OFFICIAL REPORT
AITHISG OIFIGEIL

# Rural Affairs and Islands Committee

**Wednesday 6 December 2023**

Session 6

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# Wednesday 6 December 2023

## CONTENTS



## RURAL AFFAIRS AND ISLANDS COMMITTEE

**32nd Meeting 2023, 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)
*Alasdair Allan (Na h-Eileanan an Iar) (SNP)
*Ariane Burgess (Highlands and Islands) (Green)
*Jim Fairlie (Perthshire South and Kinross-shire) (SNP)
*Kate Forbes (Skye, Lochaber and Badenoch) (SNP)
*Rhoda Grant (Highlands and Islands) (Lab)
*Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con)

*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Dr Liz Barron-Majerik (Lantra Scotland)
Dr Lorna Cole (Scotland's Rural College)
Professor Cathy Dwyer (Scottish Animal Welfare Commission)
Dr Vera Eory (Scotland's Rural College)
Kirsty Jenkins (OneKind)
Donald MacKinnon (Scottish Crofting Federation)
David McKay (Soil Association)
Nigel Miller (Farming for 1.5)
Ross Paton (Scottish Organic Stakeholders Group)
Dr Tara Wight (Landworkers Alliance)

**CLERK TO THE COMMITTEE**

Emma Johnston

**LOCATION**

The Mary Fairfax Somerville Room (CR2)

# Scottish Parliament

## Rural Affairs and Islands Committee

*Wednesday 6 December 2023*

*[The Convener opened the meeting at 09:03]*

## Agriculture and Rural Communities (Scotland) Bill: Stage 1

**The Convener (Finlay Carson):** Good morning, and welcome to the 32nd meeting in 2023 of the Rural Affairs and Islands Committee. I remind anyone using an electronic device to please switch it to silent. We begin with a round-table session on the Agriculture and Rural Communities (Scotland) Bill. Today's session will focus on one of the key objectives of the bill, which is the adoption and use of sustainable regenerative agricultural practices. However, we will have the opportunity to branch out into wider aspects of the bill. We have scheduled two and a half hours for this session.

I welcome Dr Liz Barron-Majerik, the director of Lantra Scotland; Nigel Miller, the co-chair of Farming for 1.5°; Professor Cathy Dwyer, the chair of the Scottish Animal Welfare Commission and professor of animal and veterinary sciences at Scotland's Rural College; Dave McKay, the head of policy at the Soil Association in Scotland; Dr Lorna Cole, a senior consultant from SRUC; Ross Paton, the chair of the Scottish Organic Stakeholders Group; Dr Tara Wight, the policy and campaigns co-ordinator for the Landworkers Alliance for Scotland; and Dr Vera Eory from SRUC. We also have Kirsty Jenkins, policy officer for OneKind, and Donald MacKinnon, chair of the Scottish Crofting Federation, who are joining us remotely.

As per tradition, I will kick off with a general question. What are your views on the adoption of sustainable and regenerative agricultural practices? What are the objectives? Who would like to kick off with their views?

**Dr Lorna Cole (Scotland's Rural College):** I am an agricultural ecologist and I have been working in this field for about 30 years. It is about understanding the interactions between agriculture and our natural resources. It is about how those two aspects are inherently linked, how they work together and how they need to work together, yet our natural resources have been depleted.

I have been advocating what I would call agroecology. Although I know that terminologies change and it is also right to talk about "regenerative agriculture", we need to make this work for all farmers. If you are a farmer with a high nature value system, you may feel excluded, because you are not required to regenerate anything—your land is already healthy and your ecosystems support agriculture. If you are an arable farmer and things are too prescriptive—for example, you are not allowed to till—you may feel excluded. We need to ensure that the terminology is properly explained. The term "regenerative agriculture" is not defined in the way that agroecology is. It is used in many different ways, so it needs a proper definition that includes the whole of our farming community.

**The Convener:** How are we going to do that in the bill? The term "sustainable and regenerative", for example, means a lot of different things to a lot of different people, so how on earth will we narrow down the definitions in the bill so that they are useful for farmers in shaping how they farm in the future?

**Dr Cole:** The accompanying code needs to be properly written. It needs to involve a wide range of stakeholders. If the code was sound and linked to the bill, that would be an appropriate way to do it.

**David McKay (Soil Association):** The bill requires ministers to produce the code, but we would question what the legal basis of that might be and how it might be applied. As Dr Cole said, there are many definitions of "regenerative agriculture". In our written submission to the committee, we picked up on the Groundswell definition, which essentially involves five principles:

> "minimising soil disturbance, keeping the soil surface covered, maintaining living roots in the soil, growing a diverse range of crops and bringing grazing animals back to the land".

Those are quite broad principles and not particularly prescriptive, but it is fair to say that, at the minute, there is a real energy and momentum around the regenerative agriculture movement, not just in Scotland but across the world, which is a very good thing. It means that farmers are thinking about their systems and about soil health and fertility. There are many parallels with the regenerative movement and the agroecological and organic approaches to farming, which are also based on whole-farm systems, soils, recycling nutrients and so on.

It will be important for the Scottish Government to define what it thinks that "sustainable and regenerative" means. I agree that it would be difficult to do that in the bill, but our understanding of the code is that it will be the conduit for Government to explain the methods and approaches that it considers to represent

sustainable and regenerative agriculture, and for those to be supported through the four-tier system.

**The Convener:** Are you suggesting that there is no definition but that the code is a route to get to a desired goal? Is it more about defining the desired goal rather than the practice?

**David McKay:** There is plenty in what has been published on the proposed approaches that might be supported through tier 2 of the new structure, some of which many farmers are already doing. That might include reducing tillage, direct drilling or having wildflower margins, arable systems or wood pasture for livestock systems. Those are all examples of what we would consider a shift towards the sustainable farming approaches that the Government has said it wants to deliver through the vision for agriculture.

The question is: what will the code of practice be for? Will it have a legal basis? Will the principles form the basic requirements under tier 1? We suggest that if everybody is shifting in that direction—if the majority of farmers are adopting those approaches—that is a step in the right direction. For those who want to go further beyond that baseline for regenerative farming, there is organic certification and other models out there.

**Nigel Miller (Farming for 1.5):** I liked the first two contributions, and I totally agree with them, but I have a bit of an issue with this being part of a vision, because it is actually about management practices that deliver something beyond that. The vision should be what agriculture is trying to deliver beyond that, which is presumably low-carbon sustainable production.

The Climate Change Committee has said that we have to produce 20 per cent more food if we are to continue to produce the same amount of food per capita with population growth, which is often forgotten. We have pretty extreme, or challenging, emissions targets to meet.

Regenerative farming is a key component of creating the platform for that sort of farming, but it is not an end point. What is applied and what gives value will be different on every farm. The one common outcome of regenerative farming is probably maintaining soil biodiversity and soil carbons and managing soils within the recommended bracket for the soil type and production system. That is meaningful, and a farmer can aim for that, because it sets a direction for your enterprise and your management. A vision that says that we are aiming for regenerative and sustainable farming is, in practical everyday terms, almost meaningless, because many people are already doing those things.

The other thing about regenerative farming is that, in most systems, including organic, the reality is that you have regenerative phases and exploitive phases. You go up and down as far as the key parameters are concerned. The term "regenerative" seems to suggest that we will be regenerating all the time, but we will not; we will be exploiting at times as well. The term is difficult. Farmers want something black and white, and managing your soil carbons within the recommended brackets looks like a target that farmers could aim for and be comfortable with managing.

**The Convener:** I will press you on that. How can progress on becoming more regenerative and sustainable be measured, monitored and evaluated? We are at the business end of the bill, and we are looking at potential amendments. How can the bill ensure that the objectives are met?

**Nigel Miller:** The one objective measure that you can make is monitoring soil health and soil carbons. That is not subjective—it is an objective indicator. With the new information from and back-up of the scientists, particularly at the James Hutton Institute and SRUC, carbon levels for certain soil types and systems that farmers should aim at can be defined. That gives you something solid to work with.

09:15

**Dr Tara Wight (Landworkers Alliance):** I agree with a lot of what has been said. When it comes to defining sustainable and regenerative agriculture, there is already a lot available. As David McKay said, the Groundswell definition, which involves five principles, is pretty comprehensive and is widely accepted across different parts of the farming movement—the more conventional and the more organic and agroecological farming movement.

Regenerative agriculture is one of the areas where the more sustainable end of the farming movement is ahead of policy. That stuff is happening on farms. We have good evidence for what practices help to regenerate nature and store carbon. Therefore, it is important to take a lead from what is going on in the regenerative farming movement already.

To an extent, it is a process and a set of objectives, but those need to be clearly defined. There are lots of different ways to achieve regeneration, and it is important that farmers have some autonomy in that respect. It will look different in different systems. We need a diverse approach, because we do not want to make a mistake and tell everyone to do something now that turns out not to be the best thing in the Scottish context or in some contexts in Scotland. We need flexibility, with clearly defined parameters and outcomes.

The regenerative farming movement has gained a lot of momentum, and "regenerative farming" is a

useful term to use. There are some elements of agroecology missing from the regenerative farming concept that it would be worth trying to include in the bill. Agroecology is a little broader than just farming practices and is more about how they tie into the whole system.

We need to think about the food system, not just the practices on farms. How are we making healthy and sustainable food that ties in with the good food nation policy? That should be central in the bill. How are we producing food in a way that is good for nature and the climate? We need to tie policy into the food system and take a justice angle. How is the food system working for people in Scotland? How is the regenerative farming system working for the farmers and the people who produce the food? Is it fair to them? Is the payment system allowing people to transition justly?

We need a way to include some of that broader picture in a definition of regenerative and sustainable farming, rather than just say that a certain practice stores more carbon. That is important to consider when we look at a broader picture of transforming the agricultural system.

**The Convener:** We are at the business end of the work that we are doing—looking at words, legislation, rules and laws. How do we make sure that the bill delivers that vision, whether through primary or secondary legislation?

**Ross Paton (Scottish Organic Stakeholders Group):** When you came on the farm visit, convener, you pointed out that the outcomes were not measured in an awful lot of the environmental schemes of the past. The farmer ticked a box, did what was required and got their money, and that was the end of it.

We need to measure the outcomes of such schemes more accurately. One of them relates to soils. My other role is as the chair of Scottish Organic Milk, which gets knowledge transfer and innovation fund—KTIF—funding. We are doing soil carbon analysis as part of that work so that we have a baseline against which we can measure.

The point that you made when you were at the farm was good. A lot of stuff has been done. Hedgerows have been planted and anecdotal evidence indicates that there is a lot more bird life, but we need to measure that. We need to be able to see progress and things happening.

I would like to see a much more circular economy on farms. Yes, there is an exploitative stage but, in the organic system, you are supposed to try to keep as much as possible in the holding and not have too much export or not enough regeneration.

**The Convener:** How do we do that? How do we legislate for it? We have done all the talking and we know the direction of travel.

**Ross Paton:** You have to say that, if someone is starting something, they must measure it at the end. You will get a lot of greenwashing, with people calling themselves regenerative, if you do not measure it. You have to have it in legislation.

I was involved in the climate change programme with SRUC. That was a three-year scheme, but that is nothing like long enough. You are looking at a 10-year time span, and the legislation has to say that there must be progress within 10 years. The climate issue is really getting serious, and biodiversity loss is getting increasingly more serious. We have to show a reversal of that in real terms.

**Professor Cathy Dwyer (Scottish Animal Welfare Commission):** I really appreciate all the contributions made by others so far, and there is nothing that I disagree with, but I will pick up and expand on what Dr Wight said about making the bill broader.

We have talked a lot about soils and systems, but most of those systems also involve animals and there is very little in the bill about animals and about animal welfare in particular, which you would expect me to want to talk about. That is really important. There are some high-level statements about animal welfare but, if you drill down into the bill, you will see that none of the objectives really explicitly says much about animals at all.

That subject is often assumed to be part of sustainability or of high-quality food, but we need something concrete to explain the importance of how animals live their lives and interact with the environment and with people, because there can be a very close connection between good animal welfare and good livelihoods and wellbeing for workers. Without that, we will miss opportunities. There is always a worry that animal welfare will disappear into some of the higher-level concerns. I would like to see more thought about how we can sustain and improve animal welfare within the context of sustainability.

**The Convener:** You ask for “more thought”. Would you like to see something written directly into the bill?

**Professor Dwyer:** I would, yes. I would like an objective that talks about at least maintaining, but ideally improving, animal welfare. A lot of research is coming along that could be integrated with the opportunities to improve animal lives and to improve sustainability. There is now very good evidence of the relationship between the two.

**The Convener:** I will bring in Kirsty Jenkins to speak about the same topic.

**Kirsty Jenkins (OneKind):** Hello to everyone who is in the room. I am sorry that I cannot be with you in person.

I definitely echo everything that Cathy Dwyer just said. Given that there are millions of animals in our food system, it is quite a startling omission not to list animal welfare as one of the key objectives of the bill. That is, and should be treated as, a stand-alone priority. It is also very much linked to the wellbeing of humans and of the natural world.

