



OFFICIAL REPORT
AITHISG OIFIGEIL

Citizen Participation and Public Petitions Committee

Wednesday 22 January 2025

Session 6



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CITIZEN PARTICIPATION AND PUBLIC PETITIONS COMMITTEE

1st Meeting 2025, Session 6

CONVENER

*Jackson Carlaw (Eastwood) (Con)

DEPUTY CONVENER

*David Torrance (Kirkcaldy) (SNP)

COMMITTEE MEMBERS

*Foysoil Choudhury (Lothian) (Lab)

*Fergus Ewing (Inverness and Nairn) (SNP)

*Maurice Golden (North East Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Neil Bibby (West Scotland) (Lab)

Fulton MacGregor (Coatbridge and Chryston) (SNP)

Mark Ruskell (Mid Scotland and Fife) (Green)

Tess White (North East Scotland) (Con)

CLERK TO THE COMMITTEE

Jyoti Chandola

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Citizen Participation and Public Petitions Committee

Wednesday 22 January 2025

[The Convener opened the meeting at 09:34]

Decision on Taking Business in Private

The Convener (Jackson Carlaw): Good morning, and welcome to the first meeting in 2025 of the Citizen Participation and Public Petitions Committee. If you are joining us to watch our excitements this morning, it is nice to have you with us. We look forward to a series of continued petitions and new petitions.

Our first agenda item is a decision on whether to take in private item 4, which relates to correspondence that we have received. Are members content to take that item in private?

Members *indicated agreement.*

Continued Petitions

Surgical Mesh and Fixation Devices (PE1865)

09:34

The Convener: Our second item is consideration of continued petitions. The first of those, PE1865, which was lodged by Roseanna Clarkin and Lauren McDougall, calls on the Scottish Parliament to urge the Scottish Government to suspend the use of all surgical mesh and fixation devices.

Katy Clark had hoped to be here to speak to the petition but is unable to join us, and I understand that one of the petitioners has been ill and, therefore, was not able to make a submission that they would have liked us to consider as part of our consideration of the petition this morning. In the light of that, I suggest that we defer consideration of the petition until our next meeting, in order that the petitioner be given the opportunity to make their additional submission. Do colleagues agree?

Members *indicated agreement.*

Redress Scheme (Fornethy House Residential School) (PE1933)

The Convener: PE1933, which was lodged by Iris Tinto on behalf of the Fornethy Survivors Group, is on allowing the Fornethy survivors to access Scotland's redress scheme. I think that I detect the petitioner and some supporters in the public gallery. The petition calls on the Scottish Parliament to urge the Scottish Government to widen access to Scotland's redress scheme to allow Fornethy survivors to seek redress.

Members will know that we have been actively engaged with the petition for some considerable time. It was most recently considered at our meeting on 26 June last year, when we agreed to write to the Deputy First Minister to set out our unanimous view that individuals who experienced abuse in a relevant care setting should be able to access the redress scheme, regardless of the length of their stay or whether there was parental consent for their placement.

The response that we received from the Deputy First Minister in August restated the Scottish Government's position that the existing eligibility criteria reflect the core purpose of the scheme, which was designed primarily for vulnerable children who were in long-term care, often isolated, with limited or no contact with their families, and that it is not minded to change the

criteria in either the primary act or secondary legislation.

We have received further information from Redress Scotland on the legislation, regulations and statutory guidance that were referred to during our discussions on 12 June last year. Information has been provided about the decisions to deny redress. The reasons include there being insufficient supporting information and the care setting not being covered by the scheme because the application related to short-term care.

The petitioner has responded by highlighting the evidence that suggests that Fornethy house was a residential school rather than a short-term respite or rehabilitation setting, and has questioned why the onus is on survivors to produce records that were either kept by Glasgow Corporation, or lost or destroyed.

Following receipt of the Deputy First Minister's response, members will recall our work programme discussion on 11 September last year, when we agreed to seek a chamber debate on the substance of the petition. Members might be aware that Alex Rowley has lodged a motion that was marked for members' business; however, I think that he has withdrawn the members' business motion on the basis that the committee is minded to seek a chamber debate on the subject.

Subsequently, we received an update from the Deputy First Minister that provided information on the meeting that she had with the Fornethy Survivors Group. A copy of that update is included in our papers for today's meeting. It sets out a number of action points that the Deputy First Minister committed to taking, such as signposting survivors to emotional support, requesting that the leader of Glasgow City Council meet survivors, providing details of how to contact the Scottish child abuse inquiry and committing to meeting the group again after the criminal case relating to Fornethy house has been heard.

We have received a submission from the petitioner that responds to the various action points and draws our attention back to the ask of their petition—namely, that the eligibility criteria of the redress scheme be amended to ensure that Fornethy survivors can seek redress. The survivors also request that the petition be considered for a parliamentary debate.

Do members have any comments or suggestions for action? I am certainly minded that we do not resile from our commitment to take the issue forward for a chamber debate, but, in the light of everything that has been going on ahead of that, is there further action that it would be useful for us to take that would inform that discussion?

