Conveners Group

Wednesday 30 September 2026

The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 30 September 2026
CONTENTS

	Col.
MEETING WITH THE FIRST MINISTER	**1**
CLIMATE ACTION COMMITTEE	**2**
Public Bodies Merger	2
Climate Crisis National Security Report	3
CRIMINAL JUSTICE COMMITTEE	**5**
Policing (Mental Health Call-outs)	5
Prison Population	6
Violence Against Women and Girls	7
Young People (E-bikes and E-scooters)	7
DELEGATED POWERS AND LAW REFORM COMMITTEE	**9**
Framework Legislation	9
STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE	**11**
Legislative Scrutiny	11
Political Trust	12
RURAL AFFAIRS COMMITTEE	**15**
Rural Support Budget	15
Rural Policy (Speed of Change)	16
Government Openness to Committee Recommendations	17
EDUCATION AND GAELIC COMMITTEE	**18**
Local Governance Proposals	18
Delivery of the Promise	19
EQUALITIES, HUMAN RIGHTS AND CIVIL JUSTICE COMMITTEE	**20**
Gypsy Traveller Community (Redress)	20
Human Rights Bill for Scotland	20
PUBLIC PETITIONS COMMITTEE	**23**
Petitions Process (Government Engagement)	23
SUPPLEMENTARY QUESTIONS	**26**
Custody Suites	26
Equally Safe Prevention Framework	26

CONVENERS GROUP
1st Meeting 2026, Session 7

CONVENER:

Kenneth Gibson (Presiding Officer)

GROUP MEMBERS:

*Karen Adam (Convener, Education and Gaelic Committee)
Neil Bibby (Convener, Public Audit Committee)
Bob Doris (Convener, Public Service Reform Committee)
*Katie Hagmann (Convener, Equalities, Human Rights and Civil Justice Committee)
Patrick Harvie (Convener, Europe, External Affairs and Culture Committee)
Clare Haughey (Convener, Finance and Public Administration Committee)
Craig Hoy (Convener, Social Justice, Housing and Local Government Committee)
*Calum Kerr (Convener, Delegated Powers and Law Reform Committee)
*David Linden (Convener, Criminal Justice Committee)
Duncan Massey (Convener, Economy, Tourism and Energy Committee)
Helen McDade (Convener, Health, Care and Sport Committee)
*Stuart McMillan (Convener, Climate Action Committee)
*Jenni Minto (Convener, Standards, Procedures and Public Appointments Committee)
Willie Rennie (Convener, Transport Committee)
*Mark Ruskell (Convener, Rural Affairs Committee)
*Paul Sweeney (Convener, Public Petitions Committee)

*Attended

THE FOLLOWING ALSO PARTICIPATED:

John Swinney (First Minister)

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Conveners Group

Wednesday 30 September 2026

[The Presiding Officer opened the meeting at 12:30]

Meeting with the First Minister

The Presiding Officer (Kenneth Gibson): Good afternoon, and welcome to today's meeting of the session 7 Conveners Group. No apologies have been received. The meeting is being held in public, and I therefore remind members that broadcasting staff will operate the microphones for each of us.

We have an evidence session with the First Minister, which is to be split over today's meeting and our meeting next Wednesday. I welcome the First Minister. Basically, this is an opportunity for members to raise issues under their committee remits. I will give everyone seven minutes to question the First Minister, which will amount to around 56 minutes. If there is any time left over, we will have a few more minutes to ask questions, but the First Minister needs to leave at 1.30, and we will not keep him beyond the allotted time.

Climate Action Committee

12:30

Public Bodies Merger

Stuart McMillan (Convener, Climate Action Committee): First Minister, you will be aware of the questions that were posed to the Cabinet Secretary for Climate Action and Rural Affairs two weeks ago by the Climate Action Committee about public services reform and the proposal in the programme for government for Zero Waste Scotland, NatureScot and the Scottish Environment Protection Agency to be merged into one organisation. Can you provide any further information to update what has already been said on the public record?

The First Minister (John Swinney): What I would say is that the agenda that we are taking forward is about ensuring that we deliver a sustainable approach in the delivery of public services. That consideration applies across all areas of Government and is at the heart of the public service reform agenda.

There are complementary areas of activity in the three bodies that Mr McMillan refers to—SEPA, NatureScot and Zero Waste Scotland—and the Government is trying to pursue an approach to maintain the sustainability of those organisations, as well as to ensure that aspects of the programme for government around the efficiency, effectiveness and speed of decision making are borne in mind in the way in which we take forward the work of the organisations. They work in relatively similar areas, and there are opportunities for synergies to be achieved and for unnecessary barriers to be removed. The cabinet secretary will lead on the development of that agenda in consultation with each of the bodies involved and, if there are legislative implications as a consequence, they will be brought to the Parliament for consideration.

Stuart McMillan: One of the points that was raised two weeks ago was about the creation of a shadow board as that work takes place. Can you provide any further information about that?

The First Minister: We will have to decide on the best approach to take in implementing some of the changes, and we will have to give consideration to all the practical issues that will potentially be involved in the establishment of a shadow board. Different approaches can be taken to the consolidation of organisations, and the cabinet secretary will consider all those points as she takes forward the agenda.