The public care about that. The report "Our Food 2022", which was recently published by the Food Standards Agency, showed that animal welfare was the second most commonly reported food-related concern and that 81 per cent of respondents were concerned about that. We would like to see that as a stand-alone objective in the bill.

It should also definitely be part of the definition of regenerative agriculture. We were glad to see that improving animal welfare was listed as one of the goals of regenerative agriculture in the route map, but that should be carried over into the code of practice. A lot of people who practise what might be called regenerative agriculture very much recognise that animal welfare is integral to that. For example, the website of the organisation Pasture for Life clearly states the benefits for animals of living in a regenerative system. Those benefits include a lack of behavioural restriction and of the production diseases that can be problems in more intensive systems.

It is not guaranteed, and cannot be assumed, that animal welfare will be better in any given system, so it is important that that is built into the definition in the code of practice.

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** Kirsty Jenkins, which areas of animal welfare are you concerned about? The farming sector is highly regulated by farm assurance schemes, but you said that consumers are particularly concerned about animal welfare in food production. What specific areas are you thinking of?

**Kirsty Jenkins:** There are concerns about all animals in all systems, but what I said relates to the more intensive systems, where there are production diseases. Those are health conditions that are linked to the ways in which animals are bred and to the environments that they are raised in.

An example is that chickens raised for meat—commonly called broilers—have been selectively bred for decades for fast growth and improved feed conversion. That means that they grow very fast, and their cardiovascular systems struggle to keep pace with that fast growth, so, near the end of their lives, the birds have a lot of cardiovascular diseases, problems with their mobility and leg disorders. There is a lot of pain associated with those issues. This is also linked to the environment they are living in, but because they have mobility problems, they spend a lot more time sitting or lying, so they can get breast blisters or hock burns from the ammonia in the litter.

That is just one example. There are similar concerns for laying hens, pigs and dairy cows, and they are all linked to the way that animals are selectively bred and raised for food. The concerns are wide ranging and, as I said, some of them will possibly be mitigated by outdoor, extensive and regenerative systems. However, that needs to be explicitly considered. Someone mentioned measurements and assessments. I think that animal welfare outcome assessments should be a part of agricultural policy.

**Professor Dwyer:** There are farm assurance schemes that try to improve welfare—and they do—but often they are voluntary. Huge variations in animal welfare are evident on different farms. Kirsty Jenkins described the situation for broilers, but we know that 30 per cent of dairy cows are lame, and lameness causes pain, so we have large numbers of animals that are potentially in pain.

We still allow surgical procedures to be carried out on young animals without anaesthesia and analgesia—things that we would never allow with our companion animals. There are still welfare issues across our farming systems that most consumers would be concerned about. They would be concerned about the animals' experiences and their suffering. We still have systems that constrict animals and confine them into colony cages or in farrowing crates. Those are areas on which there is increasing consensus globally. More countries are moving away from the use of those systems, particularly in the north. If we sit back and think that we have great animal welfare, we are going to be left behind by some of those countries.

**Dr Wight:** We have been talking a bit about the objectives of the bill—which are obviously slightly separate from the definition of "regenerative and sustainable"—but I think that those things tie together, because the code of practice will be developed in the context of the framework, which sets out the objectives. The objectives are good, and we agree with all of them, but the list is very restrictive, especially in comparison to the most recent common agricultural policy legislation, which has 10 thorough objectives that cover a much wider range. The nature and climate crises

are such that they probably deserve their own individual objectives instead of being lumped together.

Other important issues such as farmers' wages and supporting generational renewal are not included in the objectives. They are important, so it would help if the committee could have another look at those objectives and consider how we could make them more comprehensive. It ties in with the definition of regenerative and sustainable and with how the code of practice will play a part.

We have talked a bit about how difficult it is to define what is regenerative because the definition is so broad, and we have said that there could potentially be a set of principles that look at soil health, biodiversity and other things of that kind. It is worth noting that there are practices going on that we know are not regenerative, but there is currently nothing in the bill on targets to phase out practices that we know are bad for nature and the climate. There is nothing about reducing high pesticide use, for example. One approach to take would be to look at some of the specific things that we know are bad for nature and climate. That would be a useful approach.

09:30

**David McKay:** On the point about the European Union CAP objectives, the Scottish Government has a policy to remain aligned as closely as is practicable with changes to EU policy and legislation. In the policy memorandum, there was reference to moving away from the current CAP schemes but staying aligned on outcomes. On that basis, I agree with what Tara Wight is saying.

Specifically, among the 10 CAP objectives, there is an important one on animal health and welfare, which has already been covered by other witnesses. There is also one on efficient natural resource management—thinking about how we manage soils and water—and a third that was flagged in the submission from the Scottish Agricultural Organisation Society. We have backed SAOS's call to include strengthening the position of farmers in the value chain as an objective of the legislation. It is clear that there are enormous cost pressures on farmers, as well as the effects of extreme weather and imbalances in the markets. If that could be an objective of the legislation, it might help future policy.

**Donald MacKinnon (Scottish Crofting Federation):** I apologise that I cannot be with the committee in person today, but thank you for inviting me to take part in the meeting.

One of the dangers of trying to define regenerative and sustainable agriculture is that things get left out—things that we think should be included and areas that we think should be supported. In the past, SCF has used a slightly different term—high nature value farming—to describe the kind of practices that we would like to receive support and that we think are important.

In saying that, I am not suggesting that we introduce a new term to the objective. In the discussion this morning, the definition of regenerative agriculture has been described as being quite broad, but at times it can be quite narrow, and I worry sometimes that we might end up excluding some really important practices that go on, particularly in areas that SCF represents in the crofting counties. I am thinking of extensive grazing of livestock and some of the cropping practices in the machairs in Uist. I want to ensure that those practices do not get lost and that they are recognised for their importance in biodiversity and in delivering on what I think the objectives here are trying to outline.

I want to talk about the objectives of the bill in the round and where some areas may be missing. As Tara Wight said, the objectives are quite narrow—there is probably room for a few more to be added. We think that there could be something specific about promoting small-scale agriculture and making it clear that agriculture policy has a role in supporting that.

In addition, Tara Wight talked about fair income. We think that there should be a commitment to ensuring fair income for farmers and crofters. That should be a key outcome of the bill.

**The Convener:** To wrap up the first question, it is all very well having codes of conduct and good practice and so on, but how do we get that adopted on the ground by farmers? How do they pick it up? Is it through links to continuing professional development? How do we initiate that?

**Rachael Hamilton:** Convener, can I follow up very quickly with Donald MacKinnon?

**The Convener:** Yes, very briefly.

**Rachael Hamilton:** Donald, I wonder whether you could achieve what you have just talked about through the lens of the bill, or would you be looking at something through secondary legislation?

**Donald MacKinnon:** Do you mean in relation to my first point, about things that could be excluded from or added to the objectives?

**Rachael Hamilton:** I mean the issues that you have just talked about, such as fair work and supporting smallholdings and crofters.

**Donald MacKinnon:** It could be a combination of primary and secondary legislation. That could be one of the objectives of the bill, so that those issues are front and centre and so that, ultimately,

this committee and Parliament are able to hold the Government to account on delivering on that objective.

That objective would have to be implemented through policy and secondary legislation, but it is important that those issues are given the focus that is needed to ensure that those key areas of the agricultural sector are supported. It would ensure that all policies are aimed at trying to enable all farmers and crofters to be adequately rewarded for the work that they do in delivering high-quality production and all the other outcomes that agriculture policy is looking for, and that they are supported effectively.

**The Convener:** Going back to CPD and how we get farmers to adopt documents that are potentially sitting on the shelf, I ask Dr Liz Barron-Majerik of Lantra Scotland to come in on that.

**Dr Liz Barron-Majerik (Lantra Scotland):** I do not think that there is any complicated problem that the skills system cannot make more complicated. In this situation, I would use the analogy of changing a plug. There would be different wiring in different areas of Scotland, and different plugs for different outputs. The consumer knows that there are a lot of different plugs but not what works in which situation. Equally, all the plugs and the wiring could change rapidly.

The CPD courses and training that have to be offered, therefore, will not involve a one-size-fits-all approach. There will not be one course or one CPD programme that every farmer or individual can do. That makes things a little bit more complicated. There is a wide variety of different CPD opportunities out there—we have been gathering them together at skillshub.scot so that people can see there is different training out there.

With regard to uptake, it tends to be new entrants who are looking for the training and the short courses. There is not so much demand from people who are already established in the system. I think that the bill's recommendation to make CPD mandatory is a very good idea, but we need a carrot-and-stick approach in order to support people to take it up.

In offering CPD, there is the CPD itself—its content, the way in which it is delivered and how you find, fund and facilitate it. There is then the accreditation of the person who is delivering it to consider, and how you ensure and monitor uptake. That makes things more complicated, but there are some examples of good practice out there, so you do not have to start from scratch. You need to make sure that it is flexible enough that farmers who are already established and doing things really well can look at next steps and next approaches for their own business, but equally that there is support for the ones who are beginning on that journey of change.

**Rachael Hamilton:** Liz, you talked about the carrot and the stick. Are there aspects of CPD that Lantra believes should be either compulsory or voluntary?

**Dr Barron-Majerik:** There are stages involved—you can see that with many of the other courses that we have developed, which start out as voluntary and then become compulsory.

For example, muirburn training has recently been developed in partnership with the Scottish Fire and Rescue Service, and there is good uptake for that. At some point, it will probably become a legislative requirement, so it might be useful for the training to be mandatory at some point in the future. It depends on the outcomes.

With regard to the CPD, a lot is going to be linked to what we are measuring, which goes back to the objectives. Why would somebody do that course? If they do it because it is going to improve their outcomes, that is an incentive for doing it. If it is more about health and safety, that is different, and we would maybe look more at the mandatory route for those courses.

**The Convener:** I see that Kirsty Jenkins wants to come in.

**Kirsty Jenkins:** Thank you, convener—I had requested to speak on a previous point, but I will pick up on CPD as well.

I want to build a little on what Cathy Dwyer and I said earlier about animal welfare. It is important that we know what we mean when we talk about animal welfare. We have been quite worried about the way that animal welfare has been discussed in the lead-up to the bill, especially in the Scottish Government consultation documents. It seemed that the Government had taken quite a narrow definition of welfare relating more to health and biological function, especially as that relates to other outcomes such as emissions reduction, productivity and so on.

I think that, when we speak about animal welfare, the consensus among animal welfare scientists now is that an animal's mental state and experience of the world is the key component. Cathy Dwyer touched on that, but I want to say clearly that what we mean when we say "animal welfare" is important as well. We should be working towards the more holistic, modern definition of animal welfare.

That relates to what was said about CPD. The modern, holistic definition and way of thinking about animal welfare needs to be built into CPD. There are already things happening that are really beneficial for animal welfare. For example, I know that a lot of people who practise what comes

under the umbrella of regenerative agriculture use low-stress handling techniques. Obviously, that should be built on and built into CPD.

From what I have heard, the monitor farms are really valuable. For example, I understand that a lot of pig farmers are now becoming much more positive about the idea of potentially moving away from farrowing crates, as long as that transition is properly managed. That is partly because some farmers have done that and people can see their friends and neighbours doing that—they see the systems in practice and working. That really builds confidence that it is possible.

**Alasdair Allan (Na h-Eileanan an Iar) (SNP):** For clarity, I do not know whether other members have had much of a chance to speak yet—some have—but I was wanting in; I make that point.

I want to ask about the definition of sustainable and regenerative agricultural practices. I realise that others have touched on that and we have talked around it in the context of other legislation, too. There is a balancing act between putting definitions in the bill and being flexible in order to avoid omissions from that list and the Government having to continually come back to the Parliament to change the legislation every time that there is a demand for it to do something new. How do we get that balance right when defining sustainable and regenerative agricultural practices in the bill?

**Ross Paton:** As a representative of the organic sector, I am bound to say that the organic movement provides people with a legally binding set of standards that tick a large number of boxes. We get a bit frustrated that the Government seems to treat organics as a bit of a sideline and that we do not get the recognition that we deserve for doing a lot of these things already.

One thing that we would like to see is what previous support schemes did. They gave an automatic bye to tiers 2 and 3 for organic farmers, as they were deemed to be doing those things. The Soil Association, the Scottish Organic Producers Association and the other certification bodies do the job for you—they certify us for you and that is legally binding.

I do not know how to define all the other things. That is very difficult. There has to be certification of some description. The outcomes-based approach would certainly be one way of looking at things. The organic standards provide a basis on which a lot of the things that you are looking for are already being done.

**Dr Cole:** I would not want to dismiss the organic sector, but I think that it is very prescriptive because of the actions that it is not allowed to do. For that reason, I like the word regenerative more.

