OFFICIAL REPORT
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Rural Affairs, Islands and Natural Environment Committee

Wednesday 22 September 2021

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 22 September 2021

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RURAL AFFAIRS, ISLANDS AND NATURAL ENVIRONMENT COMMITTEE
5th Meeting 2021, Session 6

CONVENER

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

DEPUTY CONVENER

*Beatrice Wishart (Shetland Islands) (LD)

COMMITTEE MEMBERS

*Karen Adam (Banffshire and Buchan Coast) (SNP)
*Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP)
*Ariane Burgess (Highlands and Islands) (Green)
*Jim Fairlie (Perthshire South and Kinross-shire) (SNP)
*Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con)
*Jenni Minto (Argyll and Bute) (SNP)
*Mercedes Villalba (North East Scotland) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Miranda Geelhoed (Landworkers Alliance)
Mairi Gougeon (Cabinet Secretary for Rural Affairs and Islands)
Donald MacKinnon (Scottish Crofting Federation)
Professor Davy McCracken (Scotland's Rural College)
Grant McLarty (Scottish Government)
Beatrice Morrice (National Farmers Union Scotland)
Christopher Nicholson (Scottish Tenant Farmers Association)
John Nicolson (Scottish Government)
Pete Ritchie (Chair, Scottish Environment LINK Food and Farming Group)
Mike Robinson (Farming for 1.5 Degrees)
Professor Sally Shortall (Women in Agriculture Taskforce)
Stephen Young (Scottish Land & Estates)

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Rural Affairs, Islands and Natural Environment Committee

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[The Convener opened the meeting at 09:00]

Farming and Crofting

The Convener (Finlay Carson): Good morning, and welcome to the fifth meeting in session 6 of the Rural Affairs, Islands and Natural Environment Committee. Before we begin, I remind members and those contributing to switch electronic devices to silent, please.

Our first item of business is an introductory session on farming and crofting. I welcome the first of our virtual or remote panels of industry stakeholders. We have Beatrice Morrice, political affairs manager with the National Farmers Union Scotland; Professor Davy McCracken, head of the integrated land management department at Scotland's Rural College; Mike Robinson, co-chair of the farming for 1.5° inquiry; and Professor Sally Shortall, a member of the women in agriculture task force. Thank you for the briefings that you provided. Before we move to questions, I ask the panellists to make some brief opening remarks, which you should keep to no more than two minutes.

Beatrice Morrice (National Farmers Union Scotland): Thank you for inviting NFU Scotland to participate in the panel—we are absolutely delighted to have this opportunity. We represent 8,500 farmers and crofters across the length and breadth of Scotland. Our sector employs around 67,000 people and we support numerous supply chain companies in rural and urban areas in Scotland. To provide a bit of a flavour of NFU Scotland's work, we cover every sector of Scottish agriculture and have more than 300 workstreams across our policy team. What we are discussing today provides a flavour of and headlines on the issues that we are working on.

Like other sectors, we currently face many challenges, with issues in relation to the pandemic, the impact of Brexit and imminent changes to our future funding. In addition, the labour shortages and the very recent issue with fertiliser plants show the fragility of our food system and the vulnerability of our food security. There has never been a more important time to recognise and value Scottish food and farming. As the work steps up to identify future funding for the sector, we believe that a holistic approach will succeed. Food production, tackling climate change and enhancing biodiversity are interlinked, and each of the strands is very important.

To deliver our aims, we require public funding and supporting regulation. We need policy that works and enables, and funding that is appropriate. We cannot achieve our climate change ambitions by exporting food production. We are absolutely committed to work with your committee, the Scottish Parliament and the Government to deliver a thriving farming sector. That is important if we are to continue food and drink production for our country and for exports alongside developing initiatives and actions to address climate change and, crucially, it is important for the rural economies that are supported and enriched by our farming sector.

Mike Robinson (Farming for 1.5 Degrees): I am the co-chair of the farming for 1.5° inquiry, along with Nigel Miller, who was the previous president of the NFUS. The inquiry was an attempt to prevent duplication of effort in relation to how farming can meet its net zero requirements. It was very much about what the industry needs to do, but we tried to work out all the different and complex conundra around employment and rural robustness and resilience as well as biodiversity and meeting climate targets.

We came up with a report with 15 major recommendations that we think are an important guide for the future of the industry, particularly post-2024. We are concerned that some of those actions need to start happening sooner rather than later. The real strength of the inquiry was not just that it was focused on what we need to do; we brought into the room a breadth of experience and expertise, from economists, people from rural society and academics to all sorts of farmers and others. We are most interested in the 15 recommendations.

Professor Davy McCracken (Scotland's Rural College): Thank you for the opportunity to speak to you today. A common focus this morning will be the need to be clear about the outcomes that are desired before we seek to change policies and practice. As we have heard, there is a recognition of the continued importance of producing food while helping to address climate change and biodiversity declines. We also need to recognise that we have failed over the past 30 years to deliver the scale of change that is needed to halt most biodiversity declines, let alone reverse them. What we need but do not seem to be seeing so far is biodiversity outcomes to be mainstreamed in the same way and at the same scale as climate actions are now starting to be mainstreamed.

That means not only that broad biodiversity outcomes need to be given due consideration when developing greater environmental conditionality and future land management support

payments, but that we need to ensure the availability of funding for the more detailed targeted actions that are required to produce biodiversity benefits where conditionality on its own is either insufficient or inappropriate. It also means debunking the myth that managing land for biodiversity outcomes benefits only wider society. If it is done appropriately, it can also increase the resilience of land management systems to climatic shocks.

Managing land for biodiversity does not automatically imply that land management ceases. For many of the biodiversity outcomes that we need to achieve in Scotland, it is about getting the timing and the intensity of the management right, and not about stopping the management altogether. One of the key issues that the committee will face in this session of Parliament is how to ensure that biodiversity outcomes are included appropriately within the range of outcomes that we need our land managers to deliver in future.

A related and probably much broader key issue for the committee's consideration is not only how we encourage the integrated land management that is needed but, just as importantly, how we ensure that those integrated land management policies are aligned with what we want our future food systems to deliver, in terms of improving environmental and societal health in Scotland and future proofing those systems against changes in external market demand. Trade-offs are inevitable—we could go round in endless circles discussing the potential for those—but, if we are clear at the start about the outcomes that are desired, we can at least assess whether the expected positives from any change in policy on land management outweigh the perceived negatives.

I look forward to the discussions with the committee.

Professor Sally Shortall (Women in Agriculture Taskforce): Thank you for inviting me. I am here on behalf of the women in agriculture task force, which was established after research that I was involved in on the position of women in agriculture in Scotland. The direct aim was to try to address some of the inequalities in women's role in agriculture. Women rarely inherit land, even though they are very active in the farm family, and they are very underrepresented in leadership positions in farming organisations. Women told us that they do not access the types of training that they should. The task force was established by the then cabinet secretary, Fergus Ewing, and was co-chaired by Joyce Campbell, who is a sheep farmer. We met over two years and came up with various recommendations to the Scottish Government on measures to improve women's representation in farming organisations, access to training, issues around new entrants and so on.

Scotland has led the way on the question of gender equality, and the European Court of Auditors and the Department for Environment, Food and Rural Affairs have been following behind, so it is important to ensure that Scotland maintains that momentum. I do not see the women in agriculture issue as being just one item on the agenda. Women are part of the agriculture industry and have important insights into how to achieve climate change targets; the goals for regenerative sustainable agriculture that we are looking towards; the implications of European Union exit; and diversifying farm income streams. It is important that we see the question of women's role in agriculture as a wider one for the industry that relates to all the items on the agenda rather than just one.

The Convener: Thank you. I appreciate you all keeping your opening statements brief, because we have plenty of questions. Members will explore a number of themes as we go through the next 80-odd minutes.

I will open up with what is probably one of the broadest questions, which relates to future agriculture and rural policy. We have heard that the Government plans to introduce an agriculture bill by 2023. That seems a long way away, but we know that the guarantee on rural support payments is due to finish at the start of 2023. We seem to be a long way from understanding what future policy will be. What are the key requirements for any new agriculture and rural policy?

Beatrice Morrice: We are absolutely delighted to be co-chairing the agriculture reform implementation oversight board—ARIOB—alongside Mairi Gougeon, the Cabinet Secretary for Rural Affairs and Islands. We need a portfolio of policies and practices, because there is not one silver bullet that will deliver. Initially, we need to set up pilot schemes quickly to identify what works. We need to do data analysis so that we can measure exactly where we are and where we need to get to. The NFUS is participating in a consultation with our members, which will close in November, because it is important that we gather ideas from them. However, I underline that the recommendations of the farmer-led groups, which are already out there, are a good starting point. It is absolutely key that ARIOB acts quickly. There are not that many harvests left until 2045, so we need to get something started soon. Ultimately, my message is that we need to deliver quickly.

Professor McCracken: Beatrice Morrice's point that we need a package of measures is important. We should not start looking at only one aspect of

the support package, such as environmental conditionality, without knowing how it sits within the wider suite of measures. In my opening statement, I mentioned the need for conditionality for biodiversity benefits but also additional funding for wider and more specifically targeted biodiversity measures. That is the same, whether we are talking about biodiversity or support to wider agriculture, particularly with regard to less favoured areas or areas facing natural constraints. If we do not know what the overall package is, simply looking at one item on its own could result in a lot of unintended consequences. I think that we are clear about what the needs are; we just need to make sure that the policy fits that. The report of the farming for 1.5° inquiry and the recent report by the NFUS and the SRUC give an indication of what the combined package could be.

Mike Robinson: I agree with a lot of that. Time is absolutely of the essence. We need to make sure what our priorities are in tackling all the issues. We cannot achieve national climate targets without adopting measures significantly in agriculture across the board. Biodiversity needs to be a part of that. We need pilot schemes up and running, we need soil testing in place and we need to improve the advisory service. We need all those things but, overall, we need to be as joined-up as possible. I agree with everybody else.

Professor Shortall: I agree with everything that has been said. One issue that has come up in work that I have been doing with DEFRA is that farmers are aware that, in pursuing soil restoration, there is a cost during the transition period. They are keen for there to be some kind of conversion payment to ensure that it remains economically viable for them to convert to meet the targets.

Agricultural subsidies are being phased out over a period of years, but the rural development fund has just gone over a cliff. That creates real issues of stimulating farm diversification initiatives, which tend to be led by women. What will replace that fund needs to be considered.

The Convener: We are almost at the end of 2021, so we have one more year until the bill is introduced, but it appears that we still do not have a direction of travel on policy. We have had consultation after consultation, and we now have another consultation group. Elsewhere in the United Kingdom, the principle of public good for public money has been in the public domain for some time, but there is no such direction of travel in Scotland. I am surprised that there is not more of a message from you that we are running out of time to get policies in place. How long do we need to run the pilot schemes for before we can decide on policy? We had an announcement from the minister that, by November, which is only six weeks away, we would have policies to tackle emissions in agriculture, with absolutely no indication of what those policies might be. Is there a bit of a lack of urgency?

Beatrice Morrice: We are pleased that the oversight board has now started. We were calling for it over the summer and saying that it was absolutely imperative that it was implemented as soon as possible. The board has had its first meeting, and I believe that there will now be meetings fortnightly. There is an urgency to get going. Farmers are keen to start on the route to change, and we are doing all that we can to implement the changes. The recommendations from the farmer-led groups are there, so I hope that we can take them on board. We are not starting with a blank sheet of paper. A lot of work has already been done that sets out ideas.

Mike Robinson: There absolutely is a lack of urgency. We are sort of getting there, but it is a slow process. Some of that is a result of duplication. We have to do one thing and do it well. There is a tendency to keep reinventing the wheel. We are going over some of the same ground again and again instead of bringing forward action. We know what we need to do, particularly with climate change, and I think that we know what we need to do with biodiversity, but we are just not quite doing it. So there absolutely is urgency. There is a need to start implementing things as soon as possible and not to wait for everything to come through in a bill in three years' time. It is too urgent for that. We will have missed a third of the next decade if we are not careful.

09:15

The Convener: Members have some supplementary questions on that.

Ariane Burgess (Highlands and Islands) (Green): I will direct this question to Mike Robinson. The bill that we are talking about is proposed to include enhanced conditionality of support against public benefits, with targeted outcomes for biodiversity gain and low-emissions production. Do you agree with the Soil Association that the conditions for support should align with those in the EU farm to fork strategy, such as reducing chemical pesticides by 50 per cent by 2030? I am also interested in what other criteria you and others involved in the farming for 1.5° inquiry would like to be included as conditions for subsidies. For example, should support be contingent on certain levels of carbon and methane reductions or use of agroecological practices that support nature to regenerate itself?

Mike Robinson: On whether we think that support should be conditional, the short version is, yes, conditionality is absolutely essential. We need

targets against each of the greenhouse gases. There is no point in creating unit efficiencies if we still go on to produce and emit more greenhouse gases, so we need express limits for nitrogen, methane and carbon dioxide. We want a greening menu from 2022 and general reduction contracts with farms. We want percentages of land to be committed to biodiversity, and we want all farmers to sign up. We want to see a lot of things as conditions.

Professor McCracken: I agree whole-heartedly with Mike Robinson. Only through a level of conditionality will we get the scale of action that is needed for some of the delivery mechanisms that we need. I am harping on about biodiversity but, over the past 30 years in Scotland and elsewhere in the UK and Europe, we have had a scattergun approach to biodiversity that has not really worked for many of our biodiversity outcome needs.