Climate Crisis National Security Report

Stuart McMillan: My second question is about the report that was spoken about last week. The United Kingdom Foreign Secretary, Ed Miliband, had shared the findings of the UK climate crisis national security report, which highlighted the threat of El Niño to the defence of countries. I believe that there will be a members' business debate about that later today. Will you provide an update on any prior engagement that the Scottish Government had with the UK Government on the creation of the report?

The First Minister: I understand that we were not given sight of the report prior to its publication. It is a United Kingdom Government report, but the issues that are covered in the report are very meaningful in relation to addressing challenges that arise for Scotland from the effects of climate change.

On our strategic priorities as a Government, one of our core areas of policy and focus is taking the necessary climate action to achieve our transition to net zero. A number of issues associated with that journey, some of which are covered in this report and are central to our consideration, will arise and affect the sustainability of public services and public finances. I am thinking, for example, of the risks arising from biodiversity loss and the increased risk of damage and interruption to services caused by climatic events.

Thinking back over recent years, I would say that we first became accustomed to dealing with snow, flooding and other weather events when I started out in Government in 2007, but increasingly we have been dealing with issues arising from storms and severe winds—storm Arwen, for example, which inflicted significant damage not least in Ms Adam's constituency but in other parts of the country, too—and, more recently over the summer, the very serious wildfire incidents that we have had. We can see, over that period in Government, how climatic issues have changed the profile of our resilience operations. Those are very real threats that we now have to wrestle with as a Government, so the issues in the report are material to our resilience preparedness.

Stuart McMillan: Finally, was the Scottish Government asked to contribute to the formation of that report?

The First Minister: I am not certain—I do not know the answer to that question. However, I can say that the issues in the report are material to us. I assure Mr McMillan that the Scottish Government is constantly looking at resilience issues arising from climate change. They are part of the weekly assessment of threats that ministers have to consider, so the issues in the report are very much material to the consideration of our preparedness for any incidents that we might face.

Criminal Justice Committee

12:37

Policing (Mental Health Call-outs)

David Linden (Convener, Criminal Justice Committee): First Minister, I want to start with a yes or no question. Mental health call-outs are not primarily a policing matter, are they?

The First Minister: No.

David Linden: Last year, three quarters of a million policing hours were lost due to mental health call-outs. That has been widely recognised across Government, but my question to you is this: what more needs to happen at pace to ensure that we are not losing £34 million from the policing budget from the three quarters of a million policing hours being spent on mental health call-outs?

The First Minister: I gave Mr Linden a direct answer to his first question, but I suppose that there are always caveats to these matters. There will be situations in which it is the duty of the police to try to safeguard an individual who might be vulnerable, perhaps as a result of mental health issues. It is impossible for me to say that there are no circumstances in which policing can play a legitimate role in safeguarding an individual who might be at risk, because of their mental health and wellbeing.

The answer to Mr Linden's question is that we must have in place effective, proactive and preventative services to ensure that individuals who feel and experience mental health vulnerability are able to find the support that they require. One of the commitments that I made during the election campaign, and one of the elements of my party's manifesto, was to work with Scottish Action for Mental Health on the development of a greater network of walk-in facilities. One such facility, called the nook, is located in Glasgow city centre, and another has opened in Aberdeen. SAMH is rolling out that programme, and the Government is committed to funding it. That is an illustration of the type of proactive and preventative services that need to be in place to meet the needs of individuals who face mental health vulnerability.

David Linden: Would you recognise the characterisation of the situation that has been put to the committee, which is that there is, in part, a culture of risk aversion among police officers—who spend an average of 5.3 hours dealing with each mental health incident—when it comes to handing the matter over to the appropriate service, because of the grey area?

The First Minister: Because of?

David Linden: The perception is that there is a grey area. As a result, risk aversion kicks in, and that is why so much time is being taken up with these matters.

The First Minister: I do not think that there is a procedural grey area. Every day, the police make a vast number of operational decisions about circumstances that they encounter. One of the issues that the police address is the need to be assured that any vulnerable individual that they confront or encounter is able to be properly supported. What they might not have available to them is a destination to take that person to. In some circumstances, that will exist and, in other circumstances, that might be a challenge. Police Scotland has to ensure that it is taking the steps to guarantee that individuals who present as vulnerable can be supported appropriately.

Prison Population

David Linden: I turn to the prison population. Our prison system is now running so hot and is so over its capacity that, in July, we were criticised by the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. What is your long-term vision for reducing reliance on custody, and what changes are needed across the justice public services to ensure that we have a more sustainable approach on that?

The First Minister: There are two aspects to that question. One is the long-term nature of the prison population. I accept that the long-term projections on the prison population indicate that, due to the presentation of legitimate cases of violence, and, increasingly, sexual violence, in our society, it is likely that our long-term population will rise because there are more men—it is invariably men—being incarcerated for violence against women and girls, and the sentences that they are serving, due to the nature of those crimes, are of a longer nature. The profile of one aspect of the prison population is rising, which makes me mindful of the capacity of the Scottish Prison Service. We have to confront that reality.