Tara Wight is absolutely right. There are many different definitions. A lot of those definitions focus beyond the five principles of soil health. We need to recognise the wider ecosystem services that are provided. Out on farms, I am always amazed by the pockets of habitats and the species that those habitats support. Our farmland connects nature reserves and creates corridors throughout our countryside.

09:45

If we focus, for example, on the key elements of soil health, we will see that those are prescriptive and very arable-focused. If we go back to the basics of living roots, minimum tillage, covering the soil and integrating livestock, we see that livestock farmers are doing all those things, so they are excluded. I would take a holistic view and use wider definitions that include maintaining and enhancing ecosystem services. I would go beyond the farm gate to look at local food chains, so that every person can recognise where their food comes from. If there is a loss in yield, how do we support that and help people to transition? How do we get people to pay for those goods? They are not buying a steak; they are buying the system: the butterflies in the meadow and the carbon that is locked up in the hedgerow. This is about recognising that they are paying for more than just the food that they eat. Diets and food waste are also important.

**The Convener:** Dr Wight, Dr Eory and Nigel Miller all want to come in.

**Dr Wight:** I would like to come back in on the point about CPD. Is that okay, or do we want to stick to the question of definitions?

**The Convener:** We will stick to the point that we are on and can come back to CPD at the end of the question.

**Dr Vera Eory (Scotland's Rural College):** Thank you for all the points made so far.

The discussion is revealing that, as we know, this is a very diverse sector. In my opinion, the most useful thing that we can do with a framework bill is to stick to the high-level objectives of addressing biodiversity, water and air pollution and climate change and link those to land use and land demand, as well as to what that all means globally, in the United Kingdom and in Scotland.

Prescribing actions for farms might be counter-productive. There is a fine balance. We would not say that everyone must have electric cars tomorrow, but we could prescribe for that on a UK or national level. It might be better if changes required at farm level were results based or outcome based, as we have heard already.

We also have to think about the coverage of the bill. At the moment, it seems that it is going to cover the farmers, landowners and managers who decide to be in the subsidy system but no one else. Depending on how the money flows, more and more farmers might decide to come out of the system. Do we have any leverage on what they do? Do we want to tell them somehow to go in this or that direction?

That is an important point and is linked with land use and land use change. The Climate Change Committee said in a recent report that we need to change land use in the UK so that the amount of land used for agriculture will be reduced by 9 per cent by 2030 and 21 per cent by 2050. Will that change be included in this bill or in other legislation? How will we deal with those targets and with the farmers, managers and landowners who decide to go into other types of land use? Those questions are especially important in reaching our net zero targets.

**Nigel Miller:** Vera Eory has touched on quite a few of the points that I am concerned about. Any definitions have to be for absolutely everybody: that is the reality. If you are looking at definitions or at nice-to-have initiatives, you still have to remember what we need to deliver in the long term. One of those things is more food, which is quite difficult, given that our land area is actually reducing.

Another is that, as a country, we have signed up to emissions reduction targets. One of those is for methane reduction, but we have also agreed on a general reduction in emissions, which is quite challenging. We have signed up to the 30 by 30 commitment to wildlife, which will take agricultural land out of production. If 70 per cent of our land is under agricultural tenure and 30 per cent has to be managed for biodiversity, the potential for production will fall. This is almost a revolution, and it is a bigger revolution than we have ever faced; it is bigger than what we faced in the 1940s. Agriculture is going to change significantly.

I have no problem with having a vibrant organic sector that is well supported—that is a positive concept—but the reality is that sustainability and regenerative farming have to be accessible to everybody. We will have to have some farms that produce a lot of food, and we will have to have some farms that deliver on sequestration and biodiversity, so there will be two strands, but the basic definitions have to apply to them both. Micromanaging will be impossible. If we are going to make these changes, there has to be flexibility for farmers to innovate and adopt new techniques, but also the systems will have to fit their geographic, climatic and soil conditions. We cannot micromanage that.

If we are looking at definitions, the soil carbon one is critical. If we are looking at regenerative practice, we have to go very basic and consider having rotations on cropping systems and making legumes or diverse swards a baseline requirement, but we should not go any further than that, otherwise we will destroy the industry. The industry is already disillusioned. It finds the process difficult and feels powerless, and in many ways it is declining. The bill, as well as being enabling legislation, has to be a signpost that there is a future and something positive ahead. There are real challenges, but we need farmers to accept those challenges and give us the solutions; we should not micromanage them into submission. There is a danger of that happening during the process, and it has already started to happen.

That spills over to continuous professional development. The Farming for 1.5° group wrote a lot about training, CPD, different methodologies and trying to reach people who do not normally have the time or the ability to get to training. There is a starting point. Most farmers are very professional, and if farming is a profession, then those in it should decide what CPD is available, and they should give people choices about what to do. It should not be imposed from the top down by a body saying, “Well, you guys need a bit of training, and then you will change.” The reason why farmers have not changed is that there is no bloody route map to change to, and we do not know what will be acceptable. We do not know whether things such as emissions and mitigation measures should be in the inventory. People are spending money on adopting some of those measures and they will not count on the bloody inventory.

The Government has an obligation to be up front about what the targets are and to facilitate change by having pointers of some sort. There also has to be an underpinning of information that allows people to make decisions, because all mitigation and regenerative techniques cost money. If farmers consider a legume-based rotation—which they will probably want to have—in financial terms, it is negative; it is a cost.

**Ross Paton:** That is not true.

**Nigel Miller:** If we look at the ways that special areas of conservation work—

**Ross Paton:** I want to say something.

**Nigel Miller:** It is not just about nitrogen use; it is also about total output from that farm and the actual crop values that farmers get, because that is what matters in the end. The reality is that inflation has already eroded 30 per cent from the support system, so we are a less-supported sector. I do not like using this wording, but this is a time of crisis and we face an extraordinary

challenge. Trying to micromanage the industry is not helpful.

**The Convener:** Ross Paton, I will give you the right to reply, very briefly.

**Ross Paton:** Nigel, you said that we need to produce more food, but where is the evidence for that? We hear that trope all the time. What we need is to produce higher-quality food. For whom would we be producing more food? To oversupply the already oversupplied commodity market? We are not feeding the third world here, and we will not feed the world with suckler cows, for one thing.

**Nigel Miller:** That information came from the report on land use change from the UK Climate Change Committee. It came up with a very basic calculation, which was that if we are going to produce the same amount of food per capita in the UK under the new system, then we will need to increase our production of food by 20 per cent. There is quite a lot in that report that I might dispute, but that is just a figure-crunching exercise.

The reality is that if you look at food supply and what we use now, we use a lot of vegetables and fruit from Spain. Areas such as that have eroded their groundwater and cannot grow two or three crops a year or supply the UK. California is in the same place, and in parts of Australia and New Zealand extreme climate events have resulted in fluctuations of production. When we consider the level of starvation and food deprivation in all sorts of developing countries, it is irresponsible to suggest that we do not need to produce more food.

**The Convener:** We are drifting a bit off the bill. I ask Alasdair Allan for his supplementary question, and then we can move on.

**Alasdair Allan:** I will put words in their mouths, but I think that Donald MacKinnon and Vera Eory were talking about the value of low-intensity agriculture in terms of the legislation that defines sustainable and regenerative agricultural practices. My question might be aimed at Donald MacKinnon. Can you explain where crofting fits into that picture of low-intensity agriculture and what crofters are already doing to achieve the aims of regenerative agriculture?

**Donald MacKinnon:** As I said earlier, it is important that we recognise some of the existing practices that are happening on the ground. The example that I used was cropping in the machairs in Uist. That is quite a unique system that not only integrates arable production but is closely linked with beef cattle. One would not happen without the other.

I would argue that that system is very sustainable. It makes use of seaweed that is washed up on the shore to provide the nutrients that grow the crops that are then fed to the cattle. The system does a huge amount for biodiversity in the area. It provides habitat for some of our rarest species, such as the corncrake, and lots of other red-list species that inhabit the area. If any element of that system becomes unsupported or unable to continue, that process falls apart. It is also important to think about the cultural significance of that—the importance of that to the community and to the Gaelic language in the area.

We have to be incredibly careful that we take those really fragile systems with us as the policy and system are developed. That is just one example. There are plenty of examples throughout the crofting counties of unique—and not so unique—approaches that would translate into other types of upland agriculture and hill farming across the rest of the country.

There is integration between that extensive livestock system and people, communities and culture as well as biodiversity; some of our most threatened species are reliant on traditional agricultural practices. Such species are just clinging on in areas where those traditional practices are continuing. We must not become blinkered by looking only at emissions and carbon. Dealing with the climate crisis has to be at the top of the agenda, but it is important that we take a holistic approach to the issue and do not lose sight of all the other things that are important.

**Dr Wight:** I will move on to my point on CPD in a second. I want to go back to what Nigel Miller was saying. The Landworkers Alliance for Scotland takes a very different view of the idea of a two-strand approach. When we are thinking about the bill, it is important that we acknowledge that there are two schools of thought. We do not need to have intense production on some farms and biodiversity on others; those things can coexist. At the moment, our most productive farms in terms of land use are small-scale horticulture—fruit and vegetable production—and market gardens. They sequester lots of carbon, are great for biodiversity and can feed 100 families on one hectare. We should move away from the dichotomy between production and nature—we really need to start seeing those things together.

On CPD—

**The Convener:** We have a question about CPD a little further on. We will come back to that issue and discuss it more widely. Let us move on.

10:00

**Ariane Burgess (Highlands and Islands) (Green):** My question is about the code, which we have touched on. David McKay talked about what the code is for and its legal basis, and Lorna Cole

talked about the idea that it should be prepared with stakeholders. We would be interested in hearing your thoughts on what should be in the code. We have talked around that. For example, we heard from Kirsty Jenkins and Professor Cathy Dwyer about the need for animal welfare considerations in the objectives. Do we need those in the code? Ross Paton mentioned guidance on organics. I am interested in hearing what you think should be in the code.

Section 7 of the bill deals with the creation of guidance, including guidance in the code, and how ministers should use that. What are your thoughts about that?

**Nigel Miller:** My vision of the code is that it would be more like a manual. Vera Eory has probably been involved in assessing and evaluating various techniques. I suppose that some of her work is quite pivotal to how we will progress agriculture with a sustainable low-carbon methodology.

We do not want to micromanage; we want to get information to farmers and to list the interventions or techniques that can be used, and define their value and impact on the environment, biodiversity and the soil. We need to define whether they have any direct or indirect impact on the climate change inventory. That will give people a powerful manual for some of the techniques that they might think about drawing down or that they may already be using on their holding.

As I said, we do not want to micromanage, but there are fundamental principles. This has been seen to cost money by some analysis and economists, but it should be pretty well mandatory that, if people are cropping, they have a rotation and there is a nutrient-building phase within that rotation. If people are putting down a sward, they should put in clovers and have a mixed sward unless they have some sort of derogation. Those things have to be done. That is a cost, although I presume that the clovers will not be a cost if they are managed right. If you look at the data, you will see that there is a positive to that.

The code would be like a manual, but it must have outcomes so that people can assess the value in implementing things.

**Professor Dwyer:** Going back to the animal welfare point, I agree with Nigel Miller—it is not about micromanaging; it is about giving guidance. We already have codes for the welfare of farmed species. However, there is also the wildlife and other animals on farms that are not production animals, and they have a welfare state, too, but they are not protected in the same ways. Kirsty Jenkins has already mentioned that a more progressive view of animal welfare would consider that the wildlife still has value. We have talked about biodiversity and nature value. There should be something that recognises the welfare state of those animals as well as of the production animals. A manual can provide underpinning understanding that those animals have a value in their own right and that most citizens—not just consumers—have an interest in the protection of those animals.

**Rachael Hamilton:** Is that not covered in another part of legislation—

**The Convener:** I am sorry, Rachael, but around six people have their hands up. I can bring you in after Kirsty Jenkins, David McKay and Jim Fairlie.

**Kirsty Jenkins:** I want to respond directly to Ariane Burgess's question. Yes, we believe that animal welfare should be explicitly stated as a key outcome objective of the bill and that it should be explicitly in the code of practice for sustainable and regenerative agriculture.

I was reflecting on some of the other recent contributions, and I feel like, too often, improving animal welfare is seen as coming at a cost to somebody. It is seen as a cost to farmers, for example, or people struggling with the cost of living crisis. We need to try to move away from that zero-sum type of thinking. Where there seems to be conflict, it points to a need for more transformational change in our farming and food systems. There should be much more explicit interaction between this bill, the Good Food Nation (Scotland) Act 2022 and the national food plan. Where transformational change is needed, the bill and the 2022 act need to work together a lot more.

When we say that there need to be improvements in animal welfare, that absolutely needs to be a just transition. It should not be seen as putting up barriers for farmers or putting additional pressure on them. The system needs to change to bring benefits for animals, farmers and communities. That is why the interactions with the Good Food Nation (Scotland) Act 2022 are important. A lot of the discussion on a good food nation was about shorter supply chains and more localised food, which would mean, for example, that farmers who moved to higher welfare systems could be given a reliable market via public procurement or local food hubs. That would take away a perceived risk of making those improvements for animal welfare.