Fergus Ewing (Inverness and Nairn) (SNP): I entirely agree that there should be a debate in due

course. However, prior to that point, and to inform both the debate and the committee's work, it would be useful to glean more information. We could write to the Deputy First Minister to seek an update on any further action that the Scottish Government is taking in respect of the action points that were mentioned in her correspondence of 5 December 2024. We could also write to the leader of Glasgow City Council to ask that she meet the Fornethy survivors to discuss their continuing request for recognition of and redress for the abuse that they experienced at Fornethy house.

There seems to have been what we might call a tussle as to whether the Scottish Government or Glasgow City Council should pay. That is a pretty unseemly scrap, and it is preferable that it not take place. However, given that the Deputy First Minister seems to be trying to get the council to pay up, I think that we should find out what the council's view is.

In my view, the Government should pay up anyway. If it wants to use its muscle to try to recover from Glasgow City Council, that is fair enough. The Government has the firepower, the lawyers and the taxpayers' money to enable it to get the money back, but the Fornethy survivors do not. Why should they be in the position of begging for what they should have had in the first place? I am sorry, convener—those last remarks were unscripted.

The Convener: I would be interested to get an insight into Glasgow City Council's thinking on the issue. An apology was offered, but it came out, rather than being delivered in a structured way. I would be interested to know the timeline for its consideration of these matters.

As members have no other suggestions, are we content to keep the petition open? We are still minded to seek a debate on the petition, which would probably take place later in the year. We want to clarify some of the other issues so that we can frame a motion as directly as possible when we take it to the chamber.

Members indicated agreement.

Thrombosis (PE2016)

The Convener: PE2016, which was lodged by Gordon McPherson, calls on the Scottish Parliament to urge the Scottish Government to raise awareness of the risk factors, signs and symptoms of thrombosis. We were hoping that Jackie Baillie would join us this morning, but she has been detained at another committee meeting in which she is participating.

We most recently considered the petition on 20 March 2024, at which time we agreed to write to

the Cabinet Secretary for NHS Recovery, Health and Social Care. We sought clarification on a discrepancy in the figures for deaths relating to thrombosis each year, which the petitioner had highlighted.

The cabinet secretary has explained that the smaller figure provided covers deaths from venous thrombosis, and the larger figure includes both venous thrombosis and arterial thrombosis. The risk factors for venous thrombosis and arterial thrombosis, which can lead to heart attack and stroke, are very different. The Scottish Government has different strategies for each, including in relation to its approach to public awareness raising and clinical guidance.

The response points to the Scottish intercollegiate guidelines network's national clinical guidance on the prevention and management of venous thromboembolism in patients with Covid-19. That guidance was published in 2021, and the National Institute for Health and Care Excellence's guidelines were updated in August 2023.

The cabinet secretary stated that, in the light of the updated material for clinicians and the revised guidance for the general public, the Scottish Government has determined that the cost of a public awareness campaign on thrombosis is not justified at this time.

Do members have any suggestions as to how we might proceed?

David Torrance (Kirkcaldy) (SNP): In the light of the information that the committee has received, should we consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government has determined that, in the light of the updated material for clinicians and the revised guidance for the general public, the cost of a public awareness campaign on thrombosis is not justified at this time?

The Convener: In the light of what we have been told, are colleagues minded to accept David Torrance's proposal?

Members *indicated agreement.*

The Convener: We thank the petitioner very much, but, in the light of the Government's response, we will move to close the petition.

Perinatal Mental Health Support (PE2017)

The Convener: Our next petition is PE2017, which was lodged by Margaret Reid. It calls on the Scottish Parliament to urge the Scottish Government to amend section 24 of the Mental Health (Care and Treatment) (Scotland) Act 2003 to extend maternal health support beyond one year; to introduce a family liaison function at adult

mental health units across all health board areas; to introduce specialised perinatal community teams that meet perinatal quality network standard type 1 across all health board areas; and to establish a mother and baby unit in the north-east of Scotland.

We are joined for our consideration of the petition by our colleague Tess White. Good morning, Tess.

We most recently considered the petition at our meeting on 17 April, when we agreed to write to the Minister for Social Care, Mental Wellbeing and Sport. We requested an update on publication of the options appraisal report, and the minister stated that it would be published in due course. However, we understand that, notwithstanding what the minister said, no report has yet been published.

09:45

The minister's response also highlights that development of a draft service specification for perinatal mental health services has been identified as a priority area. The minister states her intention to provide £85,000 "in this financial year"—the clerks have confirmed that that means the financial year that we are currently in—to support the first phase of work to develop intensive treatment services for perinatal women, their infants and their families in the north of Scotland.

Before I ask colleagues for their comments, I invite Tess White to address the committee.

Tess White (North East Scotland) (Con): I thank the convener and the committee for the opportunity to speak at today's meeting. It is fortuitous, because the petition was once again in the press last week, when it received coverage in *The Courier*.

This is a difficult and emotive topic. I pay tribute to the petitioner, Maggie Reid, who is a constituent of mine, for her on-going work to improve perinatal mental health support for women in the north-east and across Scotland.