We need all farmers—or at least many farmers—to work towards the same goal, and some level of biodiversity conditionality will achieve that. Other aspects of biodiversity benefits will need more specific targeted funding in a particular area and most of that will need to be at the landscape scale.

On the question about environmental conditionality, yes, we need it and it needs to be mandatory. To go back to the first question, we already know what we need to achieve. The farming and food production future policy group did not produce a final report, but its interim report is out there in the public domain. That sets out not only the context for what we need to achieve and why, but the urgency of doing so.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): My question is for all our witnesses. Even if we change farming practices, reduce livestock numbers and increase woodland planting, the scale of change across all sectors will not be enough. It is reported that we will fall short by about two-thirds of meeting the net zero targets. What does that mean in relation to the recommendations of the climate group reports? What more needs to be done? What impact will it have on farmers, consumers and policy makers?

Beatrice Morrice: I want to go back quickly to conditionality. We absolutely believe that the conditions need to encourage active farming and we are keen that, when you look at carbon emissions, you look at carbon sequestration as well. A lot of work is being done on farms that is increasing the amount of carbon storage there.

On Rachael Hamilton's question, we believe that we will be able to make changes as technology improves. We should not look at just one aspect. We must look holistically at the whole farm. A lot of things are going on—for example, there is more precision farming and more regenerative farming. We certainly want to start on the journey to help to deliver that, and we are committed to working towards it.

Mike Robinson: Nobody believes that it will be straightforward. In the farming for 1.5° report, we have tried to set out the stages that we think we will need to go through in order to achieve net zero, and they get more difficult. Fundamentally, it cannot be done without—eventually—very significant land use change, so it goes beyond purely farm agriculture into land use change.

We need a number of areas to be adopted much more readily and quickly. An obvious example is agroforestry. That area is still contentious for different reasons, but we need to see it roll forward. Over time—maybe this is the emphasis of the bill—we need sequenced change, with measures that we can adopt immediately, a list of greening measures that farms can take on board, and the training and all the things that wrap around that. Ultimately, however, it will have to lead to land use change.

Professor McCracken: I agree with Mike Robinson in particular, but also Beatrice Morrice.

I am unsure about the point that Rachael Hamilton made in her question to do with the package still resulting in our missing the target by two thirds. As Mike and Beatrice emphasised, precision farming and changes to agricultural practices will get us so far, but land use change and the way that we integrate that with our land management systems will be the main route to get us to net zero. If your premise is that, if we wait too long, we will not achieve it by 2045, that is correct. We need to start encouraging and facilitating changes to agricultural practices now, but also changes to wider land management practices. Those things are equally important.

The Convener: I have a quick supplementary question. We are not self-sufficient in red meat, so we import quite a percentage. If our land-based industries are going to struggle to get to net zero, is there a risk in reducing agricultural production, particularly in the red meat industry, to hit our targets in the UK? An unintended consequence could be that we offshore beef and lamb production to places where the carbon footprint is bigger, which could ultimately result in a slower global transition to net zero. Has that risk been calculated in the plans for rural support and, in particular, agricultural production?

Professor McCracken: Elements of our red meat production in Scotland are vital to the production of other outcomes such as biodiversity and what we call wider ecosystem services. We are potentially in danger of offshoring, as you said, if we have a knee-jerk reaction. However, it comes

back to looking at things in the round. We must not look at agriculture and agricultural practices in isolation. We need to consider additional land management and land use change in association with agriculture and the other land uses.

If we start to do that sooner rather than later and achieve it at the scale that we need, I do not see that we will fall as short as your question and the previous question implied. However, it goes back to your question about urgency. We should have started it five or six years ago. We need to start it now, because 2045 is not far away and 2030 is even closer.

Professor Shortall: Returning to the previous question and how targets will be achieved, I underline the point that Beatrice Morrice made. Environmental science is developing all the time, which is good and natural. Scientists are working on this all the time and our tools to meet the targets will improve as time goes on.

The question about the red meat sector is really important. It might be worth while for you to consult colleagues in Northern Ireland, where it is going to be impossible to meet the targets because of the heavy reliance on being a red meat producer. I know that Northern Ireland has looked at what it will mean if it reduces red meat production but red meat then comes from further afield.

Mike Robinson: There would be no benefit in offshoring emissions if that was all that we managed to do by bringing in measures, but I do not believe that that is necessarily an issue in this case. It is just one of the issues that we have to sort out in the way that we present the legislation and determine how to move forward. It is true of any sector—obviously, it will be no use if we simply shut down what we are doing and start to import more poorly produced products from abroad.

We are self-sufficient in beef and lamb, so they are not necessarily a particular problem. We produce more beef and lamb than we consume domestically in Scotland. However, we still need to make sure that we take the measures. It is a bit like the position with efficiencies. We can be more efficient, but, if we are still producing more, that does not help anybody.

I hope that, if we take leadership on this and put sufficient measures in place, we might even get an advantage in the long run in relation to our exports and things. However, in the first instance, I do not think that there is a great risk of offshoring here, because beef and lamb are already produced at more than the levels that we require domestically.

09:30

Jim Fairlie (Perthshire South and Kinross-shire) (SNP): Both Rachael Hamilton and the convener talked about the reduction in livestock levels that we are aiming for. However, the cabinet secretary has already made it quite clear that there is no plan to reduce the suckler cow numbers in the country. I want to put that on the record.

A point was made earlier about the policy that we are looking to develop. In Scotland, the conditionality will be 50:50, whereas the UK scheme is all about public funds for public goods. My question is probably for Beatrice Morrice. We see the farming community as being critical to achieving our net zero target, and food production is a critical public good, because we need food. We need a resilient food and drink sector and we need the primary producers. How can we get the farming community to enthusiastically take up the policy? Is the 50:50 ratio is acceptable to the farming community? Farmers want to produce food, but they accept that we need to do things differently. How do you feel the policy will go down with the community?

Beatrice Morrice: I think that it will be a challenge, but we at the NFUS are absolutely committed to it and we are working with our farmers to help them to deliver what needs to be delivered. Everybody accepts that we will be helping to tackle climate change, and we are in a great position with our land management use to enhance biodiversity as well, which will be key going forward. We will work hard to ensure that our members are brought along on the journey with us.

Jim Fairlie: We are looking at a 50:50 policy. Would it be a harder sell to have complete conditionality on public funds for public goods, as there is in the UK scheme, where there is no mention of food production at all? I am not asking you to be political. We want the farming community to go with the policy and embrace it. Will it be easier to get it to embrace a policy in which farmers are still regarded as food producers or a policy where they are regarded as—I am quoting—"nothing but park keepers"?

Beatrice Morrice: I do not know about that—I am sorry. I was at an event last week in London and the importance of food security and food production was talked about very significantly there.

Producing food alongside tackling climate change and enhancing biodiversity are the three strands that we are committed to taking forward, and we are keen to work on that with the Scottish Government and other stakeholders.

Professor McCracken: I intimated in my opening statement that we need to get the wider agriculture industry to recognise and accept that delivering biodiversity benefits and taking action for climate change are not just things that we are doing for somebody else or for wider society. Many—if not all—of the actions that people are likely to take on their farms and land will be beneficial to the future sustainability of their farming systems and the food production that they want to do. They are not immune to climate change, and many of the actions that they put in place will help to increase their resilience to it.

On the question about 50 per cent versus 100 per cent, I appreciate why England is looking at having purely a public funding for public goods perspective, but the premise of the question was how we move farmers from the current situation without major disruption to the industry and food production, but also the associated management that is needed to meet the climate change and biodiversity goals. The 50 per cent goal is not an end point but a point on the journey. It will be more acceptable to the vast majority of farmers if we ensure that they appreciate why it will be of benefit to them to engage and not just to wider society.

Mike Robinson: A number of issues have been thrown up. My experience is that the farming community is more willing to act in this area than it has ever been. The crux of it is how we achieve what we all need to happen while ensuring that we still have a robust agricultural community that is helping to deliver that.

I appreciate that there are short-term concerns about conditionality. On whether 50 per cent conditionality is reasonable or too much, I would ask why it is reasonable for 50 per cent to be completely unconditional. Is that really a good idea? We need major change and we have a willingness to act. I do not think that we should be shy about making some of it, or indeed all of it, conditional. We just have to make sure that we implement it in a way that makes sense and does not create victims and problems. It is as much about how we do it as it is about what we do.

I am not sure that it is particularly helpful for 50 per cent to be unconditional. We have to be careful that we are not ignoring the advice. The UK Climate Change Committee's advice on livestock numbers is fairly clear. If we are trying to tackle climate change, we cannot do it without land managers or without having agriculture on board. We need to make it as easy as possible for them to help—to get on board and do all the things that they need to do. We need to try to back that and make it happen, not just cherry-pick the bits that we think will work.

Professor Shortall: It is an excellent question. Research that I have been doing in England suggests that farmers feel that they have been abandoned and that it has become an environmental policy. This is one of biggest and most fundamental changes to how agriculture is conducted in decades, and it is really important to work with the farming community and ensure that it has the business skills that are required for the transition.

It may well be that focusing on biodiversity and on being food producers, but in a different way, represents a much more profitable way to farm. It is about ensuring that the business skills are in place to maximise profit through the enormous change that is expected of the sector. The Government must support the farming community through that and give it the tools that it needs to achieve the end point.

Beatrice Wishart (Shetland Islands) (LD): Some of my questions may have been answered already. I am interested in climate change and biodiversity loss and how we achieve the balance between the changes in land use and ensuring that farmers and crofters are still protected and able to do the job that they have to do. How do we manage that? Sally Shortall touched on ensuring that there are business skills to manage changes. I am interested in the panel's views on how the changes can be managed, particularly for crofters and farmers.

Beatrice Morrice: I have spoken to farmers who have done analysis of some of their cattle and have found that the carbon emissions are lower but that, when they are moved to a different field, even though the carbon emissions are slightly higher, the increase in biodiversity is off the chart. We need to look at the whole farm together and not just at one particular aspect.

Improvements need to be made with regard to the assessment of biodiversity. I am not a scientist, but I believe that it is not as easy to assess biodiversity enhancement as it is to assess the carbon side. Improvements there, along with a move to looking at the matter from an overall perspective, would be beneficial.

Professor McCracken: Working backwards from what Beatrice Morrice said, I note that biodiversity assessment is relatively easy as long as we are clear about which aspect of biodiversity we want a particular farmer or farming system to achieve.

That leads me to my main point. Some aspects of what we want future farmers and crofters to provide are likely to be common things. There will be a need for all farmers and crofters to do something for soil health, because that is a common factor across all farming systems in Scotland, and dealing with water quality issues will

be not exclusively but primarily focused on agricultural areas.

When it comes to improving biodiversity, however, although there might be some general gains to be made from all farmers doing a little of the same, it comes down to what we want upland farmers, crofters and arable farmers to do, and the elements will differ. There are different opportunities in the uplands and in crofting systems, although not exclusively. We need to make sure that we continue the farm management practices that are producing the biodiversity that we want in Scotland. Likewise, in lowland dairy and arable farms, we need to consider what else needs to be done to restore habitats and improve biodiversity.

Ariane Burgess: I have a supplementary question on agroforestry, which Mike Robinson mentioned. I am hearing that it is going to be big and important, but he mentioned that there are tensions related to it. Will he unpack that for us?

Mike Robinson: There is no clear framework for the promotion of agroforestry and there are anxieties about its practicability on farms, particularly to do with its getting in the way of machinery. Even though it is a traditional practice and we have had it for many years, we have not seen a lot of it in recent times. There is resistance to its adoption because it is seen as being unhelpful to other, wider farming practices. Beatrice Morrice might have thoughts about its adoption, but I do not think that we have a system in place that encourages and supports it or promotes it sufficiently.

Beatrice Morrice: I am new to the sector, but I want to underline that it is not about having forestry or farming; it is key that they can work alongside each other. We hope that farmers will be enabled to introduce woodland alongside food production. There are some great examples of that happening where farmers have created wildlife corridors and provided shaded grazing for livestock once the trees are at a certain height. It is important that we support the Scottish Government's woodland creation, but it cannot be to the detriment of farmland. We need to work together and collaborate for that to work alongside food production. We hope that farmers will be better enabled to introduce and stitch it within their land, and we are keen to take that forward.

Professor McCracken: Beatrice Morrice and Mike Robinson have said what I would have said about the need to promote agroforestry.

I observe that agroforestry, regenerative agriculture and many other terms that we use in discussions about future support policies are quite broad and they mean different things to different people. We need to be clearer about what we mean by agroforestry in this case. What it means to one farmer will be completely different from what it means to another when they think about what it is relevant for them to integrate in their farm in order to achieve benefits. We need to be clearer about what we are asking for.

Jenni Minto (Argyll and Bute) (SNP): I thank the witnesses for joining us today.

Davy McCracken, you spoke about the impact of forestry on different farms and, indeed, how that impacts on farms that do not have forestry on their land. Most of the panel have commented on whole-farm farming, and I am interested to hear your thoughts on whole-community farming and how you think that the regional land use partnerships and frameworks will support active farming.

I represent a west coast constituency with islands, and I am also interested in your thoughts on how a just transition will work for the different types of farming across Scotland.

09:45

Professor McCracken: There was a lot in those questions—you might need to remind me of aspects if I forget.

I go back to my earlier comment. We talk about wanting to put a bit more forestry into farms, but that is not really what we want. We need to put more trees, woodlands and, where relevant, forests into farms. Again, the terminology is very important.

I think that the tenor of your question was about how we get more community engagement in putting woodland into a landscape. Is that right?