The second aspect is that there is a proportion of the prison population that we could avoid ending up incarcerating, through earlier intervention along the lines of the preventative interventions that are set out in the programme for government. Members will be familiar with these examples. There are people who end up incarcerated because of events that have emerged from the trauma that they have experienced in their life, and the way to address that is to avoid the prevalence of trauma in our society. That takes me into the area of the Government's agenda on eradicating child poverty, providing whole-family support and delivering on the Promise. All those different

elements are interconnected, and, if addressed on a preventative basis, they can help us to reduce the number of individuals who present for incarceration and deliver better outcomes for those individuals.

Violence Against Women and Girls

David Linden: There are two other issues that I will try to fit in in the next minute or so. The first is violence against women and girls. There is wide recognition from those who have come to the Criminal Justice Committee that there is a lot of respect for your personal leadership on the issue, but organisations such as Rape Crisis and many others have told us that the growing demand on their services is too much. How confident are you that the current levels of resource match the scale of the challenge that you have rightly recognised?

The First Minister: We increased the budget for the equally safe strategy by 5 per cent in this budget round. However, I am conscious—I have just been discussing this issue this morning on BBC Radio Scotland in an extensive interview with the presenter, Connie McLaughlin, who has given formidable leadership and focus on the issue in recent weeks—that many of those services are facing acute pressures. The Government is currently exploring the challenges that are faced by organisations to enable them to meet the test that, if a woman requires support, she can receive that support. In some circumstances today, it is more difficult for that to be accomplished because of the limitations of services and resources. In answer to Mr Linden's question, I am not confident that the current resourcing is adequate for the requirements that we have to tackle this issue.

Young People (E-bikes and E-scooters)

David Linden: This is my final question. Communities all across Scotland are increasingly having problems with young people, masked up in black, riding e-bikes and e-scooters.

It is also a massive problem for the police. Police officers have told me that they do not think that they have the legislative powers that they need to deal with that issue, and particularly when individuals are masked. Is the Government going to do more about that, because our communities are crying out for more action?

The First Minister: A range of powers are available. Breach of the peace is very extensive and can be applied in a range of circumstances. However, I am willing to consider the necessity for other powers and responsibilities that could be exercised. I recognise that the problem involves a minority of young people. Nonetheless, it is prevalent in communities around the country. I answered questions on that point recently.

We will engage with Police Scotland on the appropriate powers that will be required to tackle the issue beyond the existing statute.

Delegated Powers and Law Reform Committee

12:45

Framework Legislation

Calum Kerr (Midlothian South, Tweeddale and Lauderdale) (SNP): The Delegated Powers and Law Reform Committee recently adopted guidance on framework legislation, which our predecessor committee, under my esteemed colleague Stuart McMillan, put together following extensive work on the issue.

The guidance states:

"Given its nature, framework legislation creates challenges for scrutiny. As such, bills should, other than in very limited circumstances, set out a high degree of detail on the face of the Bill."

The year 1 legislative programme that was announced in the programme for government sets out a lot of ambitious measures, and there is a total of nine bills. Do you expect any of them to contain framework powers?

The First Minister: It is difficult for me to give a cast-iron commitment that there will not be framework provisions in those bills. I want to try to avoid proposing what I would describe as framework bills, but there might be framework provisions in them. The nature of actions that are required in some areas of policy, such as updating or uprating provisions, means that it is legitimate for framework provisions to be in individual bills.

I have heard loud and clear from the Delegated Powers and Law Reform Committee and, more widely, from members of Parliament about the Parliament's preference not to embark on framework legislation. Calum Kerr is right about that, and Stuart McMillan put a great deal of effort into addressing the issue. I understand clearly the Parliament's preference on that. However, I reserve the Government's position in relation to provisions on which it makes rational sense to allow an easier means of updating or uprating provisions as required.

Calum Kerr: You touched on this, but the guidance also states:

"As a general rule, lack of policy development before a Bill's introduction is not an appropriate justification for framework legislation."

We appreciate the desire to move fast, but some bills, such as the bill on food pricing, are contentious and will need space for development. The DPLR Committee merely seeks to reinforce the desire for that to be front of mind and wants such legislation to be considered carefully, so that legislation is introduced with minimum detail only when it is essential.

The First Minister: I could sign up to that principle on behalf of the Government. We do not actively propose to introduce framework bills, and I accept the point that Parliament wishes to scrutinise and to be satisfied about precise provisions in legislation, but there will be circumstances in which there is a credible and rational case to be made for framework provisions to be inserted.

The Government will proceed on the basis that we do not intend to formulate framework legislation, and we will design provisions in a way that gives the maximum amount of certainty to Parliament—or, certainly, the maximum amount of certainty about adapting or updating provisions—to enable Parliament to exercise that scrutiny.

Finally, I do not think the absence of policy development is a legitimate explanation for having a framework provision. I do not think that that is good legislative practice.