As the convener will know, this is the third occasion on which I have appeared before the committee on the petition. However, frustratingly, the Scottish Government has made little progress towards advancing its key aims. It seems that we are no closer to extending the period for which specialist perinatal mental health support is available, and we still do not have a mother and baby unit in the north-east. The recommendations of the Strang report on Tayside's mental health services have still not been satisfactorily implemented. Worryingly, stakeholders have advised that, since the dissolution of the perinatal

and infant mental health programme board in 2023, there have been no clear plans for the long-term strategic planning and monitoring of specialist perinatal mental health services. I have also been advised that there are no clear timescales for completion on meeting the recommended service models for different parts of the country.

At the core of Maggie's petition is the premise that new mothers who suffer mental ill health should be kept safer—much safer than they are now. The committee will recall that Maggie's sister Lesley was sectioned because of postpartum psychosis, and she was placed in a mixed ward at Carseview psychiatric unit. I ask members to imagine how they would feel if their own daughter, niece or mother had to go through that. Thinking about that prospect brings it home to you. Lesley was already vulnerable, and she was—understandably—absolutely terrified.

I raised the issue of mixed wards in Carseview with the First Minister at First Minister's question time last week, following reports of sexual assaults and rapes taking place at the unit. This issue needs much greater scrutiny.

Last year, Maggie and I met the Deputy First Minister to discuss maternal mental health and the petition. The Deputy First Minister undertook to see Carseview for herself, and last week she visited it with the Minister for Social Care, Mental Wellbeing and Sport. That makes me all the more surprised that she has not found the money that she promised. We await detailed feedback on the visit.

I would like to finish with Maggie's own words, which I will leave with members. She said:

"this is not just for my sister, it's for women in general and I hope the Scottish Government will do something about it."

We cannot wait any longer.

The Convener: Thank you very much, Tess. That was very helpful.

Given the letter that we received back in April after our consideration of the petition last year, and the matters that Tess White has just raised, I think that the minister has some explaining to do. I do not like to put it so bluntly, but it does not seem to me that progress has been forthcoming. Do colleagues have any suggestions?

David Torrance: Could we consider writing to the Minister for Social Care, Mental Wellbeing and Sport to ask for a specific publication date for the report from NHS National Services Scotland on the options appraisal process on mother and baby unit provision in Scotland? We could highlight that the report has been expected since 2023, request a timeline for the draft services specification for

perinatal mental health services, and ask whether the petitioner's concerns will be considered as part of that work.

The Convener: Are we agreed on that? If colleagues agree, I would like to refer to the response that we received from the minister at the time. We could say that we accepted her response in good faith and are a little disappointed to find that neither of the things discussed in that response as being imminent has actually happened. That is of concern.

Fergus Ewing: I entirely agree. It is symptomatic of a wider malaise about repeated delays and failure to meet timelines that have been promised to Parliament.

Therefore, I wonder whether we might also write to the permanent secretary and ask him what he is going to do about it. I am not defending ministers here—they are ultimately responsible—but they act on the basis of advice, and they will have had advice from senior officials that this could be done in this length of time. However, there has been repeated failure. Indeed, this is just one instance among a plethora of things.

I have never seen the permanent secretary—he is Mr Anonymous, is he not? We never see him, and I think that he is going anyway, but perhaps he could do us the service of explaining to us this endemic delay in the process of government, because it just brings us all down.

We need only contrast that with what the new President of the United States has been saying; we will see what happens, of course, but he is promising to do things straight away. I am not supporting him at all, but it is no wonder that people get fed up with Government when nothing happens for years after the date by which people were promised that things would happen. Of course people are disappointed about that. I really think that the permanent secretary has a bit of explaining to do, convener.

The Convener: Well, we obviously want to make the Scottish Parliament great again, Mr Ewing.

David Torrance: That is not the line you used last night. [*Laughter.*]

The Convener: A way forward on your latter point might be for me to raise the matter with the Conveners Group and find out whether other committees and conveners have been finding the same thing, and, if that is the case, to explore with them whether they think that it might be an idea to write to the permanent secretary. Could we perhaps approach your suggestion in that way?

Fergus Ewing: So, the compromise is that we make the Scottish Parliament great again, slowly. That is fine with me.

The Convener: Are we agreed on the wider set of suggestions, colleagues?

Members *indicated agreement.*

The Convener: Thank you very much. Thank you, Ms White.

Swimming Pools (Financial Relief) (PE2018)

The Convener: PE2018, on recognising the value of swimming pools and providing financial relief to help keep pools open, has been lodged by Helen Plank on behalf of Scottish Swimming. The petition calls on the Scottish Parliament to urge the Scottish Government to keep our swimming pools and leisure centres open by providing financial investment for pools.

We have been joined for our consideration of the petition by our MSP colleagues Neil Bibby and Fulton MacGregor, both of whom I welcome to the meeting. I am familiar with the fact that this item had some airtime in the chamber last week, with considerable widespread cross-party support underpinning the matter.

When we previously considered the petition, in March last year, we agreed to write to the Minister for Social Care, Mental Wellbeing and Sport. The minister now tells us in her response that she has met Scottish Swimming to discuss its report, "The Future of Swimming Facilities in Scotland", and she says that, although the Scottish Government recognises the financial challenges that are faced by local government, it remains of the view that it is for locally elected representatives to make decisions on how best to deliver services to their communities, including the provision of leisure facilities—although some of us might say that these are life-saving, never mind leisure, facilities.