Jenni Minto: Yes—looking across the whole area, rather than farm by farm.

Professor McCracken: That will come down to whatever area—a catchment, for example, or part of a catchment—you are considering. It also comes down to being clear about the outcomes that you want from putting in more trees and woodlands, and what that means in terms of the type of trees and woodland to put in. Then you need to engage with the land managers, farmers and local communities that have access to the land about what is feasible. I do not mean feasible in the sense of whether they are willing to do it; I mean feasible in the sense of whether they are able to access the funds, the support and the guidance that will allow them to do that planting.

You also mentioned the role of the new regional land use partnerships, and certainly they could have a role in this area. Although we are on to our third land use strategy, the regional land use partnerships have literally just started. I am not

familiar with all five of them, but the majority of them, if not all five, have vast areas to cover within the pilot areas. I imagine that a question for each of them will be what they are going to target and where. That needs to be looked at in each area. Unfortunately, it is too early to say whether regional land use partnerships will be successful in that regard, and it is certainly too early to say whether they will address all the land management and change issues that we see.

Your questions were about woodland. I think that more woodland creation and management at a wider landscape level, involving communities and land managers, could be one of the easiest issues to address. However, it will depend on the area, how many trees and how much woodland and forestry are already there, and the perceived attitudes of land managers and the rural community to woodlands and forest. I work all over the country and I know that there is quite a lot of adverse reaction in some communities in the south-west, where we already have a high proportion of woodlands and forests in the landscape. It will depend on the region, the area and what type of woodland and trees you want to enhance or facilitate.

I think that there was a final part to your question, but I am afraid that I have forgotten it.

Jenni Minto: I asked about what a just transition looks like for west coast and island farmers.

Professor McCracken: I do not think that a just transition for west coast and island farmers necessarily looks very different from what it looks like for the rest of Scottish agriculture. My caveat is that we have to take into account the additional constraints that island farmers are under, in terms of transport on and off the island and the cost of importing things on to the island for their agricultural practices. That would include the cost of creating woodland. The trees have to come from somewhere, and it is highly unlikely that they will have been produced in a similar island environment. You have to make sure that the trees that they are sourcing have been produced in an environment that will enhance the trees' ability to establish themselves and grow. Therefore, there are some island-specific issues that need to be taken into account, but if we get the overall just transition approach to agriculture in place, we can work on the additional nuances that might need to be put in place for particular sectors and communities. You have used islands as an example, but there are equally remote rural areas that possibly have even less access to transport links.

The Convener: You touched on regional land use partnerships. I am a bit confused about them, and it appears that you, too, are not quite certain what the outcomes of the partnerships should be. What will be the measures of success or otherwise of the pilots? You touched on whether policies need to apply to a particular farmer, a particular sector or a farming system. You mentioned the south of Scotland, where we already have a lot of trees, but the milk fields of Scotland are in the south-west, where the cow sector is very important; we also have world-important peatlands and so on. What would be your measure of success for the regional land use partnerships? What are the expected outcomes, and how will the work of the partnerships feed into future agriculture policy and rural policy? I put that question to Davy McCracken, but I will also bring in Mike Robinson to address Jenni Minto's questions.

Professor McCracken: In principle, the focus of any such fora—we are calling them regional land use partnerships—is to bring different land managers and stakeholders together to discuss whether land use, or land use change, in a particular area or region is appropriate.

My query about how much the regional land use partnerships can achieve in the first phase is based on three premises. First, they have literally just started. Secondly, the first phase is partly about trying to establish in each of the regions what the best approach might be to take in that region. Thirdly, in later meetings, the committee might want to ask whether the regional land use partnerships have been supported enough with the funding directed to them for the first phase to allow them to investigate that in particular. I said that I expect them all in the first phase to focus solely on one particular region within the wider pilot area because I do not believe they have been given sufficient funding or capacity to test the approach across the full geographical extent of the pilot areas that have been established. Does that help?

The Convener: Yes, thank you.

I will bring in Mike Robinson and then Beatrice Morrice on the same questions.

Mike Robinson: I will try to do my best to answer. I apologise if I sound a bit throaty—I am at home with Covid today.

Land use change sequestration needs to reflect soil type, topography, the farmer's production and biodiversity priorities, the locality and the targets for Scotland as a whole. For me, regional land use partnerships are an important delivery tool in all of this. As such, their membership must reflect the local community, including land managers, farmers and crofters, but they must also have roots in all other community activities and an eye on the national priorities. There are a lot of things that might mark them as a success. Membership

is a very easy measure of success in diversity, but we need to map the potential of each region to be able to deliver against the national priorities. Obvious and key measures include the percentage of greenhouse gas reductions achieved and the biodiversity improvements made. In farming for 1.5°, we talked about 30 per cent of land being given over to nature.

On a just transition, I think that reskilling is the biggest single thing. There is a need for more farmers. We have a huge skills deficit in knowledge, which I think is an area that needs to be prioritised. There is a slight onus on the oil sector in relation to a just transition, and we need to make sure that rural communities do not miss out.

Beatrice Morrice: I absolutely agree with what Mike Robinson has just said. Farmers need to be part of the rural land use partnerships. We do not operate in isolation: 72 per cent of the land in Scotland is under agricultural management, and it is imperative that we are part of these discussions.

Let us look at the impact of farms on the rural economy. A couple of weeks ago, I visited a farm where they calculated that they use 92 supply chain companies, the majority of which are within a 5-mile radius of the farm. We need to take into consideration the business of food production when decisions are being taken about land use in areas, and we want to be a key part of that. In some areas where the pilots are starting up, there is a concern that there is not much information and collaboration. We want that to increase.

Professor Shortall: I apologise for the religious glow about me. The blind is broken in my office and there is nothing that I can do about it.

There are gaps in our knowledge. A lot of my colleagues are involved in projects called treescapes, in which they work with colleagues in Scotland to try to understand the questions that you are asking about the role of the community, how farmers will interact with all of this, what the appropriate trees to grow in different areas are and what quantity there should be. It is important to recognise that there are questions to which we do not necessarily have the answers, but people are working on them.

I come back to an earlier question about biodiversity and crofting. There is an important point there about public goods and ensuring funding for that. There is also a gender dimension, given that women have almost twice as much representation in crofting as they have in farming more generally in Scotland.

Mercedes Villalba (North East Scotland) (Lab): I will stay with the topic of land use and management. The number of farmers is reducing, we have an ageing population and many potential new farmers are priced out of starting up because of the cost of land. The recent programme for government contained commitments on modernising tenant farming and reforming legislation on small holdings. Are there any measures that the witnesses would like to be taken to make things easier for potential new producers starting out and to put power into the hands of people who work the land?

Professor Shortall: That is a really interesting question. We see time and time again that one of the bottlenecks in achieving a more innovative type of farming is the intergenerational transfer of land. You see men—and it is usually men—farming in the way that the farm was farmed six generations ago, which is no longer in tune with our climate targets and the objectives that we want to reach. The question of new entrants regenerating the farming sector and bringing in new blood is really important. One of the important contributions that women make on the farm is that, when they “marry in”, they bring a whole new perspective. They question why things are done in a certain way, and their role in decision making leads to different and better practices.

It is a difficult one to crack, because it hinges on people’s rights to do what they want with private property. There are some interesting examples from Ireland of share farming, where older farmers work in partnership with new, incoming farmers in ways that give them scope to be more innovative. There are also ways of thinking about leasing machinery to make it more readily available, and innovative ways of making livestock more readily available, with farmers maybe renting livestock and keeping the offspring.

There is a two-tier agricultural sector, where the inheriting son has far less cost than the tenant farmer coming in. The tenant farmers—the new entrants we interviewed in Scotland—were by far and away the most innovative and cutting edge, undertaking the types of farming initiatives that you would want them to undertake. They often worked full time to have the income to put back into the farm, and they were innovative and forward thinking.

10:00

Beatrice Morrice: The key difficulty for young people is that of securing a tenancy. I have met young farmers who are on what is called contract farming—the tenancy is for 364 days, which means that it is impossible to make any investment because they cannot secure loans. It is a very short-term viewpoint and it needs to be addressed.

Attracting new entrants to the workforce is key and work needs to be done on that, too. It is not

just about securing people to come in and own the farms for the long term; we are also struggling to attract workers. There has been a lot of coverage of the shortage of seasonal workers, but it is also very difficult to secure permanent workers. We are looking to address that by identifying shortages and where the pinch points are. The workforce issue needs to be addressed and we are keen to work with people to facilitate that.

The Convener: Before we move on from land use, Rachael Hamilton has a brief supplementary question.

Rachael Hamilton: Yes—it is on the back of Jenni Minto's questions about forestry. We know that forestry targets in Scotland have not been met and that the Government has no intention of bringing in any new forestry grants or funding schemes before 2024. If farmers were incentivised and supported through new forestry grant schemes to have the right trees in the right place at the right time, could we get on and start to meet net zero targets more quickly?

Professor McCracken: The short answer to your question is yes. However, I would argue that there are existing incentives—the current woodland grant schemes—for farmers to integrate more trees and woodland on to their farms at a scale that they might feel comfortable with in the short term. It is just that those schemes are not the ones that are being prioritised by those who seek to put in larger areas of woodland and forest with the aim of chasing the annual targets for new establishment.

I think that more could be done to develop additional and complementary schemes to help and encourage farmers, but there is also more that could be done to help them to see the relevance of some of the schemes that already exist.

Mike Robinson: If I may, I will answer that question and add a little bit on the previous question. The inquiry team felt that a factor was that the area slightly fell between stools: it was not quite the forestry department and it was not quite agriculture. That meant that it was not getting the right focus and emphasis.

I will give a quick answer to the previous question about the need for new farmers. There is absolutely a need for new blood. Farming is no different from any other industry. A lot of young people are voting with their feet, but I think that a very strong and real commitment to issues around climate change and biodiversity would attract a lot more people into the sector. There are issues to do with access to land, but another important factor is the image of the industry that is portrayed, and I think that grasping appropriate targets and tackling them head on would be a very positive thing for young people right now.

The Convener: We move on to questions from Alasdair Allan about the impact on agriculture of the UK's exit from the European Union.

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): As has been mentioned, I am interested in your take on what has been happening post-Brexit. In particular, I know that the NFUS has had things to say about trade deals. Do you have any views or concerns about what future trade deals might look like for farming? That is a question for Beatrice Morrice or Davy McCracken.

Beatrice Morrice: Our concerns about the Australian trade deal were well publicised in June. We are very concerned that the statutory Trade and Agriculture Commission has not yet been established. We have been told that its establishment is imminent, but we need it to be up and running so that it can provide analysis and advice on the possible impacts of trade deals on agriculture. Having that set up straight away is our number 1 ask.

We also need better and more effective consultation on trade deals with the agriculture sector across Scotland. From talking to our Australian and New Zealand counterparts, it is clear that they are much more involved around the table at an earlier stage, and we think that that is key. When we are concerned about unrestricted trade, we are often told that we should be more ambitious—that we should be looking to export more—but in order for us to do that, we need more investment in capacity in the processing sector in the country. That is absolutely key.

What is concerning for us is that the cumulative impact of trade deal after trade deal with unrestricted access will impact the farming sector, which will have a negative impact on our rural communities.

Dr Allan: Does Davy McCracken or anyone else have a view on that?

Professor McCracken: I am not best placed to provide any detailed thoughts on trade deals per se or on their impact but, in my written submission, I suggested that we, in Scotland, should be paying proper attention to what we are looking to trade in the future. We are potentially looking at developing our agriculture and land management support policies in isolation from our food and future food systems support policies. It is not my area of expertise, but colleagues elsewhere in SRUC who deal with food policy have insight into the fact that other countries in the EU are looking to amalgamate their land management support policies with future food support policies to ensure that they future proof their agricultural systems by moving to producing the types of agricultural goods that, if trade deals allow, the external market is likely to demand. That will change. It is

changing for Scotland, as well as for the rest of the world.

That point is not specific to the intricacies of the trade deals, because that is not my area of expertise; I am simply suggesting that we need to see agricultural support in the wider sphere of what type of food systems and food policies we want to have in Scotland and how much that will help to address some of Scotland's food-related issues. It is also a question of making sure that we future proof our future farming systems by producing the types of goods that could be traded elsewhere.

Dr Allan: Do you really think that the impetus behind the trade deals has anything to do with the issues that you have just mentioned?

Professor McCracken: My personal view is that it does not, but I am not a trade deal expert. I am just trying to step back and look at the wider context that we also need to take into account. It is one thing to seek a trade deal to provide markets for goods that we are already producing. I am just saying that we will not necessarily need trade deals to provide markets for those same goods in 10, 15 or 20 years' time. There will be other goods that we want to ensure can enter that marketplace.

Dr Allan: This question is for Beatrice Morrice to begin with. What is your feeling about the implications of the United Kingdom Internal Market Act 2020 when it comes to imports from outside the UK and what it means for Scotland's ability to legislate in that area?

Beatrice Morrice: Could you explain your question, please?

Dr Allan: I do not want to put words in your mouth, but you obviously have concerns about the quality of what might be imported in the future, particularly when it comes to meat. Does legislation such as the United Kingdom Internal Market Act 2020 give you any concern about Scotland's ability to introduce legislation that would restrict imports that would be unhelpful to the Scottish industry?

Beatrice Morrice: For us, standards are key. We are renowned around the world for our high quality standards, and we do not want any products to come into the country that have been produced to lower standards than those that we currently have. We need to have the ability for Scotland to make changes or to be flexible with regard to our agricultural policy. The common frameworks that are in place that aim to maintain the internal market are important. The internal market is an important market for Scottish agriculture, but we need to maintain the flexibility for Scotland to be able to tweak things for the benefit of our agriculture sector.