The links between the welfare of humans and other animals and the natural world are well recognised now. The one health and one welfare conceptual frameworks are recognised at United Nations level, and we need to think much more in that way about animal welfare. In addition, animal welfare should be seen as an investment, not a cost.

**David McKay:** To respond to Ariane Burgess's question about the code, the answer is that it depends on what you are going to use it for. Our view is that farmers are already subjected to good agricultural and environmental conditions and statutory management regulations requirements for basic payments. We think that the code would be most effective if it was essentially an extension of that baseline. If the Scottish Government can set out what it thinks the universal requirement should be for sustainable and regenerative farming, that should be at the tier 1 level. If need be, that can be phased in over time to bring everybody up to that level. By doing that, you can take more money out of the tier 1 payment and really focus resource on tier 2 and the more support-focused tiers 3 and 4.

We have not talked much about money yet, but there is a finite budget, and there have been reports in the press in the past week that that budget is shrinking. We do not know what will happen after the general election next year with future agricultural support for the devolved nations. We are asking that budget to do an awful lot of things. Over time, we need to push more of it towards tier 2, which is focused on practices that can reduce emissions and increase biodiversity, and also the important elements in tiers 3 and 4, which are about what the future iteration of agri-environment schemes might look like.

There are also things such as knowledge exchange. We are involved in projects with organisations such as the Landworkers Alliance on peer-to-peer knowledge exchange. Over the years, we have found that that is a very effective way of farmers learning from one another about best practice. There needs to be an increase in funding for that type of thing, too.

**Jim Fairlie (Perthshire South and Kinross-shire) (SNP):** The range of the discussion shows the complexity of what we are trying to do. We started off talking about objectives. The bill says:

"For the purposes of this Act, the objectives of agricultural policy are—

(a) the adoption and use of sustainable and regenerative agricultural practices".

What is the definition of that?

Part 1 of the Scottish Government's route map for agricultural reform says that the goals of regenerative agriculture include

"Improving animal welfare ... Increasing climate-resilience of production ... Capturing carbon in soils and vegetation ... Enhancing water quality and supply in the landscape"

and

"Supporting thriving biodiversity and ecosystem health".

We also have to ensure that we are producing high-quality food. Nigel Miller just talked about what the code of practice should look like and said that it has to be a manual that farmers can work to, but how do you do that across the whole of such a diverse country and when there is such diversity on individual farms?

The point that I am trying to make is that this is a framework bill, so there is no way to make one size fit all throughout. It will have to be almost regional in its approach. The Government has set out a route map to allow us to get to where we are now and the framework bill is the only way that we can achieve all our aims.

This is just one round table; there will be others at which even more demands will be made of the bill. Are we right to have a framework bill, and will the work have to be done on a regional basis?

**Dr Barron-Majerik:** I have another complexity to add, which is that we are completely excluding fish at the moment. If we are thinking about animal welfare and good food production, given the increase in closed-loop systems, we will have to bring fish into the bill.

**Jim Fairlie:** To push you on that, how does the Agriculture and Rural Communities (Scotland) Bill include fish?

**Dr Barron-Majerik:** Donald MacKinnon spoke about the use of seaweed in certain types of farming: it is being used more in some on-land systems. Seaweed is a high-quality protein. There will be an overlap—

**The Convener:** I am sorry to be rude, but I do not think that that is within the scope of the bill, and we must be conscious that this meeting is about looking at the bill that is in front of us, what is or is not in it, what should be in it and what might come after. I do not think that aquaculture will form part of that. I know that the bill covers rural communities, but I do not think that we are at the stage of looking at that.

**Dr Barron-Majerik:** That is fine. I just wanted to raise that.

**The Convener:** Nigel Miller wants to come in on Jim Fairlie's question.

**Nigel Miller:** When I suggested that there should be a manual, I was suggesting that there should be only two mandatory requirements—one on arable or crop production and one on establishing grassland—and that the rest of the manual should give a menu of information to allow people to draw down what they think is appropriate for their farm. That would allow different regions or systems to tailor the regenerative approach to their situation.

**Jim Fairlie:** We already have monitor farms, where farmers work together. Do you see those as

a vital tool in achieving the collective aims of the bill?

**Nigel Miller:** They could spotlight what is effective, trial new approaches and foster innovation. That would be quite helpful.

**Dr Wight:** While we are discussing this question and what should be in the code more generally, we should not forget that we have examples from across all sectors and all regions of Scotland of really amazing regenerative and sustainable farming. People are sequestering carbon, improving biodiversity, working actively for nature and producing local food. Those examples exist and the farmers who are already doing that are way ahead of the curve. They have a good sense of the practices that they are using and of what counts as regenerative or sustainable.

That will look different in different areas, or in farms in the same area that take different approaches, so any kind of manual must be co-designed with the farmers who are already doing those things. The monitor farm programme is amazing and great, but it does not represent the farmers who are furthest ahead of the curve in their innovations in sustainable and regenerative farming. It is important to convene the farmers who are furthest ahead to develop what should be in the code of practice.

I agree that we need to have a manual and that it should be fairly broad. I can expand on some of what should be in it. For example, reducing pesticide use and reducing inputs in general seems to be crucial to regenerative and sustainable farming, but the manual could be broad in suggesting how to go about doing that. There are specific details that we could include, but the manual should be co-designed with the people who are already doing that.

**Ross Paton:** I have a quick general point. Biodiversity, animal welfare and reducing the use of antibiotics are all linked to climate change. Knowledge transfer is also really important and we must do that, so the funding from the knowledge transfer and innovation fund is hugely welcome.

10:15

**Dr Eory:** I completely agree that the code should be a very flexible manual, with some prescribed things. However, as Ross Paton mentioned earlier, because of the flexibility and complexity, we have to improve the monitoring aspect at the farm level for the outcomes that we want at the national level, because we have very little time in which to achieve our targets. If we just try to go in that direction but do not monitor the farms and do not eventually tie in the payments with the outcomes and results on the farm, we will miss our targets.

**Kate Forbes (Skye, Lochaber and Badenoch) (SNP):** We have spent quite a lot of time on one of the objectives—regenerative agriculture—and have strayed into some of the others. I have a series of questions, which I will keep quite short because I might not get back in.

In today's evidence, and in the evidence that many of you provided in advance, there is a temptation—I have heard it already—to try to get into the bill more objectives than we can count. All those things are laudable and important, but that attempt defeats the whole point of a targeted bill. Four objectives are in front of us. Is four the right number, or would you be happy with 10, 15 or 20? My question is about numbers, not additional objectives.

Secondly, what does the fourth objective, which is on

"enabling rural communities to thrive",

and which reflects the title of the bill, look like to you? Is it sufficiently prescriptive? Is it in tension with any of the other objectives?

Having just said not to put in too many objectives, I have asked too many questions.

**Donald MacKinnon:** The question on the number is difficult. We should not say that we can have only four if another one makes sense. There is some logic in making the bill focused and not getting too carried away. However, as I said earlier, there is room for more specific objectives around small-scale agriculture and protecting incomes. I appreciate that everybody will want to chip in with other objectives to add and that you could end up with a rambling list of lots of different things that the bill perhaps does not quite deliver.

On the second part of the question, which was on rural communities, I do not necessarily see a tension with the other objectives, but I see agricultural support and everything that the policy is trying to deliver as absolutely key to the success and viability of many of our rural communities. Sometimes, that connection can be overlooked, so I am pleased to see that as one of the objectives in the bill, making the link between agricultural support and how our rural communities thrive and function.

We have talked a bit about where the approach sits in relation to the common agricultural policy. We need to reflect on and be aware of where the bill sits now in relation to things that the CAP did in the past such as, in particular, community-led local development, which seems now to be developed in other areas of policy. We need to make sure that the important things that drove rural development in many of our areas are still catered for while maintaining that link with agriculture so

that those things are connected and do not happen in isolation.

**Kate Forbes:** Can I push you on that? You said that you do not see a tension there. From a crofting perspective, is there not concern that there might be a tension between a rural crofting community thriving and what the other objectives might require? You said that you do not see such a tension. I just want to ensure that that is really what you meant.

**Donald MacKinnon:** Depending on the direction that the policy heads in on the back of those objectives, there is the chance for tension to emerge. We have been strong in calling for cognisance of what crofting needs to enable it to continue to thrive. A factor that I have not touched on yet but which I will bring in here concerns the system for redistribution of payments, which is important for how businesses will continue to be supported. It also links back to alignment with the EU, because it is being brought in with the latest version of the CAP. Moving money around is an area in which tensions can and do develop. We must ensure that all of Scottish agriculture is able to thrive and function, but in doing so we must acknowledge that some areas have definitely been undersupported. We must move money to those areas, and I would argue that they should include crofting and our marginal areas, which have not benefited as much as others have from the current three-region system.

To rephrase that, there are definitely areas in which conflict could emerge. However, I hope that we can mitigate that by recognising the importance of what crofting can deliver and introducing, if we are able to do so, other objectives that relate specifically to small producers.

**Dr Wight:** On the number of objectives, I think that we need more than four. It is important that they are targeted and direct, because the rest of the bill leaves so much room for giving ministers powers to make decisions. What those decisions will look like and where they will go is not directed at all by anything in the bill other than the objectives. Having just four leaves out many crucial areas such as the wellbeing and livelihoods of farmers. To me, it is essential that those aspects are included in the objectives so that ministers have to take them into account when they make decisions later on. A more thorough list of objectives is crucial in a framework bill. I do not think that there should be 15 objectives, but 10 would not be unreasonable.

I support Donald MacKinnon's point about having an objective on small-scale farming and crofting that could ensure that decisions that are made under other aspects of the legislation do not negatively impact those communities. We need that to be in place very clearly in the framework.

It is important that the objective on thriving rural communities is there. It is worth noting that, although the bill concerns agriculture and rural communities, most of it discusses agricultural payments and it deals less with the rural communities side. We should consider whether a broader idea of what thriving rural communities look like could come under the framework legislation.

Some objectives, such as having fair incomes for farmers and improving their position in supply chains, will be crucial if we are to have thriving rural communities. It is less the case that the rural communities objective is in tension with the others; it is more that it feels very much in tension with the proposed plan for the payment system. The proposal is that the majority of the money will be an area-based payment with, currently, no mandatory redistribution. Most of the money will therefore go to the biggest businesses and landowners. At the moment, a huge proportion of the budget is going to big businesses, while medium-scale family farms are being squeezed. Small-scale farming and crofting receive almost nothing. That does not constitute supporting thriving rural communities. Any sense that that is the main system that we will adopt is therefore in tension with that objective. It is a crucial objective, from that perspective.

I echo what Donald MacKinnon said about the importance of introducing a mandatory redistributive payment system in the primary legislation. That currently exists under the primary legislation of the CAP, so it is in place across all of Europe and it has been shown to be beneficial in supporting a greater diversity of farmers. A redistributed payment would help to meet the thriving rural communities objective.

**The Convener:** Everybody wants to comment on that. I will bring in Nigel Miller, Cathy Dwyer and David McKay, and then I will reassess.

**Nigel Miller:** I think that it is fairly clear that having more than four objectives would be helpful. There have been comments about what they should be. I suspect that, early on, the CAP was held up as a reasonable model. To me, its clarity and the number of objectives that it has look fairly helpful. They would be more helpful than the four that we have at present.

The legislation is enabling legislation. People have talked about the scope of how the budget is spent and how it should be redistributed if we want to maintain rural communities. However, doing what is best in that regard is for the next process.

You need to consider all rural communities. In Dumfries and Galloway, more than 10 or 11 per

cent of the economy is based on agriculture. In the Borders, where I come from, it is about 8 per cent, and in Orkney it is 11 or 12 per cent, so its position is the most extreme. I ask that you do not forget about those areas when you think about redistributing money.

I spent my early life working in the crofting communities in Sutherland and Caithness, so I have quite a passion for crofting. It is fundamental that the crofting framework is maintained and supported in a way that creates a baseline of activity in those areas around a community that actually works. There are infrastructural problems there that need investment.

We have also talked about biodiversity and sequestration and how that might fit in. I talked about two strands—farms would do one thing or the other. In reality, everybody will have to do something, and everybody will probably have to have 10 per cent of their land contributing to biodiversity or sequestration. However, in tier 2, there should be options to look at wider commitments to sequestration and biodiversity. The crofting areas could maintain their production and activity but also get funding to contribute to those goals. They have the land types, ecosystems and habitats that could fit into that type of farming, so they could get additional payments. That would move us towards our national goals.

All the visionary requirements that we are mapping out have to be seen in the context of reducing emissions, increasing sequestration and biodiversity on our farmland and producing food. That should not be forgotten when we look at the detail of the nice-to-have options.

**Professor Dwyer:** I will keep my comments short. I reiterate the point that four objectives is probably too few to have. They are overarching, so we could have some sub-objectives underneath them. However, at the moment, there is a lack of clarity for people in understanding exactly what falls underneath the objectives and how matters will progress in the future.