Standards, Procedures and Public Appointments Committee

12:50

Legislative Scrutiny

Jenni Minto (Convener, Standards, Procedures and Pubic Appointments Committee): First Minister, I am really following on from Calum Kerr's questions by looking at the legislative framework. Stage 1 of the bill process gets a lot of committee time, with a lot of opportunities to scrutinise and to gather evidence from a variety of sources, which is followed by the important debate in the chamber. However, the committee has been reflecting on the fact that stages 2 and 3 feel more like a sprint, that there is less time for them and that they might be viewed as being rushed. Do Government ministers recognise the difference between those stages of the bill process and do they recognise the importance of scrutiny at all stages?

The First Minister: There is a lot of strength in the committee and legislative process in the Scottish Parliament. The original decision that individual committees would look at legislation relevant to their policy areas led to a process that was significantly stronger than the one that I had experienced in the House of Commons, where a bill committee would be conjured up to look at whatever the policy issue happened to be, with the membership of that committee having no relationship to the membership of the select committee that looked at that policy area in general. There was a total disconnect between the committee scrutinising a bill and the people who scrutinised ministers, stakeholders and other interested parties week by week. The combination of those two functions in the Scottish Parliament is a formidable strength. It obviously relies on some stability in committee membership, which is a potential weakness, but it is up to parties to try to maintain that stability wherever they possibly can.

In my experience, the stage 1 process is a very good one. I assure Jenni Minto that the conclusions from committees, and the issues that are raised at the end of the stage 1 process, are directly addressed by the Government.

When we come to stage 2 and 3 proceedings, quite a bit of that is in the Government's hands but quite a bit of it is outside the Government's hands. The bit that is in the Government's hands is that we should be really reluctant to add new provisions unless those have been requested at stage 1. If the Government presents a bill to Parliament, has it scrutinised by a committee at stage 1 and then proceeds with significant and voluminous changes to the direction of the bill at stage 2—not a change to details but a change to the direction of the bill—I think that that is undesirable, and it is even less desirable if it is done at stage 3. To address Mr Kerr's point, the Government's obligation is to develop legislation properly, think through our proposition and then present that to the committee. The Government should not then say that we can add what we like at stage 2. I do not think that that is desirable.

During what I now affectionately call my sabbatical year, when I sat on the Criminal Justice Committee, I scrutinised a bill that I had approved as it went through the Cabinet. When I took evidence as a member of the committee, I began to see parts of the bill that I did not like very much. The committee worked carefully together to formulate recommendations to the Government to think about this, that, and the next thing. I then found myself First Minister at the end of the process and had to address the issues that the committee report had suggested. Actually, that is the process working as it should, because the Government had to take seriously what a committee had said.

The other aspects of stages 2 and 3 are more in the hands of conveners and the Presiding Officer as to how many topics and subjects are considered and reconsidered at stages 2 and 3. In that respect, I think that the Government should be responsive to where Parliament feels it is. A committee saying that it does not feel that it is doing justice to stage 2 is a representation that my Minister for Parliamentary Business has got to take seriously in the scheduling of parliamentary time.

Ultimately, the scheduling of stage 3 proceedings is often a product of how many amendments are selected, how much debate is enabled and whether adequate time has been scheduled by the Parliamentary Bureau for those purposes, which should always be a process of agreement among the parties to get to a point of satisfaction.

My commitment is that my expectation of the Minister for Parliamentary Business is that he should be very much engaged with other parties, and particularly with committees, about the timetabling of business to make sure that the concerns expressed by the committee are not realised.

Jenni Minto: Thank you, First Minister. That is really helpful and gives us some food for thought when we are having further discussions about our plans for future work.

Political Trust

Jenni Minto: I feel that this is more of an "and finally" question, but I will progress. One of the other areas that the Standards, Procedures and

Public Appointments Committee has been considering is how Parliament as a whole and MSPs individually or collectively are viewed from the outside, perhaps suggesting a loss of political trust. There has been a bit of a debate in the media about that.

I am interested to hear your opinions, thoughts and observations as a 99er, if I can be so bold, on how the Parliament has evolved over the past 27 years and how it could be improved or changed to regain that political trust.

The First Minister: There is no way that the topic can be considered in a short space of time, and I am mindful that the Presiding Officer is addressing the time issue, but nor can the issue be discussed without reference to wider societal factors. There has been a fundamental change in the way in which institutions—not only political institutions or Parliament—are viewed by the public since I started my journey 29 years ago.

When members of the public contacted me in 1997, they had to go and find a sheet of Basildon Bond paper to write down their issue, then find an envelope to put it in, find a stamp and send it to my office or to the House of Commons to raise their point of view. It is now an awful lot more immediate, which can have an effect on, let me just say, the bluntness with which messages are sent, so there has been a lot of change in the context.

Having said that, I think that this Parliament exercises its functions very strongly. As I said in my answer to Jenny Minto, I think that the committee scrutiny process at stage 1 is infinitely superior to anything I ever experienced in the House of Commons. Budget scrutiny in this Parliament is forensic; in the House of Commons, it is non-existent—it never darkened the door of the place.

There are huge strengths in the way in which this Parliament goes about that, but at no stage should we rest on our laurels. We should be finding ways to engage better and make sure that scrutiny is of the highest standard. As First Minister, I feel that it is my duty to respond to the scrutiny that Parliament wishes to place on me. It is not for me to specify the scrutiny that I should be subjected to. It is for Parliament to decide how it wishes to scrutinise me and my ministers, and my ministers and I should respond to that with all that we have. Focusing on enhancing and strengthening the levels of scrutiny that exist is a good exam question to be working on as members of Parliament.