Dr Allan: Do others have any views on that? I see a hand up from Sally Shortall.

Professor Shortall: I completely agree with Beatrice Morrice that farmers and producers should be consulted on international trade agreements, and I urge the committee to be mindful of gender representation when such consultation is undertaken. Women who are involved in farms need to be at the top table so that they can influence the decisions that are made. Following the report from the European Court of Auditors, the European Commission's directorate-general for agriculture and rural development is starting to take that issue more seriously. It is aware that, in having consulted representatives of farmers' unions through Copa and Cogeca, it has been developing trade deals and agreements with men. It is very important for the efficiency of the industry and the benefit of the sector that we ensure that there is a gender balance at the top table when it comes to trade agreements.

Dr Allan: I think that many women in agriculture would agree with what you have just said about women being excluded from such deals. Do you feel that Scotland has been excluded from those deals as well?

Professor Shortall: The same question arises for Northern Ireland as for Scotland. It is very difficult when there are different views of what EU exit and trade deals should look like and that has to be negotiated within a UK internal market and common framework context.

Dr Allan: My final question is on a subject that one or two people have touched on, which is related to the aftermath of Brexit—labour shortages. I do not know who would like to come in on that, but there is clearly a connection between the two things. Perhaps we could begin with Beatrice Morrice.

Beatrice Morrice: A few weeks ago, the committee received evidence on the labour shortages in the food and drink sector. Mirroring what I said earlier, it is about more than just Brexit. We have had problems in accessing permanent staff for some time now. We are looking to address that for the long term. What we need now is short-term action to help to address what is currently going on. For example, soft fruit farmers struggled to secure staff because of the pandemic. This year's issues have compounded that, and they are now looking towards next year. No action has been taken, despite the fact that they are struggling to get seasonal workers in, and they are now thinking about changing commodities. They are thinking of moving away from soft fruit, which would be catastrophic. Soft fruit takes up 1 per cent of the agricultural land mass but delivers 16 per cent of the economic output. We need action

now. The seasonal workers pilot programme needs to be reviewed. We are key to that.

Alongside the Food and Drink Federation and Scotland Food & Drink, we are calling, as they were a few weeks ago, for a 12-month Covid visa. It is a perfect storm. Brexit, the pandemic and the longer-term workforce issues are all adding to a situation in which our members are losing money. They are losing crops because heavy goods vehicle drivers are not able to pick them up or farmers are not able to harvest them. The situation is very serious. We are talking to the Home Office about it, and we hope that the message is getting through that the problem will not go away any time soon, so decisions about next year are being taken now.

The Convener: Before I bring in Jim Fairlie with a supplementary, I have a question for Beatrice Morrice. You suggested that the NFUS was concerned about the Australia deal. I would like you to elaborate on that, given that there are, as far as I understand it, bilateral safeguard mechanisms to ensure that there is a safety net for industries if they face serious consequences as a result of an increase in imports. It seems fairly unlikely that there will be a big increase in imports from Australia. There are also existing policies that address the fear about the importation of food that has been produced to lower standards. It is clear from the manifesto that the UK Government will not compromise on environmental protection, animal welfare or food standards in any trade negotiations. Could you elaborate on where your concerns come from?

10:15

Beatrice Morrice: Certainly. Some reassurances have been included in the trade deal, but they are short term. I do not have the figures to hand, but the import levels rise rather significantly over the next five, eight or 10 years. It is the cumulative impact that we are majorly concerned about. In effect, the Australian trade deal has paved the way for unrestricted trade. A New Zealand deal is due imminently. We are assuming that it will be very similar to what has been agreed in the Australian trade deal. Our concern is about the impact on our agriculture sector of trade deal after trade deal.

On standards, as far as I understand it—I might be wrong about this—if someone is looking at a supermarket shelf and there is beef from Scotland or beef from Australia, it will be clear where it comes from and the standards will be the same. What I think will be more difficult to understand is how standards of processed products that come into the country can be guaranteed and assured. I am not sure that that is 100 per cent as simple to do.

The Convener: Maybe you could write to the committee to give us an indication of what volumes of beef and other produce are likely to come in, as that would give us a good indication of where your concerns lie and how to address them.

Jim Fairlie has a quick supplementary.

Jim Fairlie: Beatrice Morrice, have you had any response from the UK Government to your request for a one-year Covid visa that would allow us to fill the short-term gap in the workforce across the food and drink sector?

Beatrice Morrice: Not yet. The fact that we have not is certainly concerning our members. We asked for specific action to be taken, and there has been no indication that that will happen. That is why there are serious concerns about what the sector's options are for future years.

The Convener: We move on to questions from Jim Fairlie on profitability and resilience in the sector.

Jim Fairlie: The question of profitability and resilience in the sector is a very loaded one, because there are so many different sectors, and profitability and resilience will be different across each sector.

I will come to Davy McCracken first, because I want to look at where the profitability and resilience will come from in hill and upland farming. We have already touched on what you called planting trees, rather than forestry—I am glad that you did, because I would like us to get away from the conflict between trees and farming. There has to be a way to integrate them. I can see real opportunities for us to develop a timber industry that farmers could be part of. There are bound to be jobs that can be created out of a timber industry. In addition, rather than having sheds, maybe we could have woodland. I would like to explore some of those issues and how we can tie that in with making sure that we have profitability and resilience in the upland sector.

Professor McCracken: As you hinted in your question, our upland farmers are not profitable without subsidy and, even with that support, many of them are struggling to get out of the red and into the black. You indicated one element that will be important in the future—consideration of what other products that directly generate an income upland farmers can have on their land. We believe very strongly that integrating trees and woodland much more into upland farms will be an essential route to consider. Earlier, we talked about whether the incentives are there or are promoted enough to allow farmers to do that.

Our hills and uplands are highly important for a wide variety of other reasons. Over the past few years, I have been talking a lot about how wider

society in Scotland will look to our upland farmers not only to produce food and timber, and possibly even different types of timber products in future, but to manage water quantity. Flood mitigation will be a very important activity for our upland farmers in the future. At the moment, we have capital grants to allow those who have degraded peatlands on their land to restore those peatlands, but we do not yet have any on-going annual recognition in the form of financial payments that will reward our upland farmers for providing such public goods or ecosystem services.

I see there being lots of opportunities for upland farmers to increase their income streams to more than—[*Inaudible*.]—but some of those markets do not yet exist in terms of being able to provide them with the financial reward for doing so. That is a big question for not just our agricultural policy but our wider public support in Scotland.

Mike Robinson: The issue comes back to conditionality. We want to see farmers being rewarded for looking after soil carbon, soil regeneration, biodiversity, flood alleviation and all the other ecosystem services that are public goods and which go beyond physical production. We need to start to reflect that, and this is the opportunity for us to do that.

With regard to the trade deals issue, there is an opportunity in trade deals. Obviously, we do not want the climate change and biodiversity targets that we are imposing domestically to be abandoned in order to make sure that we get trade deals. We should be using the trade deals to project high standards, to drive globally what we are doing and to build our reputation internationally for that. It is not just about—[*Inaudible*.]

The Convener: I am sorry—we have lost Mike Robinson. I invite Beatrice Morrice to come in until Mike Robinson's connection settles down.

Beatrice Morrice: We have talked about labour and processing shortages. I absolutely agree with what Mike Robinson was saying. We need regulation that enables farmers to do more on climate change and biodiversity and to avoid unintended consequences. That is absolutely key.

We have not yet touched on the local supply side of things, and that goes back to processing. Investment is needed for that to be delivered. We are certainly keen to work with stakeholders and we aim to increase the profitability of farms, alongside the environmental work that we will be doing.

Professor Shortall: I was involved in some research with the Scottish Government with a view to its developing legislation around migrants. What I found interesting was how progressive it was. The starting point was how to protect the human rights of a vulnerable group of workers. It will be interesting to see how much scope the Parliament has to develop its own legislation on that.

Regarding profitability and resilience in the sector, it is a case of looking at whole-farm family activities and being cognisant of the types of diversification and entrepreneurial activities that are developed on farm, which are often led by women. We need to look at how to resource that, subsidise it and ensure that there is sufficient training.

Another thing that we found is that women have a greater understanding of the food-to-fork chain and are quite imaginative, as Beatrice Morrice was saying, when it comes to community production, which can also be a means of increasing profit. It is one part of the overall jigsaw, but I think that it is an important one.

Professor McCracken: I will be brief. Jim Fairlie's question was primarily about upland systems. Although conditionality will be important when it comes to direct payments or future payments, whatever form they take, I do not believe that only taking a conditionality route will provide enough funding for our upland systems to make them profitable. That is why I highlighted the need for additional funding for the additional public goods and public benefits that are much more complex to deliver.

Jim Fairlie: Can you clarify that? Are you talking about getting support to those farms that are already doing the things that they have been asked to do over the past number of years and continuing to recognise that?

Professor McCracken: That is part of it. What I meant, primarily, was that putting more conditionality on the level of direct support that goes to upland farming systems will not be enough to make the change. The less favoured area support scheme, which currently sits separately, would need to be brought into the wider package that goes into upland systems and the conditionality would need to be improved. However, for the outcomes that we need, what can be achieved via conditionality will not be enough to recognise, support and reward farmers for the additional management that they will need to do beyond conditionality to achieve those wider outcomes. It is a bigger question. I would argue very strongly that we should be supporting the individuals and the systems that are already delivering those goods, rather than just setting the clock now and providing recognition and reward only to those individuals who start to produce those goods now. That would be inherently unfair and unjust.

The Convener: Rachael Hamilton and Karen Adam will ask some questions about women in agriculture.

Rachael Hamilton: Beatrice Morrice, how does the NFUS encourage women into leadership positions in its organisation?

Beatrice Morrice: We are very supportive and have been very active in encouraging women in agriculture since day 1. Our former president, Andrew McCornick, chaired a working group, and we have now opened up to family membership, because we recognise that a lot of family businesses are partnerships, with people in the family playing incredibly important roles on the farms. The number of women who participate at our branch, regional and board levels has grown. We are trying to improve the culture and are doing what we can to promote that change. We are very supportive of the women in agriculture task force and do what we can to support its events and networks. There is more to be done, but we are certainly moving in the right direction.

Rachael Hamilton: The Scottish Government wants to legislate to ensure that women in agriculture have an equal right of succession. The women in agriculture report in 2019 looked at barriers to women coming into agriculture, such as childcare responsibilities, access to land, finance, training and education. Sally Shortall, will legislation drive the changes that are being sought, or do the barriers that I have mentioned need to be addressed first?

10:30

Professor Shortall: There is no legal barrier to women inheriting land. Nothing in the legislation says that women cannot do that. The barrier is a cultural one. Farming is understood as a male occupation. When parents look for their successor, they look at the boys. When we were doing the research, we interviewed one young woman who was the eldest of four girls. She told me that, when she was 13 and her brother was born, she knew that she would no longer inherit the family farm. She subsequently rented land with her partner while they both worked full time. She worked in the agricultural sector and brought that knowledge to the farm that she rented. In that case, the barrier was a cultural one, not a legal one.

In Europe, Norway has legislated on the matter. In 1974, Norway introduced the allodial rights law, under which the eldest child is the legal heir to the farm. It can be argued that that also leads to inequalities, but it has had a minimal impact on gender representation. It is not a matter of legislating; it is a matter of tackling the culture around such issues.

The Scottish Government is doing quite a lot of work on that. The previous question was about the position of women in leadership roles. Where are the women in the sector? Are they at the top table? The answers to such questions send out an important message. The task force has recommended that unconscious gender bias training should take place. We interviewed men who said that they would not vote for women to have positions in farming organisations. Women told us that they are asked to leave farming meetings when the social part is finished and the business part is about to begin. Subsequently, there have been reports of that in newspapers.

Multiple approaches are needed to succession planning in order to point out that the talent exists and ensure that women are represented in the industry. We must also be mindful that there is an onus on the agriculture and food industries to ensure appropriate gender representation when new executive board members are appointed. There has to be a multipronged approach. I agree that there is an issue about new entrants, particularly given the difficulties that women have in accessing land.

Rachael Hamilton: Do Mike Robinson and Davy McCracken believe that it is difficult not only for women to get into agriculture but for new entrants, for young people and for farming to have a diverse representation? Will the net zero targets draw in a new group of people with different interests, such as innovation? Will that lead to a sea change in representation across the board in agriculture?

Professor McCracken: First, I will set out a bit of context. I am responsible for only one part of SRUC, but six of the seven members of staff in our hill and mountain research centre are female, and all three of our existing PhD students are female. I have a wider suite of four teams, two of which are led by females. Those teams also include female lecturers. For me, it is not the agriculture side of things that is important. I am not responsible for our wider agriculture courses, but there is good female representation in leadership and lectureship roles as well as among the students. In my area of SRUC, the issue with representation, both among staff and students, is in forestry. I have a forestry team that is made up solely of men, and 98 per cent of student candidates for forestry education and training are male. We want to and need to change that.

You hit the nail on the head when you talked about the wider skill sets that Scotland needs to achieve a green recovery from the pandemic. We need to draw on a wider set of skills and wider knowledge and understanding, but we also need to crack the perception that work in rural industries such as farming and forestry is only for brawny

males. Earlier, we mentioned precision agriculture, technology and the range of skill sets that we are looking for. Our wildlife and conservation management course, which is led by a female colleague, is dominated by female candidates. There will be more by way of opening up.