Improving animal health and welfare is in the CAP, as has been mentioned. It is supported by the British Veterinary Association and in a number of other areas. It is not a nice-to-have option; it is fundamental to having high-quality food, sustainable agriculture and a thriving rural community. Improving animal health and welfare sits underneath all those factors, but it needs to be a specific objective to ensure that there is progress in that area.

**David McKay:** I will not reiterate what has been said about the number of objectives. I agree with the previous speakers on that. However, I will make a point about enabling rural communities to thrive. The bill as drafted is quite strong on agricultural support, but it is arguably less so on wider rural development. In the first instance, it is imperative that we can have profitable and resilient rural businesses. That should not be in conflict with a switch to nature-friendly farming. In fact, reports by the Nature Friendly Farming Network have pointed out the cost savings that can be made from moving to such approaches.

10:30

We should not forget about wider rural development. An example that was flagged in some of the submissions that I looked at before coming here was LEADER funding. Lots of things used to happen on the wider rural development piece, and we must ensure that the bill delivers them. It could be strengthened in that area.

**The Convener:** I reassure our witnesses that I have a note of everyone who wants to comment. I will bring in Liz Barron-Majerik next.

**Dr Barron-Majerik:** There are maybe not enough objectives. In addition, there is perhaps a gap when it comes to the production of high-quality food and where that goes. The networks and how that gets out to the consumer are what will help the rural communities to thrive, and I think that there is potentially a gap there. There is a tension between bringing about change now and what that will look like in the future, particularly with the very long timelines that we work to in agriculture. The crops will change, and there needs to be some flexibility around what is produced. Sometimes, the priority will be food; at other times, in another area, it might be feedstocks or plastic alternatives such as cellulose and so on. That is something else to consider.

**Kirsty Jenkins:** I will try to be brief in responding to the two different parts of Kate Forbes's question. I agree with what has been said. I do not think that there is a problem with having more than four objectives, and I think that animal welfare is important and that it should be a stand-alone objective. If, for some reason, the Scottish Government and Parliament were not minded to take that approach, I think that it should be made much more explicit that continuous improvement in animal welfare should be seen as a core component of high-quality food production and sustainable and regenerative agriculture.

The second part of the question was about whether there are any tensions between enabling rural communities to thrive and the other objectives. I want to build on what I have already said. My answer is no—there should not be any such tensions. The wellbeing of humans is inextricably linked to that of other animals. I have heard farmers report that making improvements to

their animal welfare has subsequently increased their job satisfaction, because they care about their animals.

I spoke earlier about the welfare concerns for broiler chickens. Intensive chicken farms also cause a lot of environmental damage. We have seen a lot of reports in the media recently about the River Wye and the pollution from chicken farms down south. There have also been situations in Scottish communities in which members of the community have pushed back against having such intensive units in their community. That is an example of the link between the wellbeing of people in communities and the wellbeing of animals.

I give the example of poultry purposely, because I know that that is outside the current subsidy scheme. I go back to what I said previously about the fact that the agriculture policies and the good food nation policies should be working together more to drive up standards and bring about food system changes across the board. We want to ensure that the welfare of all animals is considered, and not just that of animals in sectors that currently receive subsidies. Poultry is a good example of that.

**Dr Eory:** Regarding rural communities, I feel that the bill can do many things, but I still feel that it is quite restrictive in its current form because it is linked so much to food production and not so much to wider ecosystem service generation, which will have to happen on a large scale very soon. Farmers might decide to provide more sequestration and other services or not to grow any crops any more. Will they fall out of the support that is provided under the bill? What support will they receive? What support will there be for the communities where larger-scale sequestration—peatland restoration and so on—will happen? I do not feel that the bill covers all land uses, but it should. It should link with all the objectives.

Regarding on-farm changes, we can reduce our greenhouse gas emissions by 10 to 15 per cent by changing the systems, and we can probably achieve another 10 per cent by reducing food waste. What will really bring us towards our target, at minus 30 or 40 per cent, is reducing the consumption of high land-use, high greenhouse-gas products. That is mostly livestock, such as red meat-producing ruminants. That ties in with land use change, but there is no clear pathway for those farmers in relation to what will happen to them, how they can change and how they can transform in a just way.

That is also linked to what Kirsty Jenkins said about the good food nation. The Good Food Nation (Scotland) Act 2022 is weak on supporting the transition in our food consumption and diets. That needs to change. The bill needs to link to reducing the consumption of high greenhouse-gas intensity food products.

**Ross Paton:** Nobody has commented on land reform. Land needs to be made more readily available if we want to enable communities to thrive. At one of the meetings that we held when we were going round the country talking about the issue, somebody said that it should be made law that any farm that is for sale comes on to the open market for a limited period so that people can see it and get a chance to bid for it, rather than large farms never seeing the market and being sold round the kitchen table by agreement between two farmers.

In a way, the concentration of land ownership has not really got any better in Scotland. That is especially true in our area, where a lot of the big dairy farms are getting bigger and bigger and, when a farm comes on to the market, it gets gobbled up without much of a chance for people to buy it. People are not looking for a giveaway; they are looking for a chance to bid for farms, or a chance for a group of people to bid for them. As Tara Wight says, people do a hell of a lot with a very small area of land.

**Dr Cole:** I have a picky comment about the hazy terminology around the production of “high-quality food”. What is high-quality food? Does that refer to the nutritional value of the food? Is it about the wider public goods that have accompanied production?

Going back to Nigel Miller’s point, I add that we should also mention food quantity in some way. I fully believe that we need to safeguard Scotland’s food production. We need to make Scotland as self-sufficient as possible. There will be a squeeze: as climate change impacts and areas of production are impacted, the price of food will go up. However, if we reduce production, that production will be carried out elsewhere, which will result in us simply offshoring emissions and in biodiversity loss in countries that do not have the same environmental regulation that we do. Personally, I do not feel that it is right for the bill to omit the quantity of food.

**Alasdair Allan:** A few people have touched on the difficulties that farmers have in transforming what they do for want of information about the support that they might receive or the adequacy of such support. Do people have views on the other bit of that, which is that the Scottish Government and, more important, Scottish farmers have no idea what the funding envelope from the UK will be beyond 2025? How does that impact on farmers’ thinking and decision making?

**Nigel Miller:** Clearly, it has an impact. The black hole that seems to be growing in budgets

throughout the UK and the Westminster Government's attitude towards agriculture and domestic food production erode confidence and they are part of the reason why a lot of producers probably feel powerless and are not optimistic about the future. If that can be resolved, it will be really helpful.

It is worth remembering that inflation has eroded 30 per cent of the budget's value, as it is. Some of what we want to achieve is fairly specific, such as measures in relation to animal welfare and soil qualities, but overall it is about having sustainable systems and biodiversity from the soil to the apex predators. Building those things will add further management challenges and costs to production systems. Therefore, if we want those diverse outputs and public goods, the budget should be rising rather than falling. That is the other message that should be heard loud and clear.

**The Convener:** As there are no other comments on that, I will suspend the meeting to allow for a comfort break.

10:40

*Meeting suspended.*

10:52

*On resuming—*

**The Convener:** We will move on with a question from Karen Adam.

**Karen Adam (Banffshire and Buchan Coast) (SNP):** I would like to hear views on the rural support plan. I note from some of the written statements in evidence that people have commented on the detail that might be in that plan and what they think ministers should have regard to. Ross Paton mentioned land reform, for example. I would like to kick off with those views.

**Nigel Miller:** On a technical point, and to add to what Ross Paton said, the bill or the secondary legislation has to redefine what agriculture is. The reality is that the definition is quite restrictive at the moment, and that impacts on tenants. Woodland management, habitat management or sequestration have to be classified as agricultural activities so that tenants do not fall foul of their landlord by taking part in those initiatives. That is quite important.

Another thing that is quite important and that is very techy is ineligible land. The EU has defined what ineligible land is. It includes roads and yards, which is fair enough, but it also includes woodlands, scrub, whins, scree, wetlands, ponds and hedges. The definition has to change so that they are brought into the system and are recognised for their biodiversity and sequestration value. That requires a change in the definition of eligible land, and it also requires mapping. All the mapping that we have is of eligible land. Even a lot of hedges that the Scottish Government has paid for are not bloody mapped on the Scottish system. There are real gaps in our mapping system. The Government does not have good mapping of where biodiversity is on farmland. There are major rather techy changes that the enabling act has to facilitate.

**Dr Wight:** I will come in on the point about land reform. It is important that our rural support plan and agricultural payment system have regard to land reform. One of the key objectives of the land reform legislation is to reduce the concentration of land ownership, yet the proposed rural support plan actively incentivises the hoarding of land, through an area-based payment. The pieces of legislation feel as though they are in direct opposition to each other, so it is important that the overall aim of the land reform legislation is taken into account when developing a rural support plan.

We have an ageing population of farmers and it is very difficult for new entrants and young farmers to get into the farming sector properly. We have loads of members who are well trained and keen; they just want to farm, but they cannot access land. We need to start taking seriously the issue of new entrants. The rural support plan tying in with land reform legislation is a crucial way to do that.

**David McKay:** I strongly agree with what Nigel Miller said about the definitions of ineligible land in the bill. From our point of view, the rural support plan should be a mechanism for the Government to set out how it will use public money to deliver on the objectives that are stated in the legislation. In order to do that, the plan needs to have a mechanism for monitoring and evaluation of the objectives that are set out in the bill, which is missing from the bill as drafted, in order to ensure that we are getting value for public money.

There is an opportunity for the committee to push on that issue and for it to suggest to the Government that the first iteration of the rural support plan should be released at the earliest opportunity, before secondary legislation starts to be introduced. We cannot make decisions on secondary legislation if we do not know what will be in the five-year plan. The Scottish Government has a commitment to produce an organic action plan, and it might align with that. Work is about to start on that next year. Part of that rural support plan should include, or at least be linked to, what the organic action plan is trying to do in developing that sector.

**The Convener:** I am delighted that you suggested that the committee should take that role, because it was discussed last week whether the Parliament should have a role in scrutinising

the rural action plan, given its importance, and in ensuring that it is adequate to deliver the Government's vision. Thank you for that—that was going to be my next question.

**Dr Barron-Majerik:** I will comment on the importance of being able to plan for longer time periods. Many bodies and organisations that are working in the area have only year-to-year funding, if that, and they end up losing a lot of skills because of it. The ability to plan for longer and to support groups that are working in that sector for a longer time period would be really useful.

**Karen Adam:** Could you give a specific timeframe? How long do you think is long enough for that planning?

**Dr Barron-Majerik:** Speaking from a forestry background, the quinquennium—a five-year block of time—is useful for the projects that we are talking about. The aims and objectives have to be much longer term, but a five-year block would be very useful.

**The Convener:** Are you suggesting that short-term, medium-term and long-term plans should form the basis of the rural support plan?

**Dr Barron-Majerik:** Yes.

**Rachael Hamilton:** I will carry on with questions about the rural support plan. In its submission, the Scottish Crofting Federation talked about some of the related matters that should be included in it. Would others like to put on record what they believe should be in the plan in terms of the related matters that cross-reference other bills or acts?

**The Convener:** Lorna Cole, I appreciate that your time is limited. Would you like to come in on that?

**Dr Cole:** I will comment on interactions with other policy areas. A lot of the policy areas in the biodiversity strategy are separate and should be better integrated. We must also consider what a good farm looks like and what we want that vision to be. As Jim Fairlie said, that depends on location and on the system.

11:00

We must also look at what happened in the past. Farmers were tasked with producing food. They delivered that at some cost, and many farmers now feel that they are being blamed for that, which leads to some unrest.

If we look at current and future policy, we can see that farmers will have a huge number of challenges to navigate. I do not know any other kind of small business that has to remain economically viable while dealing with pests and diseases, protecting the environment, feeding the nation, coping with local and global market fluctuations and with changes in regulations and policy, and doing all of it in increasingly difficult weather conditions. We must recognise those pressures and the high incidence of concerns about mental health in the farming community. All farmers see themselves as stewards of the land and they want to leave it in a better condition. They are ready for change, but they need the support mechanisms that will allow them to make changes while remaining economically viable.

**Donald MacKinnon:** Rachael Hamilton mentioned our submission, so I will comment to support the points we were trying to make in that.

The rural support plan gives an opportunity to ensure that we are looking at the crossover between different areas of policy. We have all identified the problems that can emerge from thinking in siloed policy areas that will be impacted by, and will impact on, agriculture policy.

We are specifically interested in crofting law reform. It is important to acknowledge what is happening there and to ensure that those things are compatible. For us, that includes looking at common grazings. There is no point in having an agriculture policy that does not acknowledge how crofting works in a regulatory context.

It is also important to look at the work on the Good Food Nation (Scotland) Act 2022 and, as has already been mentioned, the proposed land reform bill. We acknowledge the impact that that bill will have on other policy areas.