In amongst all the general commentary about Parliament and all that goes on here, there are lives that have been enhanced by the actions that have taken place in Parliament. Many, many lives have been enhanced. In some circumstances, lives have been saved because of the scrutiny that has been applied by Parliament. That should be something that members of the Parliament constantly strive to ensure is the case. The Government should respond to that as effectively as it possibly can.

The Presiding Officer: That is 10 minutes, so I will need to move on.

Rural Affairs Committee

13:00

Rural Support Budget

Mark Ruskell (Convener, Rural Affairs Committee): The Rural Affairs Committee has been running a short inquiry into the Government's rural support plan. There are a couple of themes coming out of that inquiry that it would be good to get your reflections on this morning, First Minister.

The first theme concerns the budget. The budget is big—it is £670 million—but the point has been made to us by a number of witnesses that it has not kept pace with inflation. If it had kept pace, it would be £910 million. Another point that has been made by a lot of witnesses is that what that budget is now expected to do has changed substantially. It has to deliver on climate mitigation, help farmers adapt, deliver biodiversity and help farmers with cost pressures. The point was made to us that, if the funding does not increase, the Government should be much more explicit about the trade-offs between a lot of the objectives—food production, climate, nature and rural outcomes—if it expects the budget to deliver. I am interested to hear your initial thoughts on some of the budget pressures. This is a big area of public spend, and it is being asked to do a lot more, but arguably with less.

The First Minister: I recognise the range of issues that Mr Ruskell sets out. One factor that will affect the budget is that the issues that are being wrestled with are arising in the aftermath of Brexit. Although some changes would have happened to agricultural support funding had we remained members of the European Union—which would have been direct funding issues—the funding is now directed through the United Kingdom Government and is part of the block grant. We are all familiar with the composition of the block grant and what is expected to be supported from those provisions.

The Scottish Government has tried, in some of the adaptation work that has been required, to ensure that specific funds were available to support that provision. I think that I am using the right terminology here: there is the Bew funding, for example, which is now flowing into what I think is a transition fund that has been allocated—its name has escaped my mind. We try to put in place additional measures beyond the core £660 million agricultural support fund to meet some of the challenges that Mr Ruskell raises.

Undoubtedly, the budget has to adapt to new and wider purposes as a consequence of some of the issues that we are wrestling with. That is obviously something that ministers consider as part of the budget process.

Mark Ruskell: We have the Cabinet Secretary for Climate Action and Rural Affairs coming before us next week, so we can explore that in a bit more detail then.

Rural Policy (Speed of Change)

Mark Ruskell: My second reflection is about the pace of change and whether there is consistency across Government. I will give you an example. Many stakeholders are saying that they are frustrated, because the pace of change with the rural support plan is far too slow. They point out that we have been out of the EU now for 10 years and we could be going a lot faster. One witness said that stability must not lead to stagnation. It is fair to say that there is a degree of frustration about the pace of change.

That said, last week we had forestry stakeholders before us, including the Confederation of Forest Industries or Confor, the industry body, and environmental non-governmental organisations, and they are alarmed by the speed of change that could come from Scottish Forestry being amalgamated with other non-departmental public bodies in Scotland.

On one level, I am hearing that the Government is going way too slow; on the other side, some stakeholders are saying that the Government is going way too fast. As First Minister, how do you calibrate the pace of change? There is a lot of change happening in some areas. Stuart McMillan has already pointed out some of the issues with NDPBs on the environment side, which is worrying those in some sectors, such as forestry. In other areas, people are saying, "Can we go a bit faster?"

The First Minister: That is an entirely fair point. The calibration of change and reform can be very different from sector to sector. From issue to issue, some questions are easier to navigate our way through and others take more time. I associate myself with Mr Ruskell's comment that stability must not lead to stagnation. However, there is a welcome role for stability. If farmers are transitioning from one model of operation to another, the financial certainty to enable them to make that journey is important—as long as they are making the journey. There is a risk that that does not happen. Mr Ruskell is familiar with the communities that I represent. A huge amount of change and reform is being undertaken by farmers within the agricultural support that is available. The purpose of the decisions that the Government has taken on agricultural support has been to enable that transition to be made.

When it comes to some of the public body work that Stuart McMillan also highlighted, the

Government has to work in concert with individuals, and we have to listen to organisations about the challenges that are faced. However, fundamentally, we cannot undertake that reform in a manner that would undermine our ability to deliver on the programmes to which we are committed. I want us to avoid that at all possible cost.

Government Openness to Committee Recommendations

Mark Ruskell: My final question is about the Government's openness—I hope—to recommendations from committees. Being a committee convener is a new role for me. I am hopeful that, through the inquiry that we are currently conducting, there will be some useful recommendations for the Government in both the short and the long term. The rural support plan lasts for five years so, if the Government was minded to make any changes, it would have to do so now; otherwise, the plan will be locked in. What is your general approach to listening and reacting?