I go back to one of the earlier questions. In Scottish schools, there needs to be more consideration that employment in rural industries is different from what pupils, their teachers and their parents might think, and that farming, forestry, wildlife and conservation management and sustainable land use will need to involve a greater range of technologies and metrics. Those industries should be, and are, open to all, but we are not instilling enough knowledge, information and interest in female candidates so that they choose such courses. We will be working actively to change that. I not only hope that there will be that change; there needs to be that change, as Sally Shortall and Beatrice Morrice said. I know from my experience of working with and managing women colleagues that they bring a different mindset and a different approach—possibly a much more collegiate and less competitive approach—to important decisions about areas of conflict.

The Convener: Before I bring in anybody else, Karen Adam can ask her questions. Other questions can be addressed after that.

Karen Adam (Banffshire and Buchan Coast) (SNP): Thank you, convener. Sally Shortall spoke a lot about the role that women play in diversifying the sector. I visited a working farm that is diversifying into agritourism. The woman farmer highlighted her farming practices, which have been incredibly successful. The farm is environmentally aware, it reuses and recycles materials to make camping pods, for example, it educates people on the farm and it supports the local economy. It ticks so many boxes. It is an example of a woman's pragmatic approach taking off when she was given the pathway and the support to do that. Is the gendered lens that is being used helping to open up the often untapped potential and entrepreneurship of women in the sector? How will the work that you have done enhance the whole sector, not just the position of women?

Professor Shortall: That is a good question. I would be very disappointed if anybody thought that our work was simply about enhancing the position of women rather than about enhancing the whole agricultural sector. We were clear about that in the research and in the task force's report. [*Interruption*.] Excuse me—I hope that I have not caught Covid, but I seem to have a tickle in my throat. The whole point is that bringing in women is beneficial and much better for the agricultural industry. One of my colleagues said, "You don't leave half your team on the bench."

I will give an example. On an upland farm, a woman married in and kept asking why things were being done as they were being done—the farm was milking and losing money hand over fist. Her partner's mental health was suffering. She completely changed the type of farming that was done by taking the farm into environmental schemes, changing to native breeds—[*Inaudible*.]—farming communities to change, and people breaking rank with how the farm had always been farmed. However, she turned an unprofitable farm into a profitable one. She would not talk about herself as a woman; she would talk about the types of changes that she introduced on that farm and how the agricultural sector needs to approach things differently.

Much better business skills are needed. That woman could see that the farm was not operating as a business, which is difficult when it involves a family. When you are with your siblings or your parents, you do not think, "We need to sit down and have a business meeting," so everything tends to get done on the back of a fag packet. A fresh pair of eyes can see things more clearly. That is very much what it is about. That is the important point. People are suddenly starting to see that there has been enormous untapped potential, and it is important that we tap into that, but it is also important that we recognise that it is there.

I agree with Davy McCracken that there is good representation in some agricultural training courses. A lot of the admin people in the NFUS are women who did not inherit a farm but went into farm-related employment as advisers and so on. The key question is: who is at the top table negotiating trade agreements, deciding on the appropriate subsidies and making decisions about the future of the farm? It has to be everybody who is active in the family farm.

The Convener: We will certainly take that issue away. The point about not leaving some of your best players on the bench is a very good one when it comes to women in agriculture. It is a good point to finish on.

I have a very brief final question. We have touched on budgets, LFASS and so on, but a seismic shift is coming for farming and rural areas, given the challenges ahead. Do we need additional funding to bring forward such policies and to pump prime new projects? Given that we hear so much about the health benefits of better biodiversity in the environment that we live in, and that land managers and farmers have a big part to play in that, does the sector need to have an increased budget? Do you think that your

arguments will be listened to and that such budgets will be delivered in the future?

Professor Shortall: I am sorry—I missed half of the question. Do you mind repeating it?

The Convener: Certainly not. There is going to be a seismic shift in rural areas in relation to agriculture policy, biodiversity and so on. Do we need an increase in budget to deliver that?

Professor Shortall: The key area in which investment is needed is business skills. We are asking farm families to embrace a completely different way of being and acting. It is important that we work with them to provide the skills that they need, whether that relates to farm consultancy or short-term training. That will all require investment, and we cannot expect farm families to pay for that. Funding will be required at that practical level.

Beatrice Morrice: We are asking for the certainty of ring-fenced funding and calling for a multi-annual funding commitment that at least matches current levels.

Professor McCracken: As Beatrice Morrice hinted at, before asking for more, we need to think about what we have and ensure that the current funding is being best utilised through the steps that we have highlighted throughout the session. There does not necessarily need to be additional spending, but a greater proportion of that spend needs to go into protecting biodiversity and wider environmental management. We are entering a new world, so we also need to consider how much of our support for land management should come in the form of an annual payment for something and how much could be achieved, as Sally Shortall indicated, by providing one-off pump-priming payments, training and access to capital grants, in order to allow an individual farm business or land management business to move from one plane to another and become much more sustainable in its own right.

Mike Robinson: Basically—[*Inaudible*.]—doing at the moment, but it needs to be driven around the need for change. The industry has a huge opportunity to be seen as much more progressive and to take the action that the whole of Scotland needs to take. A short-term injection is essential to help with that shift, in relation to training and all sorts of other issues, and to deliver what we have presented in the farming for 1.5° inquiry.

The Convener: That brings us to the end of the session. I very much thank the witnesses for their contributions, which have been very welcome and will inform our work programme. I will briefly suspend the meeting to allow a change of witnesses.

10:45

Meeting suspended.

10:52

On resuming—

The Convener: Welcome back, everybody. On our second panel, we have Stephen Young, the head of policy at Scottish Land & Estates; Christopher Nicholson, the chair of the Scottish Tenant Farmers Association; Pete Ritchie, the chair of Scottish Environment LINK food and farming group; Donald MacKinnon, the chair of the Scottish Crofting Federation; and Miranda Geelhoed, the policy and campaigns co-ordinator for the Landworkers Alliance.

I ask witnesses to make a brief opening statement. It would be helpful if you could keep your comments to about two minutes. I invite Stephen Young to begin, to be followed by Christopher Nicholson, Pete Ritchie, Donald MacKinnon and Miranda Geelhoed.

Stephen Young (Scottish Land & Estates): Good morning, everyone. Thank you for the opportunity to speak to the committee today. I will provide a bit of background. Scottish Land & Estates is a membership organisation. We have land managers from all parts of Scotland. They are large and small scale—and everything in between—with all types of land ownership models, including private ownership and ownership by non-governmental organisations.

Our members are involved in all aspects of rural business, which gives us a unique take on rural development. We cover all areas, not simply agriculture, and, due to that, we have long talked about taking an integrated approach to land management. Today, we are talking about agriculture mainly, but the impacts that agriculture has on all land use need to be understood. They are interconnected—changes to one aspect make changes to other aspects, so all parts must work together.

Within land management, pressures are coming from many different sides. Like every sector, we are being asked to reduce emissions. We are looking to increase sequestration and increase biodiversity. We have been asked to produce affordable nutrition, we have to maintain the rural economy and we provide wellbeing services for society as a whole. I am not sure whether any other sector has been asked to achieve all those things simultaneously in such a short time. All that can be achieved, and land management can play a role in all those things, but support is desperately needed to do that.

The support that is needed is not simply financial. We also need the knowledge,

understanding, training and skills to deliver. In addition, we need whole-supply-chain approaches, an understanding of what impact the market and other elements have, and where resilience can be built in, whether that is through market return, Government support or wherever else we can do that.

Another part of knowledge transfer is understanding the win-wins, understanding where support is not needed, and understanding in what areas we can make changes that will have benefits economically and environmentally so that those aspects can almost take care of themselves.

We need to be understood by all and we need to have a better understanding of where we are all trying to go in the future. Once we have that clearly laid out and we have the policies in place, I believe that we can deliver all the things that we are seeking to deliver.

Christopher Nicholson (Scottish Tenant Farmers Association): On behalf of the Scottish Tenant Farmers Association, I thank you for the opportunity to give evidence on the challenges ahead for Scottish agriculture.

The tenants whom we represent tend to be the smaller to medium-sized family farms, which are often concentrated in the more marginal farming areas and have a tenancy at the core of their family business. They do not enjoy the benefits that come with land ownership. These are the types of farms that are facing the greatest uncertainties resulting from Brexit, greening and a doctrine of new farm policy.

In contrast to owner-occupied farms, it is difficult to see how tenants currently limited by restrictive agricultural leases can benefit from future policy measures that focus on carbon and greening without there first being changes to existing tenancy legislation. Furthermore, the new interest in land from green capital is resulting in the removal of tenant farmers, who are being replaced by, so far, mainly commercial forestry and other greening measures such as rewilding.

Our ask is that tenancy legislation be amended to allow fair access to carbon and greening-related measures for tenants and that new farm policy that we are likely to see in this Parliament be feasibility-tested for the tenanted sector.

Fergus Ewing, the previous cabinet secretary, promised that there would be a level playing field between tenants and owner-occupiers in relation to access to those future measures and that tenants would be able to play their part in climate mitigation, increasing biodiversity and so on. However, the issue is how to get there and the lack of time in which to do it.

Pete Ritchie (Chair, Scottish Environment LINK Food and Farming Group): Thank you for inviting Scottish Environment LINK to give evidence. I chair the body's food and farming group. We want to particularly emphasise the value of taking the camera back a little bit in this conversation. As has been said, the agricultural bill is due to come in in 2023 and lots of work is going on to look at the mechanics of that and its objectives. However, we also know that the good food nation bill will be introduced—and possibly sooner than the other legislation.

It is vital that the two pieces of legislation are tied together. We are the food and farming group, and the good food nation bill should set a framework for food policy across all areas—environment, climate change, consumption, production, use of natural resources and waste. That framework should shape what we then want to pay farmers to do and how our farmers can contribute to the vision of a good food nation.

Farmers have an essential role—there is no food without farming. All the discussions that we heard in the earlier part of the meeting about imports and exports, islands and rural areas, small farms and women are all part of the mix. We want to emphasise the need for policy coherence, with joined-up policy making between food and farming. We must ensure that, when we think about farming, what we support farmers to do and how we help farmers to have a prosperous sustainable future, that is part of how we do food in Scotland.

11:00

Donald MacKinnon (Scottish Crofting Federation): I am a crofter from the isle of Lewis and chair of the Scottish Crofting Federation. Thank you for giving us the opportunity to give evidence today. The SCF represents just under 2,000 members from across the crofting counties and is the only organisation that is solely dedicated to representing crofters and crofting.

Crofting brings numerous benefits to the Highlands and Islands and to Scotland as a whole. It is part of the solution to the climate emergency, the biodiversity crisis and reversing depopulation in those areas, but it will fulfil that potential only with appropriate agricultural support and legislation that works for crofters and crofting.

On agricultural support, we must get clarity now on the future direction of the support system. The system needs to take a holistic approach in reducing carbon emissions, promoting biodiversity and recognising the socioeconomic impact of support. The system needs to reward and encourage existing good practice as well as incentivise change where that is required.

On legislation, we were very disappointed that the programme for government for this year did not include any reference to an intention to deliver crofting law reform. The SCF has continually warned that, if a crofting bill is delivered in this parliamentary session, work needs to start on that now.

The market in crofts is completely out of control, with local young people, in particular, completely priced out. The situation is not sustainable and we need to start working towards a long-term solution to that and other legislative issues. Thank you for the opportunity to contribute.

Miranda Geelhoed (Landworkers Alliance): Good morning. I represent the Landworkers Alliance. We are a union of farmers, growers, crofters, foresters and other land-based workers. As we are still relatively new to Scotland, I feel the need to provide a bit of an introduction.

We have an active membership that stretches as far north as Shetland and as far south as Dumfries and Galloway. Most of our members work at smaller scales. They include crofts and smallholdings, market gardens and community projects. We also increasingly have medium-sized and larger farms joining us, which combine a variety of activities from horticulture to arable and from livestock to agroforestry.

Ultimately, what binds us together is that we all believe in agroecology. That term, which was used earlier, refers to farming with nature and people. It aims to support both and use the land to benefit both. We support an integrated approach to farming as well as an integrated approach to agricultural and food policies.

There are a lot of things on the agenda today that are of great interest to our members, such as agricultural subsidies, climate and biodiversity measures and what a just transition might look like, as well as more implicit topics around land ownership and access, new entrants support and local supply chains.

Thank you very much for having me here today. I am looking forward to your questions.

The Convener: Thank you. I appreciate your keeping your introductions brief. I will kick off with the first questions, which are on future agricultural and rural policy and the impact of EU exit on thoat. Broadly speaking, what are your key requirements for the new agricultural and rural policy that will be brought to this Parliament before 2023? What impact will EU exit have on future policy? I ask Stephen Young to start, please.

Stephen Young: The key element, as I said before, is an integrated approach to land management and understanding how different industries fit together. For too long, we have seen issues between forestry and agriculture. It is a cliché, but how do we make them work together to get the right activity in the right place at the right time? While we are doing that, we have to maintain a critical mass in terms of food production and agriculture production, maintaining value in Scotland and adding value where we can to maximise returns to the farm gate.

We need to start by stating clearly what our policy aims are and then work down from that to where we want to go. The farmer-led groups have made a good start on that. The concern is that they are looking purely at agriculture. We have divided sectors within agriculture. There is a danger that we will get competition between sectors, which could make things worse. I hope that we can sort that out and all work together by ensuring that there is diversity of thought.