**Dr Wight:** I want to speak about the Good Food Nation (Scotland) Act 2022 and the national and regional food plans. That is an area that must be closely linked to the rural support plan, because that plan is crucial to how we deliver some of what we will see in the national food plan, such as local food and the development of local food systems, reducing our imports and being more self-sufficient. All those things will have to be delivered through the rural support plan, so we will need a much closer connection between legislation for food and for agriculture. Those areas cannot be separate as they currently are; they need to take each other into account. Looking only at climate and nature when making a rural support plan risks deviating from the objectives of the national food plan.

**Rachael Hamilton:** Before you bring in the next witness, convener, I have a question about one of the areas that would be under consideration. I have noticed that some individuals have connected organic farming and gene editing. I wonder if a specific bill on gene editing would be beneficial to some of the climate change

mitigations that we are trying to enact. Does anyone wish to voice an opinion on that?

**The Convener:** It might just be outwith the scope of what we can do in the meeting, but does anyone have any comments on potential interactions between the bill and future bills that relate to gene editing?

**Nigel Miller:** It is a controversial subject that might cause a car crash and stop anything happening. However, the reality is that, if you look at gene editing logically, you see that it is about achieving what you could achieve by selective breeding but doing it very quickly and precisely. We have used selective breeding for a long time—the Shorthorn Society of the United Kingdom of Great Britain and Ireland is something like 220 years old. We have selectively bred some breeds—and probably inbred them, to a degree.

Gene editing is a solution to some disease pressures. If we want to get rid of or reduce pesticide use, gene editing in crops makes perfect sense. If we look back in history at the iconic spring barley for malting, Golden Promise, we see that it was a product of irradiating seed, so we have not always had a clean biological way of creating our varieties. Therefore, gene editing looks like an important tool. In mitigation measures, genetic improvement and the ability to use nitrogen more efficiently in plants are key to reducing inputs and emissions.

Those are important areas that we should consider.

**Kirsty Jenkins:** It is important that rural support should drive up animal welfare standards across the board. When I was asked about concerns, I spoke about broiler chickens, but I reiterate that there are serious animal welfare concerns across species. There are laying hens whose calcium is constantly depleted from their bones, so they experience a high level of fractures. There are pigs in farrowing crates for five weeks at a time, so they cannot turn around.

Although our animal welfare standards are some of the highest in the world, they are not high enough. We need continuous improvement, which requires system change. To be more specific, rural support could, for example, support pig farmers with infrastructure changes to move away from farrowing crates. It could also support the provision of small local abattoirs.

I agree with Tara Wight that there needs to be much more interaction with the good food nation policy. As I mentioned, that could involve public procurement as a way of providing a reliable market for farmers who move to higher welfare systems.

I also recognise what Lorna Cole said about farmers' mental health and the pressures on them.

I reiterate that we are talking about system change. Kate Rowell from Quality Meat Scotland gave evidence to the committee months ago. She spoke passionately about her family farm and farmers' desires to do the right thing. She pointed out that

"all that they have been doing over the generations is following policy signals."—[*Official Report*, *Rural Affairs and Islands Committee*, 8 March 2023; c 14.]

That is the point. We need to change the policy signals to allow animal welfare to be improved and to allow the system change that is required.

**Alasdair Allan:** Liz Barron-Majerik mentioned the benefits of sending policy signals—to use a phrase that Kirsty Jenkins used—about some of the issues, such as five-year funding for agriculture. I appreciate that you might not like me making this point, convener, but the Scottish Parliament does not know from month to month what its income will be next year, never mind in five years, not only on agriculture but on any other portfolio. Given some of what we have heard today, would it be worth another try to get a UK agriculture minister to come and explain that situation, given that the previous one told us that he was unavailable indefinitely?

**The Convener:** Thank you, Alasdair. We have written. I do not think that this is the time to raise that matter.

**Alasdair Allan:** Is there a good time?

**The Convener:** Perhaps we should have the Cabinet Secretary for Rural Affairs, Land Reform and Islands come and explain why 10 per cent of the agriculture budget, which was ring fenced, was removed, but we are not going to go there. As you are well aware, we have written to the UK minister.

**Rhoda Grant (Highlands and Islands) (Lab):** I ask people to turn their attention to schedule 1, which sets out an awful lot of the detail. Does it cover all the purposes for which support will be provided as required to replace the CAP and, indeed, provide for a new agricultural policy for us? Does it meet people's aspirations for the new policy?

**The Convener:** Who would like to kick off? Is no one going to have a go at that question?

**Rhoda Grant:** I am not asking everyone to read schedule 1, but it basically highlights all the things that could receive support under the bill.

**Dr Eory:** I have read schedule 1 in some detail. It tries to cover many things, but being prescriptive always comes with the risk that a few things will be missed. I come back to Liz Barron-Majerik's point about aquaculture being food production, too. That

is one thing, but quite a few other things are not listed in the schedule that relate to food production and ecosystem services. Therefore, another iteration of schedule 1 is needed.

**Nigel Miller:** These are fairly technical issues, but it is not clear from schedule 1 whether some of them would be covered. I have talked about the classification of ineligible land and the upgrading of mapping, but there will also be obligations under the next agriculture bill to have some oversight of carbon calculators and their standards to ensure that they reflect science and fit with the inventory and that people use only those that are approved. In reality, they will be important management tools, but they might also be audit tools in the future. At the moment, we do not have that.

We also have commercial pressures from retailers and processors who want to show their green credentials by asking their producer group to do particular things and sometimes to be audited by a different type of calculator that does not reflect some of the standards that I have talked about. Addressing that is quite urgent, too.

I think that, to back that up, manuals will be needed, not just for regenerative farming techniques but for mitigation measures. An obligation to producers must also be placed on the Government to validate and quantify mitigation measures including innovations and—through international means, if necessary—insert them into the inventory. At the moment, there are all sorts of tools out there with regard to feed additives and genetic techniques, which will be quite important. Farmers are taking them up, having been told that they will deliver certain emissions benefits, but then the tools are not accepted or do not go into the inventory. As a result, they make no difference and cost farmers money. That is an irresponsible position, and it is something that only Government can handle.

As for emissions from agriculture—methane, which is a high-profile emission, and nitrous oxide—clarification might be needed of the methane targets that we actually have to hit, given our international obligation to reduce it by 30 per cent by 2030. Some 47 per cent of Scotland's methane emissions come from agriculture. Landfill accounts for another chunk, but those emissions have been reduced by 70 per cent in the past 10 years. What does Scottish agriculture have to do by 2030? We are running out of time, so that clarity is important.

Carbon dioxide is the other area. There is some carbon dioxide leakage when you cultivate land, but it is quite small. The fact is that some 90 per cent of carbon dioxide emissions probably come from energy use and the kit on farms, so there must be transformation of that kit, and some form of support will be needed to change that infrastructure. The required capital is not going to be generated by the profitability of agriculture on small farms—or, indeed, large farms. If there is no direct grant for upgrading kit, low or zero-interest loans should be made available.

This is low-hanging fruit. If you spend the money, you will get a 10 per cent reduction in emissions. Agriculture is the third biggest emitter in Scotland—spend the money and you will get that 10 per cent benefit. However, there is nothing in the bill to suggest that that is going to happen. Maybe the budgets are not there for that, so that is something that we will really have to address.

11:15

**Dr Wight:** Schedule 1 includes a few lists of things that can be supported. They are pretty comprehensive lists, in general, and we welcome the strong inclusion of fruit and vegetables, nut production and other such things.

Some notable things such as pigs and poultry—pork, chicken and eggs—have been left off the list of products that support can be offered for. I understand why that has been the case in the past, but we are talking about some of the Scottish sectors that need the most work to transition. We do not want to fund unsustainable practice—the industrial factory farming of chickens, for example—but we do need support in place to help our egg and pork industries transition to more sustainable practice.

There are good examples of what sustainable practice looks like. We have members who keep pigs in woodland, which is amazing for woodland management and produces local food. We have members engaged in pastured poultry systems, which really support biodiversity regeneration. There are examples of transformational practices with pigs and poultry, but nothing under schedule 1 at the moment allows the bill to shape the direction of those sectors. Leaving the sectors out removes any pressure on them to change.

**Donald MacKinnon:** Earlier, I mentioned our suggestion that another objective around small producers and, in particular, crofters be introduced. If that aspect is not added as another objective in the bill, another place where it could be suitably integrated would be schedule 1. It could be made a lot more explicit that specific support for smaller producers and crofters could fit in here quite well. The reason that I mention that relates to the question about how this support is a replacement for the CAP.

We need to look at what is happening in the EU and the CAP at the moment, particularly around this area and redistribution, which I have mentioned already. The regulation explicitly makes

reference to smaller producers and the need to support them; that is now driving the policy, and the outcome has been the mandatory redistribution of 10 per cent of the direct support budget to smaller producers.

Schedule 1 strikes me as another area of the bill where we could have a firmer commitment to smaller producers and crofting, and we could make it mandatory for that to be looked at and implemented. It is fair to say that the bill would allow for that to happen, but we would much prefer it to go further than that and include a commitment to looking at redistribution, for all the reasons that we have outlined in our submission.

Smaller businesses face disproportionate costs, but they deliver benefits. I will not go into them now, but we will continue to provide further information on that in the future.

**Ross Paton:** One of the things that has been exercising us in the Scottish Organic Stakeholders Group is equivalence across Europe and, indeed, the UK. David McKay, I think, was at a meeting with the Department for Environment, Food and Rural Affairs, trying to thrash out equivalence, because it will be a real mess if we move too far away from European standards, or if the UK does so to a great extent. So far, the Scottish Government has said that it wants to maintain adherence to European standards, but that might start to become a real problem, especially when trading across the border, which is quite common. I would like that issue to be in the committee's mind, too, although I am sure that some of you will have thought about it already.

**Dr Barron-Majerik:** I was really pleased to see the phrase "ancillary activity" in schedule 1, including in relation to "preparing, packaging ... or distributing" food. It was also good to see "ancillary activity" mentioned in relation to

"a product derived from a forestry activity",

as that inclusion will be useful. However, the mention of

"picking wild plants, for food"

is a little concerning. I am not sure that that necessarily comes within the aims that we are looking at.

With regard to training and education, I am particularly pleased that "learning and sharing information" have been included together. A real challenge in our sector is that knowledge transfer and training have been seen as separate. They have had to be kept separate, and they have been funded separately. If we can bring those two things together, that will be really impactful for our sector.

**Rhoda Grant:** I have an even more technical question—sorry about that. Do we need more detail on how the powers in schedule 1 will be used? Also, should there be greater scrutiny of how the new powers—for example, to cap payments—are used?

**Dr Eory:** I want to emphasise my comment about the need for flexibility in schedule 1. It is also to do with climate change and potential changes in cropping patterns. The bill lists current crops, but we might miss other crops that will come in. Miscanthus, for example, has not been included.

We also need to consider expanding the aims and aligning the divider goals. For example, fibre production is a technical issue at present, but grass production is included only as forage. Grass production can be used in bio-based economies in ways that involve things other than feed. I therefore strongly propose that schedule 1 be made more flexible.

**Jim Fairlie:** Can I ask a quick question on that, convener?

**The Convener:** Yes.

**Jim Fairlie:** What do you mean when you say that grass can be used in areas other than forage? Are you talking about biomass?

**Dr Eory:** Yes. Anaerobic digestion is one way of using grass; another way is to extract the protein and use it as feed or even, later on, as food. There are various ways of utilising grass. Even if we do not want to have and consume as much livestock as we do at present, we can keep grass production and utilise the grass in other ways.

**Jim Fairlie:** Does that have to be from sown grass and not permanent pasture?

**Dr Eory:** It can be either, I guess. The quality of sown grass is more regulated and more constant, so it is probably better for protein production or other extraction methodologies. Non-sown, permanent grass is definitely still good for anaerobic digestion.

**Jim Fairlie:** I have a slight concern about that. We have had such things happen in the past, particularly in my constituency, and they have led to a huge amount of forage being taken out of the marketplace, which has then pushed up the price of forage for livestock producers who live in the same area. There is an opportunity cost to everything that we do, is there not?

**Dr Eory:** Yes. That is why I emphasised that it has to happen together with diet changes and reductions in livestock consumption. With forage prices reducing, we can then utilise our grass areas to produce things other than meat and dairy.

**Jim Fairlie:** Okay. Thank you.

**Dr Wight:** I return to the powers and whether there should be more direction on how they may be used. In our written submission, we emphasise that, although the bill offers ministers powers to do all the great things that we are talking about, there would be no obligation on ministers to do them. There is not even any direction on how they should use the powers. More of that would strengthen the bill, particularly in relation to capping and redistribution. There is a power to introduce capping, but there is no obligation on ministers to do it and there is no direction on how to do it. It is really important that those things come into the primary legislation.

We see from countries in Europe that giving people unlimited public money based mostly on area of land is a misuse of public money. That should be covered in the primary legislation and it should be regulated against. There should also be guidance on how to bring in capping.