The First Minister: That point is interesting and welcome, because it gives me an opportunity to make in a slightly different context a point that I have made publicly and in the parliamentary chamber. I am leading a Government that does not command a majority in the Parliament. I am acutely conscious of that every day. My ministers are directed by me to pursue and find common ground with other parties. They should also pursue it with committees.

The advantage of this opportunity is that I can make the point to committee conveners that the Government is interested in finding common purpose with committees. Because of the strengths that I set out a second ago in my answer to Jenni Minto, committees can, perhaps, help the Government by reconciling some of these questions and encouraging cross-party agreement on certain provisions that might make it possible for the Government to go into that territory. I welcome this opportunity to confirm that that is my expectation of ministers. Engagement and dialogue with committees should help us to get to that point.

Education and Gaelic Committee

13:08

Local Governance Proposals

Karen Adam (Convener, Education and Gaelic Committee): Good afternoon, First Minister. My first question relates to the dialogue on the future of local governance and public sector reform. I note that, under the proposals, regional authorities would have responsibility for the delivery of

"early learning and education aligning with our 3-18 curriculum, with some elements potentially directed more locally by community authorities, while supporting empowered headteachers and schools."

How are the proposed regional authorities intended to improve better lifelong educational outcomes for our young people?

The First Minister: That is a very welcome question for me to address, because the core of what I am keen to do with the public service reform agenda is to enable decision making to be undertaken at the appropriate level in Scotland. The Government's proposals are designed to lead a debate about what is most appropriate to be taken forward at national level, regional level and community level.

There would be challenges for the Government. Indeed, I would take a lot of persuading before devolving certain functions that are handled at national level to 32 local authorities, because that would lead to too much fragmentation, and I am concerned about areas in which there is already too much fragmentation in the delivery of services.

I am keen to encourage a debate about how we can create a regional platform that allows the Scottish Government to devolve functions and enable us to strengthen the regional delivery of functions in Scotland. I hope that, by extension, I can bring that persuasion to bear on the United Kingdom Government in that regard.

None of that takes away from the essential importance of people gathering together in local communities. The community dimension is extremely important. The steps to empower headteachers to be more decisive and enable them to exercise more decision-making capability in their schools is part of strengthening a sense of local identity and distinctiveness to meet the needs of individual communities. That agenda is about creating a stronger regional platform that allows more functions to be carried out below national level, because I think that that will be good for Scotland.

Delivery of the Promise

Karen Adam: During its pre-budget scrutiny, the committee heard that there are issues with the successful delivery of the Promise due to workforce capacity, recruitment and retention challenges across the social work and care sectors. To what extent is public service reform intended to improve the delivery of policy commitments such as the Promise?

The First Minister: At the heart of the Government's programme is an emphasis on whole family support in those policy areas. The agenda that we are taking forward to eradicate child poverty relies on whole family support being provided, which is about ensuring that public services are less transactional and more focused on supporting all the needs of a family that may be facing difficulties, whether that is due to poverty or any other issue.

The same considerations apply in relation to the Promise. In my experience, when families are facing difficulty, some form of whole family support is central to improving opportunities and prospects for them. That involves getting alongside families and ensuring that connections are made by public services so that we do not rely on the families themselves to make those connections. The public service reform agenda is designed to meet those expectations, whether it is on the topic of eradicating child poverty or on delivering on the Promise.

Equalities, Human Rights and Civil Justice Committee

Gypsy Traveller Community (Redress)

13:12

Katie Hagmann (Convener, Equalities, Human Rights and Civil Justice Committee): The Equalities, Human Rights and Civil Justice Committee has a vast remit that covers some deeply human areas of scrutiny. I will touch on just a couple of those today.

I recently met the Council of Europe's Commissioner for Human Rights, Michael O'Flaherty, who highlighted his concerns about Roma communities across Europe and, here in Scotland, Scottish Gypsy Travellers. He referred to the possibility of redress schemes.

First Minister, on 25 June last year, you made a very welcome and deeply significant apology to Scottish Gypsy Travellers. That apology was raised at one of the committee's round-table discussions on human rights, during which the issues of redress and next steps were also mentioned. Bearing in mind the research carried out by the University of St Andrews and its recommendations, will you outline what the next steps in that process will be?

The First Minister: In the light of my apology, the Government is engaging with the Gypsy Traveller community. Significant research work was undertaken to get us to that point.

Subsequent to that apology, consideration is being given to any further steps that are required to address the injustice that the Gypsy Traveller community has experienced. The question of redress is undoubtedly part of that conversation. The Government has not come to any conclusions on that, but it remains an issue that is raised with the Government and will be the subject of further discussion.

13:15

Human Rights Bill for Scotland

Katie Hagmann: The human rights bill has the potential to transform Scotland's landscape. The announcement in the programme for government that the bill will be introduced in year 2 of this session of Parliament was very welcome.

How will the bill be developed so that it is robust enough to have an impact, but not so far-reaching that it becomes unwieldy or unworkable? Additionally, are there lessons to be learned from the drafting of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill that the Government is taking into account,

specifically regarding the interaction between pre-devolution legislation and the post-devolution legal framework?