In terms of new policy, I think that I mentioned before that support does not simply have to be cash payments. We have knowledge transfer and the Farm Advisory Service, which is strong and helps people to develop their businesses. We need capital funding to put in place a lot of the measures that we will need to meet climate change objectives. We also need a clear long-term view. Rural businesses have long lifecycles. We cannot do 90-degree turns every few years; we have to have long, sustained goals.

If we look at the work of the farmer-led groups so far on issues such as biodiversity scorecards and the conditionality around environmental payments, those are all positive steps in the right direction. We need to get those right and make them fit for purpose. Achieving goals that are workable at ground level and that meet the national targets will be hugely important, too.

All sectors—forestry, peatland and agriculture—must move forward together—because, if we get out of step, that will cause huge issues for how businesses plan for the future.

Christopher Nicholson: [*Inaudible.*]—has raised all sorts of uncertainties for Scottish agriculture on what future policy will look like and on issues around labour supply. A shortage of labour and access to labour might have a greater effect on Scottish agriculture than other issues such as policy. Also, we do not fully understand the impact of the free trade agreements that have been agreed or that are in the process of negotiation. They might be free trade agreements, but how fair are they for Scottish producers, which might be producing at a disadvantage to, or in more difficult circumstances than, those in other countries?

It is clear that—certainly for the uplands and more marginal lands—we are looking at much greater integrated land use in the future. We need

to look at how a relationship between forestry and agriculture can work. We know from experience over the past decade or two that looking at individual rural issues in their own silos has had a lot of unintended and often negative consequences for our sectors. I agree with those who say that we should take a more holistic approach and should not consider individual enterprises in their own silos.

We are up against quite a time limit not just to design policy but to see good farmer uptake and understanding of any new policy. Policymakers must be careful to present new policy in a framework and language that farmers understand, and to ensure that access to the framework and any application procedures are fair, open and easily understood by all in the rural sector.

Pete Ritchie: We need the new policy to be completely clear-eyed about what we are supporting farmers to do. The current policy is about as bad as it could be. It is detached from any impact on practice. It is dead-weight money and it is inequitable. Most of the money goes to the biggest farmers on the best land. It is not clear at all what the current system is designed to achieve. We need to be absolutely clear that, in a new system, we are aligning farmer support with climate and nature objectives, as well as with good quality food production and nourishing the people of Scotland.

We have to be dead clear on the purpose, and then we must be rigorous about how the instruments that we are developing will achieve that purpose. We must have proper payment evaluation and some modelling of that. We also need some clear work, which has not been done as well in DEFRA as it might have been, on what we are trying to achieve with public support for farming. That is the first thing.

Within that, there must be a clear pivot to agroecology, as Miranda Geelhoed mentioned earlier—that is, combining farming and nature, not putting farming in one box and nature in another box—and a pivot to the local. During the pandemic, we have seen a huge interest in stronger local food economies. There is a huge role for strengthening local food economies and for strengthening horticulture, particularly the small and medium-scale glasshouse sector and so on.

Finally, we want to stay aligned with the EU, which is introducing legislation for a sustainable food system in 2023, which will provide an overall framework for food policy following the farm-to-fork initiative. That will frame the future CAP in Europe. If we are to stay aligned to Europe, we need to have that overall framework of food law and link what we support farmers to do to clear policy objectives.

The Convener: There was an awful lot in that. Do we have time to do it all before we see a bill go through the process and become an act by 2023? Are we already too late?

Pete Ritchie: No, we are certainly not too late, although we have to get a wiggle on. We need a process that is inclusive—which the new process is panning out to be—and evidence based, and we need clear and transparent modelling of what we are trying to achieve with the subsidies.

The current subsidy system broadly inflates the price of land—that is its main impact on the basic payments. Around the edge of that are small subsidies, such as the new entrants capital grants scheme, which are constructive. We have lost the agri-environment climate scheme, or most of it, for the time being. We need to get that back into place in the short term, but in the longer term we need a farmer support system that is well designed and fit for purpose for 25 or 30 years, as Stephen Young and other people said. It cannot be a scheme that we set up and then change after five years. We need to put our best efforts into it.

We also need to look around the world at how other countries are tackling the climate change emergency through the way they are changing their farmer support. There will always be politics in this area and there will always be winners and losers, but the important thing is that we are transparent about that. As Donald MacKinnon says, we have to include farmers of all scales and sizes, whether they are part-time farmers, full-time farmers, women farmers or urban farmers. The framework for support has to be inclusive of all those people, but we have time to do it.

Donald MacKinnon: As I mentioned in my opening remarks, the policy has to achieve a lot. The three points that I mentioned in my opening remarks were around reducing carbon emissions, tackling the biodiversity crisis and recognising the socioeconomic impact of support. Those are all important. I would add that it is important that the policy aims to encourage active farming and crofting and active use of the land, and that it is linked to food production. That is trying to achieve a lot and, quite rightly, reducing carbon emissions is top of the agenda from a policy perspective. However, there is a danger that, by focusing on that, we could exclude some of the other important outcomes that we must not overlook.

Following on from the policy, at a scheme level, it is essential that any schemes that are developed are accessible to smaller producers—in particular, crofters—and that they recognise crofters' common grazings, which is a unique system that cannot be shoehorned into any old scheme.

It is also important that agri-environment schemes, which Pete Ritchie mentioned, are

accessible to the vast majority of producers in the country. At the moment, their competitive nature has meant that we are not getting enough land into agri-environment schemes. That has to be a priority going forward.

Miranda Geelhoed: We very much agree that future agricultural and rural payments should be recentred around the objectives to protect biodiversity, address climate change and provide greater equity. I fully agree with Pete Ritchie: area-based payments are problematic in themselves. We are still paying for the size of the land in question even if we make better management a condition of payments. We need to wrap our heads around the fact that good things can be done in small spaces.

11:15

To give an example, economic analysis of one of our member's crofts that combines small livestock production with horticulture estimates that he is generating about £42,000 annually in public benefit, whether that be in terms of the environment, employment or other community benefits, but he is receiving only £1,200 in subsidies because he is a small-scale farmer.

There is not enough talk about overhaul of payments altogether. I understand the politics behind that, but this needs to be said. If we keep the base payments, there are a number of examples of things that we definitely should be doing. Keeping the quite low minimum area requirement of 3 hectares in Scotland, as opposed to 5 hectares in England, has been quite positive. We should be taking some inspiration from what is happening in the EU, which has introduced mandatory redistributive payments, which give more money to the first few hectares of a farm. We should look at the accessibility of agri-environmental schemes for everybody, and we should start by looking at the objectives and what we are trying to achieve.

Dr Allan: This is probably a question for Donald MacKinnon and Miranda Geelhoed, given both of their interests in crofting. I suspect that the clock is against us, so I will ask two questions together. One is about legislation and the other is not.

On legislation, Donald MacKinnon, you have mentioned—and many people would agree with you—that there is a need for legislation around crofting. The crofting law sump is one place to begin, but you also mentioned that the costs of taking on a tenancy are out of control. Should there be a reassessment of what is meant in law by improvements on a croft, in order to prevent the costs of such tenancy assignations getting out of control?

The question that is not about legislation is about the effectiveness, in your view, of the arrangements that we have for dealing with not so much absentee crofters—because people can, I know, sublet and otherwise make use of crofts—but crofts that are abandoned or derelict and whether you feel that the Crofting Commission could do more to intervene in those situations.

Donald MacKinnon: On the question on legislation, the crofting law sump is a good place to start. It identifies a lot of the major technical issues in the existing crofting legislation that need sorting out to allow it to work effectively. We are getting to a point where there is a realisation that that might not be enough. A phase 1 and phase 2 approach was proposed in the previous parliamentary session, but that phase 1 bill would not go anywhere near fixing some of the more fundamental issues that have been raised more recently, certainly in the past year or so.

On your specific point about whether making improvements is a route to tackling the issue, I am not quite sure that it is, although it maybe needs to be looked at. I am certainly not here to say exactly what needs to change in the legislation, but the fundamental issue is that neither the price for which a croft can change hands nor the transfer of owner-occupied crofts is regulated at all. At least with the tenancies there is an element of regulation, but price does not come into it.

I am not saying that introducing legislation that deals with that issue will be easy in any way, but we need to start having conversations now about the options and the views among the wider sector of what people actually want to see. I believe that we are approaching some sort of consensus around the matter. That will take time, but there is a lot of agreement out there in the crofting community.

On your question about how we can solve some of the issues around neglect of croft land in the current system, it has been encouraging to see the steps that the Crofting Commission has taken through additional funding for employment development officers in a pilot scheme in the Western Isles. At a basic level, a lot of issues could be solved through education and through having Crofting Commission staff on the ground to speak to crofters about how they could sort out their situation. I believe that most people want to do the right thing, and there are certain barriers in the way of doing that.

Such steps will not be enough, however. There probably is a place for the Crofting Commission to enforce the regulations that it exists to enforce. That will require additional resources for the commission, to give it the opportunity to do more in that area. There is a willingness on the part of the commission to do that, but it is struggling to

get to that part of its work. That was certainly the understanding I received from it.

I hope that that answers both of your questions.

Miranda Geelhoed: I will not add too much to Donald MacKinnon's analysis of the crofting legislation and the issues around some of the specific requirements.

I want to add something on your question on inactive crofts. That issue goes beyond crofting and is slightly different. For all its weaknesses, crofting comes with an added layer of protection in that, in principle, one cannot decroft unless stipulations are met. That kind of protection does not apply to smallholdings, which means that there is a real risk that some smallholdings will simply cease to exist. More often than not with smallholdings, houses are sold separately from the land, which adds to the big problem that already exists regarding the need for land. There are a lot of people wanting to go into farming—particularly small-scale farming—who are struggling to find affordable land and to find suitable houses to go with that land.

The Convener: Jenni Minto and Mercedes Villalba will ask some questions on agricultural tenancies.

Jenni Minto: Thank you. The question is directed at Christopher Nicholson. What level of contact has the Scottish Tenant Farmers Association had with the Scottish Government about the needs of tenant farmers and about future agricultural policy? Could you expand a bit on what you said in your opening remarks about what the just transition would look like for tenant farmers?

Christopher Nicholson: Policy makers, civil servants, the Scottish Government and, importantly, the Scottish Land Commission and the tenant farming commissioner have a strong awareness of what is needed. We have, in the past few years, had a lot of contact about that with the Scottish Land Commission and with Fergus Ewing. We have recently had meetings and communications with Mairi Gougeon, the current cabinet secretary, on what the tenanted sector needs in order to allow tenants to play their part in tackling climate change, increasing biodiversity and so on. The barriers are well known, and there are ideas about solutions.

I know that the tenant farming commissioner, Bob McIntosh, has produced a paper looking at the barriers and fixes that are available, or that might be needed, for tenants to play their part in extensive tree planting, which resulted from a request from Fergus Ewing to consider how tenants can plant more trees. The barriers that the commissioner has identified and the fixes that are required to allow tenants to plant trees are pretty similar to the barriers that exist and the fixes that are required to allow tenants to play their part in wider greening measures and climate change measures. That is quite well understood. It is a case of getting on and making the changes.

Jenni Minto: It is interesting that you referenced the Scottish Land Commission. Andrew Thin made comments about the pressures that farmers and crofters are facing in relation to carbon rights and, more widely, about tenant farmers' access to climate change measures. Can you expand a wee bit on that, please?

Christopher Nicholson: The element that is impacting on tenants is the new financial interest in acquiring land for greening measures, through carbon credits. At the moment, what we are seeing most is afforestation, followed by rewilding, of areas that are being removed from the tenanted sector. Secure tenants' landlords are doing deals with them to resume tenancies past the lease, and the leases of non-secure tenants on limited duration tenancies are not being renewed. It is more attractive now for some landlords to sell land with vacant possession, without tenants, to the new sources of green finance—pension funds, private equity or industries looking for future carbon offsets. That is focused on the more marginal lands, which are typically livestock-grazing farmland. The main impact that we are seeing in some cases is a doubling of the value of land. That means that when tenants are offered the opportunity to buy their farms, landlords are looking not at agricultural values but at forestry values, which are unaffordable for tenants.

In relation to new sources of green funding and acquisition of chunks of Scotland, Wales is experiencing a similar problem because it, too, has large areas of marginal land. The situation is reversing some of the aims of land reform in Scotland. It is not increasing diversity of ownership, but is doing the opposite; it is concentrating ownership. Often, wider integrated land uses are not considered. What is happening is focused on carbon at the expense of the environment and other land uses, especially in the south of Scotland, from South Ayrshire across to the Borders. Huge areas of commercial Sitka spruce are being planted, and tenants often bear the brunt of that.

Donald MacKinnon: I want to come in on the point about carbon credits and Andrew Thin's comments on behalf of the Scottish Land Commission. The matter is increasingly a concern for crofters, as well as for tenant farmers. There is a real lack of understanding about where all of this is heading. Things are going forward at a rate of knots but with a real lack of clarity about whom the carbon credits belong to and who will be entitled to trade them in the future.

11:30

For crofters, the matter is particularly relevant in relation to peatland restoration, which crofters have already been doing on their common grazings. I agree with Andrew Thin that there should be a pause on that until there is greater clarity. It is a topic to which the committee should pay close attention as things move forward.

Stephen Young: I agree with Christopher Nicholson and Donald MacKinnon that the situation is complex. This goes back to the need to integrate the different land management sectors. Land use change is a key part of our new strategy, but where does the climate change plan sit? Are we running counter to it when we look solely at agriculture? On Andrew Thin's comments, I note that pausing is difficult; it is not easy. If we are to meet the climate change targets, we cannot put things on hold for too long because there is an opportunity to bring money into rural areas.