We have received a submission from the petitioner highlighting Dundee City Council's plans to close five school swimming pools, which she has used as a further example of the budgetary pressures that are facing councils across Scotland and which are putting public pools at risk of closure. The submission also summarises opinion polling on the benefits of swimming pools, showing 88 per cent of responses agreeing that pools are important for communities, and indeed often act as community hubs. They are also important because they teach people how to save their own and, perhaps, other people's lives in extremis.

We have also received correspondence from our colleague Liz Smith reiterating her support for the petition.

Before I invite comments from the committee, I invite Neil Bibby and Fulton MacGregor to contribute to our discussion. I will bring them in alphabetically, so we will start with Mr Bibby.

Neil Bibby (West Scotland) (Lab): Good morning, convener and the committee. Thank you for allowing me to join you this morning.

I am sure that, as you have said, convener, we all appreciate the life-saving skill of swimming and the importance of our swimming pools and the health benefits that they can provide to people of all ages.

In the brief time that I have, though, I want to concentrate my remarks on the impact on children and young people of having the opportunity to learn the basics of water safety and having the ability to swim. According to Scottish Swimming analysis from quite some time ago, 40 per cent of primary school-age children were leaving school without the ability to swim. That shocking statistic should deeply concern all of us.

As you said, convener, I raised the issue of the provision of school swimming, in particular, at last week's general question time, and there was cross-party support for that. I recognise, too, the cross-party support for this petition. I have to say that I was not particularly encouraged by the minister's response, and that is why I am here today. When I asked for the latest statistics on the number of children and young people across Scotland who were leaving school without the ability to swim, the minister was unable to give them to me. We should at the very least be able to quantify the problem, with the latest statistics. I was also disappointed by the lack of detail from the minister when I asked about the Government's plan to ensure that every child and young person had the opportunity to learn the skills that I mentioned.

What we do know—because Scottish Swimming has told us this—is that since the pandemic the demand for swimming lessons has never been higher. I know that from my own children and, indeed, the backlog in swimming lessons. However, community access to pools is being reduced not just by pool closures but by the significant reduction in the opening hours of existing pools across Scotland. Costs are rising for families, too, as was evidenced on Saturday by an article in *The Herald* by Andrew Learmonth that set out information showing that the cost of juvenile swimming lessons and sessions had risen by 30 per cent over the past six years.

There are also proposals to close swimming pools. There is the example of the five in Dundee, but I know that Dundee City Council is not alone in facing these problems. I appreciate that not every school and not every community has a swimming pool, but, to put it simply, I believe that the current picture is making it harder for young people to learn the life-saving skill of swimming, whether in or out of school.

The petition urges the Scottish Government to help keep our swimming pools and leisure centres open by providing financial investment for pools, and it would be remiss of me not to mention that, a couple of years ago, the Scottish Government received £6 million of Barnett consequentials from the then United Kingdom Government's swimming pool support fund. I, along with a number of colleagues, urged the Scottish Government, on a cross-party basis, to pass that money on to local councils and leisure trusts. Sadly, that did not happen.

We recognise that swimming pools are expensive to run, particularly given the energy costs, but we also have to recognise that we have had swimming pools for decades and they have survived past energy crises. We also need to plan now for energy prices reducing, as we hope they will do, in the years to come.

I ask the committee to consider, in addition to what is set out in the petition, my view that the status quo is not good enough. It would, of course, be welcome if the Scottish Government were to do what Scottish Swimming was calling for—who would not agree with that? However, if it does not, the question is what the Government and Parliament will do to ensure that the provision that we have is properly utilised, to identify the current extent of the problem of young people leaving school without the ability to swim, and how the Government plans to address it.

I hope that members of the committee will consider those points and raise those questions with the Scottish Government.

Fulton MacGregor (Coatbridge and Chryston) (SNP): I broadly agree with Mr Bibby. As he has, I have long been advocating on this issue in the Parliament. Indeed, I have lodged two motions in this parliamentary session alone, on the publication of the “National Primary School Swimming Framework” and on the role of swimming pools, and both achieved cross-party support. That support, which you mentioned at the start, convener, is important. Moreover, back in March 2023, I held a successful garden lobby event entitled, “Everyone Can Swim—Save Our Pools”, so there is a bit of history to this issue.

Like Neil Bibby, I do not have the time to express fully my views on the petition, but I point to the many benefits of swimming—mental health, physical health, community cohesion, social and safety skills—and all the things that can be improved by swimming. Scottish Swimming has cited research that the social value of swimming in the UK is almost £2.5 billion. A small investment in protecting pools now will provide exponential returns for society in the future.

As the convener indicated in his opening remarks—I think that this got broad agreement—I strongly believe that we need to move away from the notion of swimming being just another hobby or sport. Of course, it can be argued that any sport brings benefits similar to those that I just cited, but we need to go back to considering swimming as a vital skill or, at the very least, an important life skill.