To reiterate the point about redistributive payments, the bill talks clearly about capping but it does not talk about what we call redistribution. NFU Scotland tends to talk about "front loading", whereas we talk about "redistribution", but it is the same thing. It means giving more money for the first few hectares of land and then, above a certain threshold, the amount goes down or tapers off. Redistribution supports medium and small-scale farming—the people who are most pushed economically at the moment in our farming sector.

We need guidance for ministers on how to introduce redistribution, and it should be laid out in primary legislation. For example, in the EU, under the CAP, 10 to 30 per cent of the direct payments budget must be redistributed to small-scale and new-entrant farmers. It is important that primary legislation contains clear guidance on that, and similar guidance on capping.

**David McKay:** I absolutely agree with Tara Wight and Donald MacKinnon that capping will allow for redistribution or front loading—whichever term you want to use—to happen. However, the language around that in the bill needs to be tightened up slightly. We think that capping should be applicable to direct payments and not to some indirect payments, for example those through agri-environment schemes and habitat restoration. Capping in those areas would be counterproductive to some environmental objectives.

**Nigel Miller:** Specifically on capping, my view would be similar to what has just been articulated, as regards not restricting it to areas outwith core support. However, there are significant dangers in applying capping to core support, given the structure of agriculture and the level of employment on some larger units. You are removing the capability to pay decent wages and create employment, which is important in many areas. There are pros and cons to capping, which should be looked at.

To address Rhoda Grant's point, all those issues should have clear and objective criteria on how they should be operated, so that it is clear to the public and to farmers when certain regulations click in, and so that it is not open to controversy or challenge.

On the more complex questions, such as the issue of what constitutes regenerative farming, we have to keep the definitions very simple—very black and white. It is black and white to maintain your soils within a certain carbon bracket, to have a rotation that contains a regenerative component and to ensure that you put clovers into your grass seed mixes or other herbs. Farmers can prove that they have done those things or not done them. That is really important. There is real stress on farmers in relation to audit and complying. You have to make it clear what farmers need to do to tick the box.

In the most recent CAP reform, there was an option to have an official advisory service, which was not taken up. I hesitate to bring it up now, because it is another cost that the budget might not be able to stand, but the concept is good. When farmers are going into system change and totally different approaches to agriculture, if the competent authority delivers an official advisory service, they will have somebody who is aware of all the criteria that they have to deliver on and who can give them hands-on advice through the process. Given that we are probably facing as big a revolution as we have ever seen in agriculture, that would make perfect sense and ensure that compliance is built into change, as opposed to waiting for change to happen and addressing compliance issues afterwards.

**Rhoda Grant:** Nobody has mentioned scrutiny. This is an enabling bill, and a lot of the powers in it relate to where the money is going to come from. Folk might reflect on whether the scrutiny provisions in the bill are enough and write to the committee on that. That issue might not be at the forefront of everybody's mind, but we need to have adequate scrutiny in the bill over the powers that will shape the policy going forward.

I have a final, small question. We are looking at alignment with the EU CAP. I am picking up that people are broadly supportive of that, but is there any area where that would not be desirable?

**The Convener:** Ross, you commented on EU alignment, given the bill's powers to create brand-new policies.

11:30

**Ross Paton:** For organic standards, it is important that we maintain EU alignment. The trouble is that, if the UK Government deviates from that in any great way, that will cause all sorts of problems.

I do not know enough about the rest of the CAP to comment.

**Dr Eory:** There has been quite a debate in Europe about the CAP, especially regarding climate change. It will not deliver the greenhouse gas mitigation that is needed in Europe. Although I am quite pro-alignment, we need to do a lot more on greenhouse gas reduction.

**Dr Wight:** Although alignment with the CAP is important—and there is some good stuff in it, especially in the newer version of the CAP—our legislation is based on a previous version that has not been used for several years, and there are a lot of updates in the newer CAP legislation that we should take into account.

Alignment is important, but we need to be more ambitious. We talk a lot about being world leading in Scotland, but we need to be ahead of the EU. At the moment, we are behind. We need to push forward. One of the opportunities of writing legislation that is not under the CAP is that we can take that as a basis and expand on it and do something better.

**Nigel Miller:** Vera Eory touched on the climate change issues that relate to the CAP. Also, through negotiation, the biodiversity measures have been watered down from the original proposal. In both those areas, we will have to be more ambitious if we are to hit our targets. However, at least it is a starting point. If we are aligned with the CAP, maybe we can build on that through the five-year plan to get to the sort of place that would ensure that we have some chance of hitting targets. At the moment, we are handicapped, because we are starting probably two or three years too late.

**The Convener:** Rachael Hamilton has a supplementary question.

**Rachael Hamilton:** My question is about the practicalities of some of the purposes of support in schedule 1—in particular, the provisions on the agricultural supply chain. I will start with Donald MacKinnon. Today, a lot of people have mentioned the Good Food Nation (Scotland) Act 2022. It seems as though the budget that would be associated with what that act intends to do will be encompassed into those provisions in schedule 1. From a practical or behavioural point of view, how will the bill drive change so that crofters can, for example, get together to create a new abattoir or look at animal haulage or farmers markets, as has been mentioned? The same applies to the organic movement. Are the provisions practical?

**Donald MacKinnon:** My point, which was also made in our written submission, is about alignment with such things. We must make sure that the bill is at least aware of what is going on in those other areas of policy.

You made an important point about how closely linked the Good Food Nation (Scotland) Act 2022 and the bill will ultimately be. It is important that, within the framework, support is made available for exactly the kind of initiatives that you mentioned, such as abattoirs and crofters getting together to set up ways of allowing people to have better access to food. That is an important part of what the 2022 act is about and it should be an important part of what the bill is about as well.

Making sure that that investment is targeted, acknowledging that budgets will be tight, and directing support in the correct way will be absolutely critical. Support for such initiatives, which will probably fit into tier 4 of the policy, is important. We would certainly call for that.

**Nigel Miller:** I will come in briefly on abattoirs, which have been an issue for 20 years or more. I have spent a lot of time on looking at those, including abattoirs on the islands. The reality is that there is a capital cost in abattoirs, even small ones, but there is also the on-going cost of skilled labour. In small abattoirs, if the slaughterman and the workers who cut and dress carcases are getting only one or two days of work per week, that makes things quite difficult.

There was some work to look at rotations whereby people could move around the Highlands and Islands and do a day's work here and another there. That idea initially looked as though it had legs, but the lifestyle that it would require of people was just a nightmare. If we are to look seriously at provision for small local abattoirs, we must consider not only capital support but on-going revenue to support the part-time employment of skilled people in those areas. Without that, the proposal will not go anywhere.

Abattoirs in general are not a sexy sector—nobody loves them—but they are absolutely vital. If we look at the map of abattoirs in Scotland, even in the major livestock areas, we can see that there is inadequate capacity. That will only get worse, because our livestock population is falling significantly. We have also seen a consolidation of ownership, so one of the major abattoirs might fall out of the system in the next two or three years. There are therefore real issues there.

On transport, more could be done. As someone who buys livestock in the Highlands and Islands, I can say that getting sheep down from Lairg, Thurso or the outer isles is a nightmare, because

people do not have enough trucks to shift them. We are not going to magic up more trucks or the skills that are required to operate them. It costs big money to have those bits of kit.

If we are to facilitate such movements, which are absolutely vital to get animals—many of which are high-quality stock—out of high areas, we must have a supported lairage system to hold sheep, perhaps for a week or more, before transport to move them can be fitted in. That situation is really urgent. For example, ewes from a sale in Thurso were standing there for nearly a week, waiting to be moved south. Thurso has decent facilities, but Lairg and the island abattoirs do not have any fields in which to hold animals. There are disease and health risks in doing that, which is another issue that must be taken into account.

**The Convener:** We will move to a question from Beatrice Wishart.

**Beatrice Wishart (Shetland Islands) (LD):** I return to the issue of continuing professional development, to get a bit more from the round table. What are your views on the power to provide for CPD? Are there particular areas in which CPD should be required or encouraged? I do not know who wants to take that first.

**The Convener:** I will bring in Liz Barron-Majerik and then Tara Wight.

**Dr Barron-Majerik:** That area overlaps a lot with the work of the commission for the land-based learning review, which has involved many recommendations and discussions on why training in the sector is different and more challenging than in the standard models. For example, there are now fewer delivery centres, they are further away, and there is a struggle to meet standard key performance indicators and funding requirements in agriculture and the land-based sector. That will affect seasonality effects, the standard training models and the time of year—all that is complicated.

I was interested to hear that the focus was on continuing professional development rather than wider training. There has not been so much of a culture of CPD in Scottish agriculture compared with other areas such as Wales, which has the farming connect advice service, standard models and requirements for recording CPD. We can take a lot of learning from other countries on which areas to prioritise. I agree with the earlier point about the soil side being an immediate priority.

**Dr Wight:** I very much echo everything that Liz Barron-Majerik has said. As has been highlighted already, we are contemplating a huge transformation of our agricultural system. If we are to achieve the bill's objectives, there will have to be great change in practice across the whole country. Even if people are not used to being part of a CPD system, they will need to change and learn new things, so having such a system will be essential. It is great that there is provision for that in the bill.

It is important to know what counts as CPD. There is very good evidence that the best way to get farmers to change their practice is through peer-to-peer learning, knowledge sharing, learning from each other and seeing what has worked on other farms. That is how we bring about change in practice. It is important to have more integration of what is currently called "knowledge transfer" and what is called "training", so that both those things count as continuing professional development.

For some areas, such as health and safety, you need to have a specific certificate, which must be supported, but broader change towards regenerative practices will need a huge amount of knowledge sharing between farmers. David McKay mentioned the knowledge sharing project that we have been part of, along with the Crofting Federation. That has been really successful in getting groups of farmers together to train each other—although we do not call it training, we call it knowledge transfer—and support each other. It is really important for CPD to include peer-to-peer knowledge sharing.

We should also look at how CPD is done in other countries and how they use carrot and stick approaches. For example, in France—although it varies from region to region—every farmer has access to something like €3,000 a year for CPD. If they want that, it is available for them.

We have some systems here for very specific groups. For example, we have Women in Agriculture Scotland, which is great, but it is not available across the board. If we are looking for real change in practice, we need to start thinking about how people can access CPD and how to make that available to everyone.

**Professor Dwyer:** To continue those ideas, CPD should be far broader than sitting down and attending courses. There is growing knowledge about human behaviour change and changes in practice, which comes from our understanding of human health and is now being applied more broadly. If we understand why people behave as they do and how we might make changes, that directs us towards the mechanisms that we might use.

Some of that might be education, but some might be incentivisation. We have talked a bit about using schemes, but there are other ways to bring about changes in practice. To have a very restrictive view of what CPD might be would limit the opportunities to bring about broader change. Understanding why humans behave or practise as they do, and what influences change, can be a

real strength in helping us to target funding to the right areas to bring about change.

**The Convener:** I have a question before I bring in Nigel Miller. Are you suggesting that what is currently in the bill might be too restrictive because of what people understand CPD to be, which might not include the idea of farmers getting together round a kitchen table or over a pint to discuss something? We saw that working successfully after the foot and mouth disease outbreak, so should it be mentioned in the bill?

**Professor Dwyer:** Peer-to-peer learning is an amazing and transformative way of getting information to people. Lots of people learn from seeing, practising and trying. Health and safety has been mentioned a few times. Most of us have probably done health and safety courses. I am not sure that many of us learned much or changed our behaviour because of that, but we ticked that box. Finding ways that actually engage people and make them want to do something different is absolutely fundamental to making CPD work.

**Nigel Miller:** CPD can be too restrictive. As people have said, peer-to-peer activity will probably be more valuable and significant. My appeal is for us not to do that in centres of excellence or knowledge hubs such as focus farms or monitor farms. We should continue with them, but we want to reach everyone, which probably means having peer-to-peer activity in local communities and having a local facilitator, possibly a young person, bringing together the community. That would be partly social but would also allow community members to focus on particular issues that they want to share. A pilot was carried out on Arran several years ago and was extraordinarily successful. We need to use that model.

Looking at the other side of CPD, people such as Cathy Dwyer and Vera Eory have extraordinary depth of knowledge in specific areas, which can be quite inspirational. If we get CPD or presentations, those are often given by generalists who are drawing down information and distilling it into some dull format for farmers, because people might consider them to be stupid. You want to have people such as Cathy and Vera there as well to speak directly to farmers and really challenge them to push the boundaries and innovate and to draw down information to come up with their own ideas. Make it exciting; do not give them the same old, same old story that we get month after month from various advisory services.

I am not knocking SAC Consulting—its advisory service is very good—but there is another aspect on which we have to go a bit further.

**Dr Barron-Majerik:** CPD is what you make it. The education sector is now calling it CLPL, which I think stands for continuous lifelong professional learning—that is the latest acronym. However, as we have heard, it is really important that the code of practice informs a framework for education and, from that, we have packages of learning.