The First Minister: We are getting into very personal territory here. As the minister who led the UNCRC bill—which is now the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024—through Parliament, I am keen that we are cognisant of all the issues that we wrestled with in relation to that bill.

If I may, Presiding Officer, I will go back to the thinking that went into the UNCRC bill. In essence, I was provided with two options in the formulation of the UNCRC bill: a minimalist option and a maximalist option. That is directly relevant to the question that Katie Hagmann puts to me. The minimalist option was presented as being safe and without legal risk, but it was not as ambitious as I probably fancied. The maximalist option was much more in line with my aspirations, but carried more legal risk.

I was fully aware of the advice that I was given on the legal risk involved in the minimalist option versus the maximalist option. I opted for the maximalist option, believing that the United Kingdom Government would never take the Scottish Government to the Supreme Court to challenge the provisions of the bill. However, that is precisely what the UK Government did in relation to the issue that Katie Hagmann correctly marshalled, which is the difference between pre-devolution and post-devolution legislation.

That was my choice, and I am clearly accountable for that. I felt—this is what my decision making was based on—that the policy community that wanted to incorporate the UNCRC provisions into Scots law would never have accepted a minimalist judgment as adequate. Therefore, I felt that I had to go for the maximalist option. However, in the process, children in Scotland lost about three years of protection of their rights, because we went for the maximalist, rather than the minimalist, option.

There is a lesson in that that we have to learn about the risks that can arise. My view was very much that the UK Government would never challenge us on that—but it did. We now have a different UK Government to the one that challenged us on that question, but the same legal issues will apply in relation to a human rights bill. That is a big lesson that has to be learned.

Katie Hagmann also asked me about the risk of the bill becoming unwieldy. The risks are legion. The same dilemmas will apply in relation to the minimalist and maximalist choices that exist.

I say all that as a backdrop to the formulation of the bill. The Government could publish a human rights bill and stakeholders could say, “Look, this is not nearly bold enough for us”. However, the Government will have come to that view because it has assessed the legal risks that are involved.

The committee can, obviously, test us on those questions. However, I must say in all candour that those are some of the dilemmas that arise when we embark on legislation that sits at the very nexus of what is devolved and what is reserved. That can be difficult territory when it comes to being certain of the ground on which we stand—and, ultimately, it is the courts that determine whether we are acting within competence.

The Presiding Officer: Final question, please.

The First Minister: Forgive me for the length of that answer, but it is not straightforward.

The Presiding Officer: It was no as long as the one that you gave Jenni Minto, right enough.

Katie Hagmann: I appreciate that, First Minister. The committee has heard from the Scottish Human Rights Commission, which has confirmed that it has an understanding with the Equality and Human Rights Commission, so there is cross-working, which is helpful to understand.

Legal Aid Reform

Katie Hagmann: I will turn briefly to legal aid reform. Again, the committee welcomes the fact that a bill on legal aid is to be introduced. However, there has been much discussion about access to justice, and a range of organisations have raises that issue. While the work on legal aid progresses, people continue to struggle to access legal aid. What is the Scottish Government able to do now to improve access?

The First Minister: We have increased the resources that are available to the legal aid system. The Scottish Legal Aid Board makes independent judgments and decisions on all cases to determine what is appropriate for legal aid support. When the Government sets a budget, it is then for the Legal Aid Board to determine the appropriateness of decisions that it takes in relation to individual cases.

Public Petitions Committee

13:20

Petitions Process (Government Engagement)

Paul Sweeney (Convener, Public Petitions Committee): As a member of the Citizen Participation and Public Petitions Committee in the previous session of Parliament, I have become quite an evangelist for our petitions system, because it is important for public accountability to thread through all the themes that we have heard today and to give direct expression to that.

A high number of public petitions has been presented to the committee since the election. We have already received more than 50, and we expect a similar number in the coming months. A wide range of issues of importance is emerging through the Public Petitions Committee, engagement is high and there is strong interest in the Scottish Government's decision-making processes.

It is really good that the Scottish Government prepares a detailed briefing note and supplies its position paper on the petitions that are presented to us. Petitions are considered not just on popularity but on merit, which is really important—it is not just a popularity contest.

Do you have any thoughts on how those processes work? As I said, it is really good that the Scottish Government supplies those papers, and, as a committee, we are thankful to the officials who do the work to produce that detailed information. Do you commit your officials and ministers to continuing to engage with that level of workload and to responding timeously to the petitions that are presented to the committee?

The First Minister: Yes. The Government should be a servant of the Public Petitions Committee. The public petitions system is a crucial strength of the Parliament, and it provides an avenue for members of the public to raise issues that are of importance to them and to have direct access to the Parliament. It is a crucial part of the foundation of the Parliament.

I am pleased to hear Mr Sweeney's reflection that the Government is responsive in the papers that are produced; I would be deeply concerned if it were not. The committee should be demanding of the Government in relation to the information that we supply and the nature of it.

Clearly, there will be times when the Government takes a different view from a member of the public who is advancing a petition. We have to set that out, but there are provisions in place that enable the issues to be explored properly—and they should be explored properly when the committee decides to do so. The Government should be fully supportive of, and engaged in, that process.