10:00

I do not know about other members, but that was definitely the case when I was growing up in Coatbridge. We used to go to the Coatbridge baths as part of our curriculum at primary school and high school, and everyone was given the opportunity to learn to swim. It was embedded in us that swimming was a life skill. Now, it is more down to whether families across the country have the finances to do it—I am fortunate enough to be able to send my children to swimming lessons—and whether it is a priority on a family's radar.

We need to move back to swimming being more of a life skill and that is never more important than now, as we are all seeking more outdoor activities, which has perhaps been boosted by the pandemic. I cannot be the only one whose Facebook feed is filled with people going wild swimming or dooking. I have tried it myself. It is very good and it is quite right that people should be accessing our lovely seas and lochs, which are some of the cleanest in the UK, if not in Europe and the world. People should be accessing that, but it needs to be safe.

I have said previously that it could be a perfect storm if we have the smallest number of people able to swim than perhaps we have ever had, combined with more folk accessing outdoor swimming. We need to take the opportunity to see swimming as a life skill again.

I would go further than the petition, because I would fully support any attempts to introduce statutory swimming lessons. I know that there are difficulties with that in the school curriculum. I have had discussions about that with ministers over the years, but I would welcome any attempts that could be made to introduce lessons being a statutory requirement.

I appreciate that I am probably running out of time, so I will end by giving my full support to the petition. I have deliberately not touched on the pool closures in Dundee and other places, because they are not in my constituency, but any pool closures across the country are concerning. Mr Bibby touched on some of the issues around that; some are for the Scottish Government, but some are for the UK Government, such as the high energy costs. I wonder whether the UK Government could look at exemptions for

swimming pools. I know that there has also been a shortage of chlorine at points, which has affected pools in North Lanarkshire. There are various factors that affect the issue, some of which are global, some of which are UK and some of which are Scottish. However, we need to find an approach in which we all work together to make sure that swimming pools are vibrant into the future, and that as many young people and adults as possible learn to swim.

The Convener: Thank you very much, Mr MacGregor. I will bring in colleagues in a second but, unusually, I would like to take the initiative here. The Scottish Government's response is a cop-out, and I think that it is a dangerous cop-out. I will spare Mr Torrance, but I did not realise that Mr Ewing and I grew up in a golden age of public availability of swimming. I can recall swimming pools in communities everywhere back in those days, as well as outdoor pools. It is a great shame to revisit some of the places that used to have outdoor pools to find that they are now car parks or something completely different.

Touching on Mr MacGregor's point about learning how to swim at primary school, I particularly remember that quite a lot of my classmates were terrified, but they were learning to swim together at an age when they could overcome that fear and learn how to swim. If you do not do it then, the peer-group pressure that builds up on you as an older person having to admit that you cannot swim or trying to learn to swim at a much later date is probably an obstacle to a number of people seeking to learn how to swim.

We are an island nation. We are surrounded by water, and people should have the ability to swim for their own self-preservation and because it might be vital in the saving of somebody else's life—simply not having a fear of the water might mean that they could be moved to assist.

I am interested to hear colleagues' contributions, but I am minded to keep the petition open and, potentially, to convene a round table on the subject at hand, to include Scottish Swimming. It would be helpful to have such a meeting, and I would be grateful for some suggestions from Mr Bibby and Mr MacGregor of others that we might think to include.

It would also be useful to have some idea from the Convention of Scottish Local Authorities of the pressures that councils feel are uniquely associated with swimming pools and the costs associated with that, because there will be a balance between long-established and newer facilities and those that are in schools.

Foysoyl Choudhury (Lothian) (Lab): I want to draw the committee's attention to the fact that the

very first time that I had to face the committee was to support a petition about swimming and to talk about why swimming is important. I had to face you all at that time and I raised quite a lot of points about why it is so important. It is also a health issue.

Sadly, that petition was closed. I can get in touch with the campaign group that lodged it and ask if it has any other suggestions. At the same time, I agree that it is important to hear from Scottish Swimming on what Neil Bibby and Fulton MacGregor said, as well as on the Scottish Government's responses. I fully support the petition.

Fergus Ewing: I was impressed by Mr Bibby and Mr MacGregor's arguments, and by the range of support across political parties for ensuring that, in Scotland, we go back to the golden age that we enjoyed in our boyhood, convener—I thought that I had pulled rank in you in terms of age, but hey ho. As one moves gently towards the other end of life, nearer the crematorium stage, and as one suffers more from things such as arthritis and so on, and cannot do load-bearing exercise, an awful lot of people whose exercise consists of swimming cannot do other forms. The issue is not only about children and life-saving; it is beneficial in other ways.

I was also struck by Mr MacGregor's point that all sports are beneficial if we take part in them. They are good for mental health, physical health, wellbeing, endorphins and all the rest of it. Believe it or not, I used to be quite active on that front myself. However, he made the salient point that swimming is different. It has far more benefits and a broader range of benefits than just life-saving and so on. Your comments are also entirely endorsed, convener, so I do not think that we should close the petition at all.