On how those are delivered, there is a real opportunity to connect the plans for the farm and the advice that the farmer has received to specific training and learning opportunities. In that way, you get to see the impact of the advice. At the moment, those are held completely separately, because of funding and legislative issues in the past. We have the opportunity to connect those.

**Dr Cole:** As we move to a more agri-ecological focus, there is a need to build in knowledge of ecology at all levels, right through from basic agricultural courses. That needs to be done in a sensitive way. In the past, our students have felt alienated studying ecological modules that involve finger-pointing and blaming farmers. It needs to be done sensitively. There is a lack of knowledge of the basic processes that underpin production, such as nitrogen cycles and species interactions. Peer-to-peer learning is great; I have seen it work really well. I have also seen it spread misinformation, so it needs to be sense checked. We need experts to put a cap on some of the misinformation that is spread.

**The Convener:** It appears to me that there is a lot of ability to use a stick, rather than a carrot, because the bill requires a person

"to undertake particular, or a particular amount of, CPD activities".

It also refers to

"monitoring and enforcement of any requirement to undertake ... CPD"

and

"appeals against decisions of the Scottish Ministers ... relating to any requirement to undertake CPD".

There is a lot about using a stick and not very much about what you guys have just mentioned, which is very much about farmers' desire to undertake training in order to do their job better. The bill appears to be very stick heavy. Is that the right approach?

**Nigel Miller:** It is like being back at school. If you do not want to be there, the training will be of no value. In some extreme areas—for example, those relating to health and safety—if you do not have a ticket, you cannot do the job. That is fair enough, but with regard to the CPD or peer learning that we are talking about in relation to changing the industry, for goodness' sake, do not be waving a stick, because you will have lost before you start. You have to win hearts and minds.

**Professor Dwyer:** I will make an analogy with animal training. In welfare terms, we think about R+, so you reward, reward, reward. With animals, that always works better than a big stick, and I submit that it also works with human behaviour.

**The Convener:** As a former farmer, I assure you that the same applies when it comes to training for farmers. The stick certainly does not help.

Liz Barron-Majerik, do you want to say a final word on that topic?

**Dr Barron-Majerik:** Yes. This is a stage of the journey, because a massive culture shift will be required. A lot of people who work in the sector are amazing at what they do, but we also have a lot of people who were told, "You don't need to go to college or go on training courses, because you're just going to be working on the farm." There is a lot of anxiety about taking on training and learning opportunities. There is a balance to be struck, because we are going to be on a very long journey in relation to encouraging people to take on training.

**Nigel Miller:** That is where the official advisory service comes in.

**Dr Eory:** In relation to the carrot, it is probably partly about the language and how the bill is framed. The carrot is the subsidies for all the different services that farmers provide. That money is the reward. We probably just need to find a way of phrasing it to say, "We are going to support you and give you the opportunity, the money and the access to experts and your peers so that you can provide those services for which you will be paid."

**Dr Wight:** It is also about different approaches to CPD, which we have been talking about. It is true that, if you are told that you have to go on a certain course, you will not learn much from it. However, if you are offered a range of ways in which you might want to engage with CPD, that is very different from being told that you must go on a certain course. We should frame it as an offer of different opportunities, with people being able to choose the ones that are relevant, useful and interesting to them, so that they will learn so much more.

**Professor Dwyer:** There are rewards other than just money. There is your status, your understanding and your feeling that you are doing good, responding to market signals and getting the approval of your community. You can get lots of rewards from engaging with CPD. It is not just about money; there are other things, too.

**Dr Barron-Majerik:** I simply make a plea that, if we are to measure the effectiveness of the training and make people realise what they are doing and the value of CPD, that needs to be recorded.

**The Convener:** Our final question is from Ariane Burgess.

**Ariane Burgess:** We have been talking about the link with the Good Food Nation (Scotland) Act 2022. Part of the challenge is how we get more people to afford healthy, sustainable food. I have been thinking about the issue of sale price. My question is particularly for David McKay and Ross Paton, in relation to organics, but I will put it to everybody.

Does the Scottish Government need to have the power to subsidise not only the production but the sale price of certain foods, particularly fruit and vegetables? Perhaps, at a certain price, a subsidy could be applied. I do not know whether it would be possible to apply it to only fruit and veg grown in Scotland, or grown through regenerative methods, or whether it could offset the premium that producers should earn for using regenerative methods.

**Dr Cole:** There will potentially be a cost to moving towards more regenerative practices. I am thinking about the issue from an agroecological point of view. It is about fair food for everyone and not passing the cost on to the consumer, so that everyone gets the same opportunities. Perhaps the Government should commit to there being a certain percentage of more agroecological produce in schools, hospitals and so on. That has worked well in countries such as Cyprus. Perhaps there should be taxation somewhere else—I would not like to say that it should be on whisky, but it could be on something like that.

**David McKay:** To address the point, we would be supportive of such subsidies. Henry Dimbleby made similar recommendations relating to the point of sale in the national food strategy. There are strong public health arguments for that when it comes to nutritious food that has been produced in a more sustainable way.

One of the unfortunate things about the current system is that there is a lot of additional cost for producers such as Ross Paton who produce food to organic standards. Some of that is to do with the cost of production, but a lot of it sits within the supply chain and is about the higher costs of distribution, processing and so on. Some of that is due to the fact that we are not operating at the economies of scale that are in place with conventional methods. We need to find a way of internalising some of the external costs from more intensive systems. Governments in both Scotland and the rest of the UK should be thinking about that.

**Ross Paton:** As David McKay said, one will follow the other. If there was greater consumption of organic food, the supply chains would follow.

I think that I am right in saying that East Ayrshire Council has abandoned its food for life programme, which is very disappointing—

**David McKay:** That was driven by costs, especially around farm assured meat.

**Ross Paton:** That shows that we are going backwards instead of forwards. That was a flagship scheme that was about putting food for life into schools. Bryce Cunningham was going to be spending money in advance on stuff, and he heard that the council had pulled the plug on the scheme overnight. That speaks to another issue—local authority funding and the devolution to local authorities of the responsibility to raise their own funds for such initiatives. Pulling the plug on the food for life programme in order to get cheaper ready meals from Booker or wherever does not seem very progressive.

**Dr Wight:** The question of food access is really important. We come back to the objectives of the bill—the objective on the production of high-quality food does not say anything about to whom that food should be accessible. It does not say how normal people in Scotland will be able to access that food. Therefore, it is really important that we think about food access in this context. We would support what Ariane Burgess suggested.

It is worth saying that the fruit and veg sector receives almost no subsidies. Part of the reason why that produce is so expensive is that it is not supported at the production stage. That is especially true of the smaller-scale, more organic producers, such as market gardens, that produce large amounts of great, healthy food on small amounts of land. They receive virtually no subsidies at all, so of course those products will be expensive. Other parts of our food system are very highly subsidised at the production end.

Therefore, I think that there is a role for subsidy at the production end when it comes to fruit and vegetables. If we want everyone in Scotland to have access to cheap, healthy fruit and veg, we need to start subsidising their production so that they are available at cheaper prices. We have put forward various proposals on how to subsidise that, and I would be happy to talk in more detail about those.

Another issue relates to the value that comes from the supply chain and how much money the supermarkets are making. We would have to be careful to ensure that a subsidy did not end up subsiding the supermarkets and the middle men, which is what happens, to an extent, with the current subsidy system. The supermarkets can pay the farmers less because the farmers receive subsidies. At the moment, in the cost of living crisis, the supermarkets' profits are extraordinarily high.

**Nigel Miller:** It is worth looking at culture when it comes to the public good of increasing our consumption of fruit and veg. If we use 2007 as a baseline, we can see that, in the UK, we grow less fruit and vegetables, and retailers sell less fruit and vegetables, than was the case back in 2007, despite all the campaigns. Therefore, we should not underestimate the challenge of changing behaviour.

As Tara Wight said, subsidies tend to be drawn in by retailers rather than the consumer or the primary producer. On that basis, I am not entirely reassured that subsiding the sale price would be a very smart thing to do. A better or more targeted way of fostering culture change and increasing access would be to spend the money on procurement for schools to ensure that school pupils had excellent food and a more diverse diet. That would be a better way of spending the money. Even if that money did not benefit the producer, at least it would produce a public good and perhaps change minds.

All farmers in Scotland should be producing quality food. They are probably doing that now, but the standards that will be mapped out in the next reform should mean that all the food is quality food. We should not cherry pick by saying that the food that is produced by particular sectors is quality food. Politically, it is really important that all Scottish producers fall into that category.

12:00

During that period, there will be significant changes relating to production systems, biodiversity, climate change and soil management, so it is also important that the value that comes from those improvements is ring fenced to the primary producer in some way, but I do not know how that could be done. The process should not be hijacked by retailers demanding those systems and then charging the consumer for them. If improvements are being made and retailers are putting that on the label, they should pay a premium—a supplement on the commodity price—for that quality product.

At the moment, we are losing the battle, because retailers are demanding that their producer groups bring in certain welfare or ecological standards, and then they take the credit and the money. There is an urgent need for that to be addressed.

**The Convener:** We are rapidly running out of time; in fact, we have gone over our time. I will bring in Vera Eory and then Kirsty Jenkins.

**Dr Eory:** From a social and environmental policy perspective, intervention at the consumption level is definitely desirable and can be very effective, together with intervention at the production level. Intervention of that type has two legs. The first is subsidies for those who cannot afford to make the changes and on products that are more environmentally friendly or that come from smaller farms. The second is taxation. A green tax can provide a revenue stream for redistribution, and it can be raised in the food chain by taxing products and producers that provide fewer of the services or public goods that we need to increase biodiversity, support rural communities, address climate change and so on.

Tara Wight has said a few times that there is a strong perverse incentive in the structure of the European CAP, in relation to the direct payments that we keep, because we siphon a lot of money into producing products that require a lot of land and that produce high greenhouse gas emissions, instead of putting the money towards products that are more nutritious and that cause less environmental harm.

**Kirsty Jenkins:** I agree that we need to reckon with externalities, and I acknowledge what others have said about the power of supermarkets.

The trade deals that have already been made, and those that are currently being made, by the UK Government—the situation has been exacerbated by the United Kingdom Internal Market Act 2020—can be seen as a barrier to Scottish farmers improving animal welfare, because, if they do, they could be at a competitive disadvantage compared with products that come in from countries with lower standards or that have not made such improvements. It is important that, through our agricultural policies and good food nation policies, we try to figure out mechanisms to balance that.

**The Convener:** I am conscious of the time, but I would like to give all the witnesses the opportunity to raise anything about the bill or about the next steps that we take in developing agricultural policy. If there are any burning statements that you would like to make, the time to make them is now, before I bring the meeting to an end.

**Nigel Miller:** I know that the bill is an enabling bill, but I make a plea to the committee to ensure that the bill includes some sort of high-level indication of the direction of travel. There is scope for the bill to do anything, and farmers need to have certainty about, or an indication of, where we are going. It is important that that is in the bill and in plain language that a farmer would understand.

**Dr Wight:** I back up what Nigel Miller said. It is important that that is done at the primary legislation stage, because that is when we have all the consultation, engagement and conversations of this kind. That will not happen to the same extent when secondary legislation is being considered, so the direction of travel needs to be defined in the primary legislation.

**Rachael Hamilton:** We need to consider the limitations of the EU in delivering on climate change policy in agriculture, too. Many people have kicked back on the farm to fork strategy, and some organic producers have found that their products are now no longer niche. We need to be cognisant of the fact that some of it is not working. Some examples have been lauded in the room today as things that we should aspire to, but we need to consider the other side of that, too.

**The Convener:** Are there any other final comments?

**Jim Fairlie:** I promise that I will be brief, convener. I fully support the idea of enabling people to buy local food, in all its forms, but would that not put us in conflict with the World Trade Organization rules?

**The Convener:** There is a question.

**Dr Eory:** I am not an expert on that, but I can give a quick answer. I believe that it is possible to pay producers for non-market benefits. If we consider that, there would be quite a wide range of payments that would fit with the WTO rules.

**Jim Fairlie:** What would you consider to be a non-market benefit?

**Dr Eory:** Everything that we are talking about, such as biodiversity, water pollution, animal welfare and climate change—all the things for which we do not have a private market.

**The Convener:** Thank you. I am sure that we will follow up on that question.

It has been a mammoth session. I thank the witnesses for the huge amount of information that they have relayed to committee members, which we will consider in our future deliberations on the bill.

12:06

*Meeting suspended.*

12:07

*On resuming—*

# United Kingdom Subordinate Legislation

## Sea Fisheries (International Commission for the Conservation of Atlantic Tunas) (Amendment) Regulations 2023

**The Convener:** The next item on our agenda is a consent notification. Are members content to agree with the Scottish Government's decision to consent to the provisions set out in the notification being included in UK, rather than Scottish, subordinate legislation?

**Members** *indicated agreement.*

12:08

*Meeting continued in private until 12:30.*

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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