Paul Sweeney: As has been expressed by colleagues, there is a decline in public trust and confidence in institutions generally in Scotland. In the latest Scottish social attitudes survey, only 35 per cent of respondents believe that the Government is good at listening to people and responding to their concerns, which is the lowest level in 20 years.

Could the Government make more effective use of the Public Petitions Committee, be more responsive to petitions, and be more willing to make changes to policy and legislation in response to a petition or group of petitions when it is clear that an issue of public concern requiring attention has been raised?

There are good examples of issues being progressed: bus franchising, mesh implants, the asylum seekers bus travel pilot and even water bottles for primary school children, which arose from a petition lodged by a very precocious seven-year-old petitioner in the previous parliamentary session.

Could the Government make greater use of the petitions process to solve problems?

The First Minister: The Government should be willing to address that. I make an offer to Mr Sweeney as convener of the committee, because this would be of direct assistance to me: if the committee thinks that the Government is not engaging in that fashion, I want to hear that. The committee has never said that to me so far, but, if it feels that the Government is giving formulaic, this-has-not-given-us-pause-for-thought responses and is simply telling you what the Government line is, I would want to know about that. The Government certainly issues lines regularly, but if the committee's sense is that the Government is not giving true justice and consideration to the issues that are raised, I want to hear that from you. I convey to Mr Sweeney that I would always engage with such representations if he and the committee felt that that was the case.

Paul Sweeney: I appreciate that, First Minister. We, as a committee, are also looking at opportunities for innovation and how we can improve opportunities for public debate and engagement with members and the public. We have certainly been looking at options to do that. I know that colleagues who have served in the House of Commons, including you, will be familiar with the format of Westminster Hall debates.

We are looking at how we group petitions into themes. We have already had quite a few petitions

on, for example, women's health issues. How do we give more expression to debates that might not get chamber time? How can we look at changing our procedures to do something more along the lines of, for example, committee debates. Is that something that you would be minded to support, and would you ensure that your ministers support such activity by, for example, attending the committee to respond to such a debate?

The First Minister: I come back to my core point that the Government should be here as a servant of Parliament. If the committee decides that there are innovations that need to be taken forward that might require, for example, the accumulation of issues across a number of committees, led by the Public Petitions Committee in response to public aspirations, the Government should engage with whatever parliamentary committees want to take forward, subject, of course, to the scheduling of business by the Parliamentary Bureau.

We should be willing to engage and to find ways of addressing issues that are of concern to members of the public.

Paul Sweeney: That is great—I very much appreciate that.

Presiding Officer: Thank you very much, Paul. We have time for a couple of supplementary questions.

Supplementary Questions

13:26

Custody Suites

David Linden: I mentioned prison capacity earlier, and an issue that has been raised repeatedly by constituency and regional MSPs, and yesterday when I met the Scottish Police Federation, is the availability of custody suites. I was told yesterday of a case in which someone was transferred from Arbroath to Oban due to the lack of available custody suites. First Minister, I appreciate that you will not have those details in front of you, but I ask that you look into the issue, because it is coming up in constituencies all over Scotland.

The First Minister: I will look into that. There is limited custody capacity in different parts of the country and, at times, we may find ourselves dealing with an incident that creates challenges, and there will be limitations on the resources that are available.

I will look into the issue that Mr Linden raises and ask the Cabinet Secretary for Justice to reply to him about the approach that can be taken.

Equally Safe Prevention Framework

Katie Hagmann: I will take advantage of the available time. The committee whole-heartedly welcomes the focus on the programme for government on tackling violence against women and girls and, as has been said, your personal commitment to that, First Minister. We have touched on frameworks in some of those discussions, but how can we ensure that the equally safe primary prevention framework will be properly implemented going forward?

The First Minister: The implementation of that framework relies on a great deal of interministerial collaboration and co-operation, as does all the activity that is required to tackle violence against women and girls. For example, a couple of weeks ago, I convened a discussion among ministers to follow up on the announcement of the measures in the programme for government. If I recall correctly, I chaired the meeting. The Deputy First Minister was present, along with the health secretary, the education secretary, the justice secretary, the victims minister, the children's minister and at least one, if not two, of the health ministers. I do not see how I can advance the framework without a cast list of that nature and, obviously, the officials who provide support on those areas.

A few weeks ago, at my instigation, Cabinet allocated leadership responsibility for some of the big themes of the Government's programme to those around the Cabinet table. I carry

responsibility for the leadership of the activity on violence against women and girls. Arrangements are being put in place to weave all that activity together across Government. That is from the Government's perspective.

From Parliament's perspective, and from the committee's perspective, we should be challenged on that. We should be challenged to ensure that that is happening in a cohesive way across different areas of policy. Katie Hagmann will appreciate that a vast number of policy questions are being wrestled with under the title of tackling violence against women and girls, but we must ensure that we are taking a co-ordinated and cohesive approach, and that is what we are striving to do.

Presiding Officer: I thank conveners for their questions and, indeed, the First Minister for his often very detailed answers. Unfortunately, we are out of time.

The next meeting, which will be the second half of our meeting with the First Minister, will be held a week today.

Meeting closed at