Moreover, towards the next election, I would not be surprised if the issue finds its way into the manifestos, certainly of the main parties. We have to make choices, and local authorities are the ones who have to make provision, but the passing of the buck by the Scottish Government to local authorities is not acceptable, really. It is just not on. You cannot pass the buck if you are in charge.

If the Government wants suggestions about saving money, I would ask why we do not have full swimming pools instead of empty cycle lanes all over the place? The Government seems to have unlimited funds to construct cycle lanes, which, as far as I can see, remain empty from dawn to dusk, not least because they are on steep hills, which nobody except Olympian cyclists can actually navigate. That is just one suggestion. I could come up with five or six others quite easily, but I will spare the committee that.

Holding a round-table discussion is the very least that we can do. I wonder whether we could pause and think about what else we might do, because, unlike so many other topics that are plainly the responsibility of local authorities, such as refuse collection, which are vital functions in themselves, swimming has a far broader range of benefits. We cannot just say that it is a matter for local authorities.

The Convener: I very much agree because, given that some pools are now under active threat of closure, the baby could go out with the bath water, if that is not the wrong metaphor. We could lose a resource and it will be far harder to do anything about that if it is gone than to maintain and preserve the resource that is currently there.

Do any other members have comments?

David Torrance: I am glad that the convener had the luxury of being able to swim in outdoor pools when he was younger. Our swimming club was in Kirkcaldy harbour until we built a pool. I still have nightmares about that.

Perhaps the committee could write to Dundee City Council. The five pool closures that are mentioned are all in schools. I wonder if the council could give some detail about the reasons for those closures. Many school pools were built a number of years ago, so the infrastructure will now be deteriorating and will be costly to replace, which may be one reason for the closures. I would like to know what will be put in to replace those.

The Convener: We want to be informed about those matters, but I am unsure whether we would take the view that that is a national issue.

Maurice Golden: Mr Torrance has highlighted Dundee, but it would be useful to know the overall picture in every council area in Scotland because we would then be better able to ascertain where the pinch points might be.

The Convener: That is partly why I thought that we should also approach the Convention of Scottish Local Authorities.

I know that our colleagues are not here to give evidence but, having heard their submissions, I wonder whether they think that there are any organisations that we might want to include in any round-table discussion, beyond those that we have already mentioned.

Neil Bibby: I will reflect on that and get back to you. Scottish Swimming might have some suggestions. It might be worth looking at Inverclyde Council as an example of local authority good practice because, despite financial challenges, it has done a lot of positive work to provide free swimming for local schoolchildren and an eight-week programme of swimming lessons for primary 5 pupils.

The Convener: We could give some additional thought to others that we might contact.

Fergus Ewing: I know that other members have taken an acute interest in this and we could ask for their views about who to invite to a round-table discussion so that we do not exclude anyone. Liz Smith would be one example.

The Convener: That is a thought. We could look at who participated in the exchange in the chamber last week.

Fulton MacGregor: When I set up the event that I referred to earlier, Scottish Swimming was really good at bringing major stakeholders together from across Scotland and would be a good source of information about who to invite to a round-table discussion.

The Convener: We can certainly do that. Scottish Swimming is underwriting the petition.

On a point that Mr Bibby made in his advice, the clerks inform me that, in its response to the petition, the Scottish Government told us that the Barnett consequential were spent on a range of measures, including local government pay offers, additional costs relating to the resettlement of Ukrainians and additional capital funding for the national health service.

I gather that we are all content with those actions.

Public Sector Senior Management Salaries (PE2068)

The Convener: That brings us to PE2068, which was lodged by John Dare, and calls on the Scottish Parliament to urge the Scottish Government to commission an independent review of public sector salaries of more than £100,000 per annum and to introduce an appropriate cap.

We last considered the petition at our meeting on 20 March 2024, when we agreed to write to the Scottish Government seeking a fuller response to the issues that are raised in the petition. The Government response reiterates that pay restraint for the highest paid, and targeted uplifts for the lowest paid, have been key principles of the Scottish Government's approach to public sector pay for many years and states that many public sector staff earning more than £100,000 are highly qualified and experienced.

The Scottish Government's review of the chief executive framework was published in October 2024 and states that the framework will be updated with the review's recommendations. The review found that pay restraint for higher-paid employees has been achieved and recommends that restraint should continue on a looser basis.

The Scottish Government is of the view that undertaking an independent review of all senior pay of more than £100,000 across the public sector would, in itself, come at a significant cost and therefore does not feel that conducting an independent review would be a good use of public money at this time.

Do members have any comments or suggestions for action?

David Torrance: In light of the Scottish Government's response, the committee should consider closing the petition under rule 15.7 of standard orders, on the basis that the Scottish Government has recently concluded a review of its chief executive framework, which found that pay restraint for higher-paid employees had been achieved and recommended that the restraint should continue on a looser basis, and that the Scottish Government does not intend to commission an independent review of public sector salaries over £100,000 because it does not feel that that would be a good use of public money.

10:15

The Convener: In the light of that, are we content to close the petition?