In terms of carbon credits, the woodland carbon code and the peatland code, people are not just given carbon credits for owning the land. They result from active management; something has to have been done, such as physically planting trees or restoring peatland. In both schemes, it must be proved that it would not have been cost effective to do the work without the money that would likely be earned from carbon credits, so the theory of additionality comes in.

There is something in there about it being just part of risk and reward. On Andrew Thin's comment, I take on board that we do not know whether we will be asked to be carbon neutral as individual businesses or as a sector, but in agriculture and rural business, there is always risk. Everything that we do incurs risk, and there will be reward—especially with some elements that we are discussing it will be a long time until they are cash generating in themselves, so the schemes can pump-prime.

As with anything, it is probably not wise to sell everything on day 1; it is probably wise to hedge your bets a little bit. It is all about understanding risk. Running any business incurs risk. People can make decisions when they have the information in front of them. On pausing, even if anyone who is planting trees or restoring peatland is able to sell the credits now, they must still register them so that they can sell them later if they want to and the matter can be dealt with. If we stop and do not do that now, we will store up problems for later.

We need to be really clear about what we are trying to achieve in terms of climate change, agriculture and land use, and we need to be clear in the messages that we send out to people about how they can achieve that. This all comes back to having clarity across all the different sectors.

Rachael Hamilton: Does Christopher Nicholson believe that the new entrants scheme and environmental schemes are too limited? Obviously the budget has been cut in those schemes. Does that have an impact on how tenant farmers can look to the future?

Christopher Nicholson: Yes, it does. There is quite a bit of concern among our members about the future of agri-environment schemes, given that the tenanted sector tends to be concentrated in the more marginal areas. There was good uptake of the schemes among tenants, but there is no longer access to the agri-environment schemes unless the farm is in a designated area such as a site of special scientific interest.

The funding is being missed by new entrants. It is always a struggle for new entrants to find land to rent. Land that comes up for rent often goes to established farmers, whom landlords and landowners see as being a safer bet than unknown new entrants.

However, the Scottish Land Commission has had a really positive effect in terms of encouraging some big landowners to let long term to new entrants. We are seeing new entrants taking on 20-year leases, which is a very healthy sign, given that across the UK short-termism is a major issue in the tenanted sector. The average length of a new lease in England is currently only three or four years, I think. I looked recently at a list of farming opportunities to rent land in the UK; the only leases that I could find that were over 10 years were in Scotland. I think that that is an effect of encouraging landowners to take a long-term view, rather than a short-term view. The big effect the Scottish Land Commission can have is on changing how land is let.

I also think there is a bigger issue around the fiscal framework in which landlords operate. We have seen in southern Ireland tax reforms or changes in how income tax is treated in relation to letting of land. That has had an immediate effect in terms of the creation of longer leases, which improves the productivity of the land. Similar benefits could accrue in Scotland if we were to look at the fiscal framework within which tenants and landlords operate. Funding for new entrants is important, but there are other factors at play.

Beatrice Wishart: Donald MacKinnon mentioned crofting common grazings and peatland restoration. Are there opportunities or barriers to expansion of woodlands on common grazings?

Donald MacKinnon: Yes, I think that there are opportunities for expanding woodlands on common grazings. Since the Crofter Forestry (Scotland) Act 1991, crofters have led the way on small woodland creation on their common grazings. We have to be careful about the land

type on common grazings. We have, in the past, seen trees being planted in inappropriate locations—on deep-peat soils that it would be much better to maintain or restore and improve as peatland than to plant with trees. It is important that forestry schemes are suitable for crofters—that they can be progressed on common grazings, through a group of crofting shareholders, or are available at a scale that is suitable for individual crofters to take forward as part of their crofting enterprise. There are opportunities. It is important that the schemes are croft proofed, in a way, and that they acknowledge crofters' unique set of circumstances.

The Convener: I have a final brief supplementary on that from Jim Fairlie.

Jim Fairlie: The question is probably directed at Stephen Young and Christopher Nicholson. Earlier, I had a question in my head about tenants' fears about support for tree planting, peat restoration and stuff like that. We have kind of skittered around that. I would like to understand the relationship between the landowner—who might be investing in planting trees while taking support from the Government to do so—and the tenant, and how that affects the tenant. When I talk about tenants, I am talking not just about pre-1991 tenants but about people who have long-term leases. Is there equity in costs and the funding that comes into a farm as a result of that? How do you differentiate? If the tenant has a 20-year lease but the trees will not be harvested for 30 years, how will that work?

Christopher Nicholson: To address your last question about a 20-year lease and trees, I would say that the answer is to arrange evaluation of the trees at the end of the 20-year lease, should the tenant be leaving. We hope that many 20-year leases will be renewed with the tenant or their successors, because the land valuation might not come into it.

What happens to tree planting at the end of a lease needs to be addressed. There is a fear among tenants—it is a genuine fear, given the current legislation—that a tenant who plants trees might be requested, should the lease come to an end, to reinstate the land as agricultural land or face dilapidation claims due to the change of use of land. Those areas can be modified or amended in tenancy legislation.

I also think that the thrust of the forestry policy in Scotland is to create large blocks of commercial forestry as a means of achieving what are quite ambitious planting targets. I think that the target is 18,000 hectares a year. Given that there are about 50,000 farming businesses in Scotland, a huge opportunity is being missed by not focusing on what individual farmers can do. If each of those farmers—or even a quarter of them—were to plant small amenity plantations or small-scale commercial forestry on just an acre or two, that would go a long way towards meeting Government forestry targets. The funding schemes that are available at the moment are very much focused on the bigger commercial scale.

I know a lot of farmers who have tried to apply through Scottish Forestry to plant smaller areas on their farms but have failed. To integrate farming and forestry and for them to coexist, the way forward is smaller blocks of forestry being integrated with farmland rather than whole parishes disappearing under one block of commercial forestry. If we look south of the border, we see that there is more generous and easily accessible funding for smaller-scale on-farm planting of trees. There are farmers out there who are willing to give it a go but cannot see a way forward at the moment. There are some good examples of people who have achieved it, but a lot of people have become frustrated while trying to develop small-scale on-farm plantations. I think that there are solutions.

The Convener: We will move on to questions from Ariane Burgess on climate change and biodiversity laws.

Ariane Burgess: I will ask my questions all together, but I will ask them slowly so that you catch them.

The first one is for Pete Ritchie from Scottish Environment LINK. Pete, you mentioned in your opening statement that you are keen for the good food nation bill to be a framework bill against which to judge future policies. What would you like to be in the good food nation bill to lay the groundwork for a strong and coherent agriculture bill?

I also have a follow-up question for Pete Ritchie. The Scottish Environment LINK written submission recommends that a proportion of farming support payments be redirected to local government. Would you like that to be in the agriculture bill? How much of the farm support budget would you recommend goes to local government? Can you give us examples of how local government could use that support to accelerate the transition to agroecological farming and healthy diets at a more local level?

My third question is again for Pete Ritchie, but I would also like to bring in Miranda Geelhoed. It is about potential announcements that the Scottish Government might make for new targets and commitments on farming to coincide with COP26, the 26th United Nations climate change conference of the parties. I would love to hear from both of you—and other people, if we have time—on what you would like the targets and commitments to include.

11:45

Pete Ritchie: We want the good food nation bill to set a framework for food policy that sets out clearly the purpose of the food system in Scotland and what we want it to deliver. At the core of that should be the aim that everybody in Scotland can afford to enjoy a healthy and sustainable diet. That means changing the sort of food that we eat so that we eat less processed food, more local food, more unprocessed food and less sugar. It means a diet that meets the dietary recommendations from the Food Standards Agency and other places—everybody in Scotland should be able to enjoy that.

That has implications for what we want our farmers to do to produce that diet. We ask our farmers to do two things when they produce food: to export it and to feed the people of Scotland. We need to get the balance right between those so that we pay attention to feeding the people of Scotland well from our resources. That is the key thing. We want the right to food to be at the heart of the good food nation bill, because that will place obligations on Government to ensure that everyone can eat well and sustainably, and to ensure that the food system is joined up, nationally and at local level. We also want an independent food commission, and we want some targets in the bill, so there are three parts to that.

I should emphasise that the proposal on redirecting money to local government is not a collective LINK policy. Some members support it, but we have not bottomed out everything on it. An example would be improving public procurement of organic and local food, as happens in France, Denmark and lots of other EU member states. Supporting local authorities to improve their procurement processes through some of the farm support money will benefit farmers. That money would not be thrown away; it would be a very direct way to get money into the pockets of farmers, who can produce for local schools, hospitals and so on.

Similarly, we would like a big focus on horticulture and urban and peri-urban horticulture, including a revival of the glasshouse sector in Scotland, which we lost in the 1970s but could easily bring back now that we have such an abundance of renewable energy. We want a focus on horticulture and urban farming and on measures that can link producers to consumers and get short food chains in place. At the moment, many farmers have to go through lots of channels to get their food to market and they are controlled by a few large retailers, which can put farmers at a disadvantage. That situation can also drive some of the food waste that we have seen recently, although—make no mistake—it is also down to Brexit and, to an extent, Covid. Huge amounts of produce such as broccoli and cauliflower have gone to waste, but short food chains could have got the food to people to buy and eat.

We would like bold ambitions and commitments at COP26. As we said in the farming for 1.5° report, there are technical measures that we can use to really drive forward methane reduction, but we have to adopt them at scale. On reducing nitrogen use in line with the Colombo declaration and the sustainable development goals, we could halve nitrogen waste by 2030. We waste half the nitrogen that we put on our land in Scotland and it just ends up in the water and the air. It is a major pollutant, so we need to tackle that.

We could have a broader measure to reduce the global impact of the Scottish shopping basket. Tesco and WWF adopted that a few years ago and are making some progress on it, and the Co-operative is also looking at reducing the impact. There are a lot of supply chain actors here who want such changes, and the Government could support that.

We would also like bold action on organics. It is great that the Scottish National Party and Scottish Greens agreement and programme for government have a strategy for organics and increasing the area of organic land. However, we could go further than that and, as our European neighbours have done, put organic procurement targets into law so that we get children in schools enjoying organic food and organic food becomes something normal that kids eat every day, not something that is seen as posh or out of reach for people. As Miranda Geelhoed said, agroecology is the way forward, so we need to find bold measures to support the transition to it.

Miranda Geelhoed: My point on COP26 ties into a lot of what Pete Ritchie has just said. We would like a more integrated approach that includes recognition of the value of whole-farm approaches—including organic approaches but also a bit broader than that—but that also really understands what the value of local food production can be in this regard. We talk a lot here and in the context of agriculture reform about how we will adjust farming practices and land use on farms but, ultimately, the whole supply chain is responsible for a lot more emissions than just the farms. That includes all kinds of things, such as transport and refrigeration and, importantly, the footprint of inputs that go into farms.

We might not recognise enough the position that many farmers are in. In many ways, they are sandwiched between, on the one hand, agri-input industries of feeds, machinery and pesticides and, on the other hand, the commodity in supermarkets, and there is only so much room to wriggle. We would want COP to recognise that whole supply chain approach and that there is real

value in refocusing efforts on genuinely local food production for the community in the context of climate change mitigation.

Jim Fairlie: My question is again for Pete Ritchie and Miranda Geelhoed. We have a bit of a problem in that food is not cheap to produce but it has to be cheap enough for people to be able to buy it. How do we square that circle?

Miranda Geelhoed: That is obviously a hugely tricky question, but it ties into a very systemic problem that cheap food is not really cheap food. It is cheap food for the person who buys it in the supermarket, but it comes with huge externalities in terms of the environmental and social costs. However, that does not really give the solution.

Some of our members who work in tandem with the environment and the community and who are providing huge environmental and social benefits can do so at a reasonable price. I highlight the importance of those people in the supply of good local food at decent prices during Covid, when a lot of the other systems failed. Record numbers of people signed up to local vegetable boxes.

Therefore, it can be done, but it is not necessarily an easy task. It requires us to rethink the entire system. We need to really think about what we are trying to achieve and how we will achieve it. It means redirecting some of the money, because, at the moment, the suppliers of good produce with the least footprint are not receiving the benefits of economies of scale or targeted public money to enable them to compete, which is a shame. There is a lot of scope to deal with the issue, but it is difficult.

Pete Ritchie: It is a good question. The Scottish Government needs to start with a human-rights-based approach and the right to food. It needs to make it clear that, over the next couple of decades, it will take responsibility for addressing the issue so that we move away from a two-tier food system in which many people cannot afford healthy and sustainable food.

The Government is doing quite a lot with things such as the child payment, although doubling it would help. The payment is focused on families with children, particularly single parents, who are the most food insecure and the most worried about running out of money for food. The best start foods programme is really positive in that it increases access to fruit and vegetables for the small people. In other countries, there are measures in addition to those cash-based mechanisms to link the sort of small-scale farmers that Miranda Geelhoed talked about with low-income communities by facilitating market access for those farms and subsidising what they do in terms of public goods by providing nutritious food locally.

Through the Glasgow declaration, representatives from São Paulo are coming to speak at COP26. The city has a massive programme that was organised by local government and that involves organic farmers in and around the city providing sustainable food locally. There are things that we can do to connect communities with farmers who want to nourish the people of Scotland and get safe, healthy, sustainable and tasty food into every household in Scotland. It is not an impossible problem to solve, but we are a bit used to thinking that there is no way of solving it. If we put our minds to it, we can afford to nourish everybody in Scotland well.

