Scotland, and to the trade unions—the National Union of Rail, Maritime and Transport Workers, the Associated Society of Locomotive Engineers and Firemen, the Transport Salaried Staffs Association and Unite the union—to seek their views on the action that the petition calls for.

The Convener: Mr Torrance, you have taken us by surprise with that list of recommendations.

David Torrance: You thought that I was going to close it. [*Laughter.*]

The Convener: Mr Torrance has produced a list of suggestions as to what we might do. Are colleagues content to proceed on that basis?

Members *indicated agreement.*

The Convener: That brings to an end the public consideration of our business this morning. We

look forward to seeing those of you who are avid followers of our detailed consideration of public petitions on 22 January 2025.

10:08

Meeting continued in private until 10:12.

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