Fergus Ewing: I do not think that there is any real alternative other than to close the petition, for the reasons that Mr Torrance has set out, so I would not oppose that. However, this is an area of lingering and continuous public concern, not only on salary levels but on the levels of some pay-offs that are made to very senior people, which are of telephone number amounts. It just never seems to end. I want to register the fact that the Government has completely failed to address the issue, and it just goes on and on. It is the same at Westminster, so it is not only a Scottish problem. It seems that, the more you get paid, the less accountable you are—we never see the top civil servants. Some of them get paid more than £200,000—or one of them does, anyway.

The petitioner has raised a legitimate area of public concern. A study would not necessarily advance the petition unless there was a will to do something about it, and I am afraid that there seems to be a lack of will to do anything about it. That is my impression. I know that petitioners get very angry when they think that their petition has been rejected out of hand, but I do not think that there is anything that we in the committee can do about it. I just thought that I would put that on the record.

The Convener: That is a fair and reasonable point. The same situation has occurred previously. The committee is not expressing a view about the merits or otherwise of the petition, with which we

might be very sympathetic; the issue is whether, in light of the information that we have been able to gather, we feel that there is a route forward for the committee to advance the petition's aims. Mr Torrance's conclusion, which Mr Ewing supports, is that the blunt fact is that the Scottish Government is not minded to do anything on the issue. Therefore, there is nothing more that the committee can do, however much we may have direct sympathy with the petition's aims and regret having to close it.

Fergus Ewing: It is a sort of modern version of Parkinson's law: the more you get paid and the higher up you are in a quango, the less accountable you are.

The Convener: Indeed. Are we content?

Members indicated agreement.

General Practitioner Appointment Booking System (PE2070)

The Convener: PE2070 calls on the Scottish Parliament to urge the Scottish Government to stop general practitioner surgeries allowing only same-day appointment bookings and to enable patients also to make appointments for future dates. We last considered the petition at our meeting on 20 March 2024, when we agreed to write to the Government and national health service regional health boards to understand how appointments are handled across Scotland.

Many of the health boards note the flexibility in their models for individual practices to provide services to patients in accordance with the specific needs of their practices. Most of the responses report a mix of on-the-day appointment offerings and advance bookings in general practices, with a small number of exceptions. The responses also highlight concerns about capacity and an increase in patient demand, which, according to NHS Ayrshire and Arran, can at times outweigh the clinical capacity that is available to some practices. The response from NHS Grampian states that the sustainability of services remains a concern, highlighting that, between 2022 and 2024, just over 10 per cent of Grampian practices elected to hand back the general medical services contract.

The health and care experience survey found that the proportion of people reporting that they find it easy or very easy to contact their general practice in the way that they want has declined. In 2017-18, 85 per cent of people were satisfied with their experience, but the figure has gone down to 78 per cent. In 2023-24, 50 per cent of respondents reported that they were able to book appointments at their general practice three or more working days in advance. That was similar to the 2021-22 survey, when the figure was 48 per

cent, but significantly lower than the figure in 2019-20, when it was 64 per cent.

Do members have any comments or suggestions for action?

Maurice Golden: This is a massive issue. I am aware of surgeries in my region where patients are looking at 1,000 calls to see a doctor, which is unacceptable in relation to both treating health conditions and providing preventative care. The result is that many people present at accident and emergency departments because that is the only way that they can see someone.

The Scottish Government's response that the "information is not known" to it is inadequate. If you are in charge of delivering healthcare in Scotland and you do not know how it is delivered and whether that system is adequate, that is a big problem. Therefore, the first thing is to ascertain that information.

I will segue to the point that the petition refers to same-day-only appointment systems. In my experience, many practices largely deploy that approach but they might also have some other appointments available. Therefore, in essence, it is a same-day-only appointment system, but that might not be captured in the data, because the surgery offers a few alternatives. For example, there might be some advance appointments, or, if someone was able to speak to a receptionist on the phone, they might be offered an appointment the following day, so that would not fit in with the definition of a same-day-only system. We need to ascertain that in order to understand the information.

The Scottish Government also said that it is not looking to take a similar approach to that of NHS England. That is okay, but, in that case, what is its approach going to be?

There are almost two parts to the issue and I cannot see that the Scottish Government has provided an answer, other than by referring to some general principles that do not really help people to get appointments.

The Convener: Mr Golden has made some suggestions. Do colleagues have any other suggestions? Are we content to proceed on the basis that Mr Golden has identified?

Members indicated agreement.

National Parks (PE2089)

The Convener: PE2089 was lodged by Deborah Carmichael on behalf of the Lochaber National Park—NO More group, which, as colleagues will remember, calls on the Scottish Parliament to urge the Scottish Government to suspend any action to create more national parks

in Scotland; to instruct an independent review of the operation of the current national parks, including an assessment of the economic impacts on businesses and industries within the two parks, including, but not exclusive to, farming, forestry, crofting and angling; and to conduct a consultation with representatives of rural businesses and community councils in order to help to frame the remit of the said independent review.

The committee considered the petition quite recently, on 27 November. To date, the committee has heard evidence from two panels of witnesses—NatureScot and the Cabinet Secretary for Rural Affairs, Land Reform and Islands. We have also received correspondence from our colleague Finlay Carson MSP, reiterating his support for the petition. We are now in a position to reflect on the evidence that we have heard and to consider our next steps. Have colleagues given any thought to suggestions for how we might proceed?