The Convener: I am conscious that we are running out of time. There are two final questions, from Karen Adam and Rachael Hamilton.

Karen Adam: I have a little preamble before I ask my question. I think that Jim Fairlie was looking at my notes, because he stole my question, but I will go ahead anyway.

I refer to what Pete Ritchie discussed in answering Ariane Burgess's questions. We have quite a task to include environmental sustainability alongside health and dietary guidelines. That involves not allowing the importation of food that is produced to environmental standards that are lower than those that we have in Scotland and not simply discarding the issue of environmental damage. We need to take the issues of poverty, diet, health and the environment seriously as a package deal.

We have a real problem with food insecurity and food poverty. The Food Foundation has estimated that those in the poorest decile of the population would have to spend 74 per cent of their disposable income to eat according to the Government guidelines for a healthy diet, whereas the figure for the richest decile is just 6 per cent. That is quite a dilemma.

Poverty does not harm only those who live in it; it harms the local economy and the environment overall. How can we square food growers and producers receiving a fair payment and supplying food to people at an affordable price?

I hear a lot about shortening the supply chain. Are there other packages of measures that we could pin down and home in on? Can you give your expertise on that?

Pete Ritchie: We are teasing out that question with families and listening to what families say about what a healthy enough diet is, what a sustainable enough diet is for them, and how they can afford that. There is much more work to be done to really bottom out the gap. It is substantial, and the situation is serious for at least 20 per cent of our population. Those people really struggle to eat a healthy, sustainable diet. They simply cannot

afford what they know they would like to eat, and that is a real problem.

It will partly be about cash measures. The Scottish Government can only do what it can do, but it has made some progress on that. It will also partly be about food measures and trying to reorient some of the food system so that nutrition is available to everybody. Free school meals are a really important part of that.

There are other things that we can do around the edge of that to improve access to fruit and vegetables, in particular, but also to unprocessed products and to make them affordable to people. However, that means a rethinking of how we do food and not simply relying on the private sector to deliver nutrition. The private sector has not managed to do that up until now. We need to go into partnership with it and work together. Let us see how we can regulate the private sector to make sure that it delivers more of what people need to eat and less of what they do not need to eat and ask how we can set up pricing mechanisms and income mechanisms.

The living wage is absolutely crucial. Union of Shop, Distributive and Allied Workers research showed that people on a lower wage who worked part time were much more likely to be food insecure than people who worked full time and were paid the living wage. Quite a small gap in the hourly rate makes a huge difference to food insecurity. We need to pay attention to wages and incomes, but we also need to consider how we can find other ways to shorten the food chain and make food more accessible to all of us. I do not think that that is impossible, but it will be tricky and it is a long-term job.

Stephen Young: The question was probably modelled on Jim Fairlie's question. I agree with a lot of what Pete Ritchie has said about local food. That links to trade. A key issue is understanding the true cost of the high-production environmental standards that we have. Once we have understood that, the public goods funding can come in to fill the gap. However, it all comes down to understanding the systems of production.

The Convener: I appreciate your brevity.

Finally, Rachael Hamilton wants to ask about women in agriculture and land-based industries.

Rachael Hamilton: The Scottish Government wants to legislate for equal rights to succession for women in agriculture. How have your organisations promoted women in agriculture, considering that we have a cultural problem with bringing women into farming, as we heard in the previous evidence session? We also have issues with access to land, finance, childcare and the responsibilities that women have.

12:00

Miranda Geelhoed: I absolutely agree that that is a very important topic.

We are a small organisation in Scotland, but we have a growing team on the ground, and we are all women.

It is difficult to say what the situation is because it is so agroecological, but there is diversity in the sector to some degree. We see that in the way that we run our organisation and on the ground. We are focusing our efforts on diversity, notwithstanding that there are members—including me—who deal with issues relating to succession and childcare. We are also looking at the wider scope of increasing diversity, including all gender identities, and looking to increase the diversity of minority communities. It is not easy. For us, it is about increasing the accessibility and visibility of the sector in places where it counts—for example, in primary schools and secondary schools at all stages. It is about trying to get it into minds that that sector is a place where people want to be.

Rachael Hamilton: Can we hear from Donald MacKinnon about female entrants into crofting?

Donald MacKinnon: I think that, in the previous evidence session, Sally Shortall mentioned that crofting has a slightly better story to tell about women's involvement in the sector, although we could do better. I do not think that there are any legislative barriers, but I refer to my response to Alasdair Allan's earlier question about how we encourage new entrants into the sector in general. There would definitely be benefits to women as well in that respect, and that needs urgent attention. We certainly engage with the women in agriculture task force and fully support its recommendations. Currently, our board is 50:50, and we hope to maintain that.

The Convener: Thank you. I think that Stephen Young wants to come in on that and have the last word.

Stephen Young: I apologise. My internet connection dropped, so I am not sure whether I missed anything.

SLE is hugely supportive of the women in agriculture task force. Our chief executive, Sarah-Jane Laing, sat on it, and 50 per cent of our senior management team and 30 per cent of our board are female. We are working to improve that.

On women in agriculture, I was a wee bit disappointed to see yesterday that the Quality Meat Scotland board has an all-male new intake of board members. That is nothing against those individuals, but I am not sure that that sends the right message for a modern and progressive industry. I know that Kate Rowell tried really hard

to get more diverse applicants, but we need to look at that and try to improve the situation.

We have changed the way that we recruit to our representative committees. We have changed the wording and the language that we use, and—[*Inaudible*.]—testimonials to encourage people to take part and get involved. That is starting to make a difference. It is encouraging stronger voices.

I liked Sally Shortall's comment earlier on about not leaving your best players on the bench. That is a huge part of this.

The Convener: Thank you very much.

Rachael Hamilton: I am sorry, convener, but it is a shame not to bring in the tenanted sector on that. It is very important.

Christopher Nicholson: On women in tenancies, it is up to the landlords to let land to women. At present, women make up about 25 per cent or a third of our board, but I do not think that that is representative of the tenanted sector as a whole. I think that the number of women tenants as a percentage of total tenants is a lot less than 25 per cent.

The farms were not originally let to most of the women tenants I know of, but they inherited the tenancy. Lately, I have noticed a positive trend in landlords letting to couples rather than individuals. That recognises the importance of both partners in the working of a family farm, and that has to be encouraged. However, I would like to see greater encouragement of women in the tenanted sector.

Women play their fair part in some agriculture. In particular, I am thinking of the veterinary sector, which often has to do a lot of hard work in dealing with large animals. If women can manage that without any problem, I am pretty sure that they can manage the rest of farming.

I think that there are barriers to do with custom and succession legislation. It is true that there is nothing that prevents someone from leaving all their land to a daughter rather than to a son but, equally, there is nothing that prevents a man from bequeathing all his land to a son instead of a daughter. I suspect that there are bits of culture, custom and legislation that need to be looked at.

The Convener: The session has run over by five minutes, but I am quite sure that the cabinet secretary will not mind having had to wait five minutes as we got your views on such an important topic.

I thank you for your contributions and suspend the meeting briefly to allow a changeover of witnesses.

12:06

Meeting suspended.

12:08

On resuming—

Subordinate Legislation

Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Amendment Regulations 2021 [Draft]

The Convener: At item 2, the committee will take evidence on the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Amendment Regulations 2021. The regulations are subject to the affirmative procedure and I refer members to paper 2. I welcome Mairi Gougeon, Cabinet Secretary for Rural Affairs and Islands, and her officials, John Nicolson, policy manager for the animal welfare team, and Grant McLarty, solicitor. I invite the cabinet secretary to make an opening statement.

The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon): Good morning. I am happy to appear before the committee today to discuss this amending instrument, which makes some minor amendments to the 2021 licensing regulations, which were approved by the Scottish Parliament in February and came into force on 1 September. As the amendments that are proposed are not contentious and they are monitored both in terms of their impact and their scope, I will keep my opening remarks brief. The amendments that are being considered today amend the conditions that are applicable to two out of the six licence types that are available under the 2021 licensing regulations, namely animal rehoming licences and animal welfare establishment licences. Other types of licence are unaffected.

The change that is specific to animal rehoming activities is the removal of the prohibition on the supply of kittens—that is, cats under six months old—as pets if they are not bred by the licence holder. That change will permit persons who hold a licence to engage in animal rehoming activities, including foster carers working with animal welfare charities, to rehome kittens. The need for the change was brought to the attention of the Scottish Government during discussions with Cats Protection on the development of detailed guidance for local authorities. Given the significant issues with the unlicensed puppy trade, we do not propose to remove the corresponding prohibition on the supply of puppies, which applies to holders of a licence to engage in animal rehoming activities, as to do so would, no doubt, encourage those involved in that trade to attempt to use animal rehoming as a cover for their unlicensed breeding and dealing activities.

Stakeholders also brought to our attention during discussions on the development of

guidance for local authorities that there would be merit in mirroring certain safeguards that are included in the conditions applicable to rehoming activities in those that apply to animal welfare establishments. Accordingly, these amending regulations will prohibit holders of a licence to operate an animal welfare establishment from supplying unweaned mammals, mammals weaned at an age at which they should not have been weaned, non-mammals that are incapable of feeding themselves and puppies, kittens, ferrets and rabbits aged under eight weeks. Although it is very unlikely that a holder of an animal welfare establishment licence would supply such an animal, we have agreed that the inclusion of the additional conditions is appropriate and merited, as it further safeguards the welfare of particularly vulnerable animals.

I hope that the committee will agree that, although the changes that we seek to make to the 2021 regulations are relatively minor in nature, they are important because they remove a restriction that has the potential to impact on the rehoming activities of Cats Protection, given its routine use of foster homes as part of its rehoming activities. It also brings forward some additional protections for particularly vulnerable animals under the care of those operating animal welfare establishments.

I will be happy to take any questions that the committee may have.

The Convener: Thank you, cabinet secretary. I am delighted that the first piece of legislation that the committee is dealing with is about kittens. As you say, though, it may be minor but it is nonetheless important for animal welfare. Do members have any questions?

Ariane Burgess: Onekind and Cats Protection have raised the possibility that the amending regulations may enable rehoming to be used as a cover for illegal kitten trading. Will any measure be put in place to monitor this situation and ensure that illegal kitten trading does not increase as a result?

Mairi Gougeon: I thank the member for raising that concern, but I would say that we are proposing this amendment only because it came to light through discussions with Cats Protection as we were developing the guidance for local authorities. We did not have any objection to making this amendment to the regulations, but, of course, we want to monitor the situation to make sure that there are no adverse impacts. We are in regular engagement with animal welfare stakeholders and with other organisations, too, so we would be in close contact if any issues came to light. Certainly, from what we have proposed so far and from discussions with Cats Protection and other animal welfare stakeholders, this is an amendment that has been welcomed.

Jenni Minto: I have a very quick question. Could you widen out what you said in answer to Ariane Burgess's question about the level of consultation and who the consultation was with?

Mairi Gougeon: Obviously, a consultation was undertaken when we were introducing the licensing regulations, but some of the issues that we are looking to address today came to light only when we were developing the guidance for local authorities and working with our animal welfare stakeholders. We have been working closely with them through this process and in developing that guidance. That is why we are bringing the amending regulations forward today to address those issues. Although there was no formal consultation on the amending regulations, we are in close engagement all the time so that we can identify such issues and address them.

The Convener: The regulations do not appear to do anything to halt the trading up of kittens, which often happens when individual kittens are offered for resale on the internet at a higher price, with people posing as the owners of the parents of the cat, as if they have bred the kittens. Do you foresee any further amendments to the licensing regulations to clamp down on that form of trading?

Mairi Gougeon: Again, that is something that we would monitor closely, but I would say that the licensing regulations that we introduced and which came into force on 1 September modernised the whole licensing system. They made it more robust, so I think that we have gone a long way in trying to tackle some of the issues that have been experienced, but of course this is something that we will continue to monitor. As I said in previous responses, we are continually in close engagement with animal welfare stakeholders, so, if other issues emerge that we need to consider, we will, of course, look to do that.

12:15

Rachael Hamilton: Can you tell us how you will be monitoring this system and looking at the question that Finlay Carson just asked you? If animals are not chipped, it is possible for them to be traded on and upsold in that way.

Mairi Gougeon: As I have said, we have proposed these amendments as a result of the engagement that we have had with animal welfare stakeholders in developing the detailed guidance for local authorities. We work closely with the likes of the Scottish Society for the Prevention of Cruelty to Animals. We have worked with it in developing training and a toolkit that can be used. We will, of course, monitor this closely. We are in regular engagement with the SSPCA, Cats

Protection and other animal welfare charities and organisations, so, of course, through that regular engagement, we will pick up on any issues that there are. We also have the Scottish Animal Welfare Commission, which deals with particular issues. I just want to assure members and the committee that we are in close contact with all our stakeholders in the hope that we can pick up any early issues that emerge through this process. The licensing regulations that we introduced and the amendments that we are proposing today have been welcomed by those stakeholders.

The Convener: Do members have further questions? As there are no more questions, we move to item 3. I invite Mairi Gougeon to move motion S6M-00997.

Motion moved,

That the Rural Affairs, Islands and Natural Environment Committee recommends that the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Amendment Regulations 2021 [draft] be approved.—[*Mairi Gougeon*]

Motion agreed to.

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

Members *indicated agreement.*

The Convener: That completes consideration of the affirmative instrument. I thank the cabinet secretary and her officials for attending today. We now move into private session.

12:18

Meeting continued in private until 12:20.

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