Fergus Ewing: We should write to the Cabinet Secretary for Rural Affairs, Land Reform and Islands to highlight the issues that were raised during the committee's consideration of the petition, including concerns about, first, the evidence base for designating a new national park, particularly regarding the impact of existing national parks; secondly, the lack of clarity and trust in the consultation process that is being conducted by NatureScot; and, thirdly, the need for an independent review of the existing national parks and their performance, which was what the petition called for *inter alia*.

During the committee's evidence session with the cabinet secretary, she indicated that she had ruled out—apparently absolutely—holding a referendum of people living within whatever boundaries were proposed to be set for the national park. However, since then, Dumfries and Galloway Council has held a vote, the result of which, by a very substantial majority, was that there should be a local referendum. Therefore, in the committee's letter to the rural secretary, can we ask whether she is aware of that vote, what her response is, and whether she will reconsider that decision in the light of the very clear expression of the opinion of local representatives.

Finally, out of respect, so that it is involved and given its knowledge of the area, could we write to the council to ask for the details of its decision and how it believes that matters might be progressed?

The Convener: The three areas that Mr Ewing identified prior to his suggestion to draw the cabinet secretary's attention to the vote in favour of a local referendum by Dumfries and Galloway Council were all apparent to her but were heavily reinforced by the majority of people from whom the committee has been fortunate enough to hear.

I recall the cabinet secretary saying specifically in her evidence that she had not come to any final decision and that, in her mind, there was no presumption as to where the evidence that was being gathered might lead. When we write to the cabinet secretary, we should say that we appreciated that point and should draw her attention to the significant representations that we have received, as well as Mr Ewing's point about the council's view that there should be a more widespread consultation via a referendum on whether the proposal should proceed. Are members content with that?

Members *indicated agreement.*

New Petitions

10:26

The Convener: Agenda item 3 is consideration of new petitions. Mr Ruskell has been sitting very patiently with us, so I will go straight to the second of the two new petitions, so that he can be released from the meeting to attend to other business.

As I always do, I say to anyone who might be tuning in to the committee because their petition is being considered for the first time, that, in advance of consideration, the committee invites the Scottish Parliament's independent research unit, the Scottish Parliament information centre, to give us an understanding of the issues that have been raised. We also invite the Scottish Government to give us a preliminary view on the issues that have been raised, which may or may not influence the committee's conclusions. We do both those things because, historically, when the committee considered a petition for the first time, those were the two things that we said that we would do and that delayed our consideration. So, for those who are watching, those actions have already taken place.

Air Quality Standards (PE2123)

The Convener: The first of the two new petitions is PE2123, lodged by Gareth Brown on behalf of Asthma and Lung UK Scotland, which calls on the Scottish Parliament to urge the Scottish Government to amend the Air Quality Standards (Scotland) Regulations 2010 by setting new limit values for nitrogen dioxide and fine particulate matter that align with the World Healthcare Organization's air quality guidelines, which were published in 2021. As I have indicated, our MSP colleague Mark Ruskell joins us for consideration of the petition.

The SPICe briefing, which I referred to a moment ago, sets out that poor air quality is a threat to human health. Health Protection Scotland estimates that around 1,700 premature deaths in Scotland annually are attributable to air quality, though other studies suggest that the figure could be even higher than that. The World Health Organization's guidelines are not legally binding and Governments can use the guidelines

"in different ways depending on their technical capabilities, economic capacity, air quality management policies and other political and social factors."

That seems to be a very wide discretionary set of criteria.

In its response to the petition, the Scottish Government states that its "Cleaner Air for Scotland 2—Towards a Better Place for Everyone"

strategy is due to expire in July 2026. A planned review of the strategy is expected that will consider current air quality standards and objectives, with the updated World Health Organization's guideline values being a factor in its considerations.

We have also received a submission from the petitioner, which notes the serious impact of poor air quality on public health, as well as highlighting the economic consequences, in particular, through days lost at work and costs to the national health service. Asthma and Lung UK Scotland has found that, based on local authority annual summary reports for 2023, only four of Scotland's 32 local authorities would meet the new World Health Organization guidelines. It believes that that demonstrates that Scotland could adopt the lower limits, while recognising that more work will be required to achieve those targets. The submission also refers to the parliamentary questions that have been lodged by Mark Ruskell. I invite the member to offer his thoughts to the committee.

Mark Ruskell (Mid Scotland and Fife) (Green): Thanks, convener. I will offer some brief thoughts on the issue, because there is potentially quite a lot to unpack for the committee's consideration.

I should say that I am a member of the Net Zero, Energy and Transport Committee, which has already undertaken some scrutiny of the Government's existing air quality strategy, and I am also the deputy convener of the cross-party group on lung health.

10:30

I will make two quick points. First, the Government's current regulations were made in 2010, which was some time ago. Since then, global scientific understanding has developed and substantial medical studies have been done on the impact of poor air quality on human health. In particular, there have been studies that have looked at the impact on vulnerable people—for example, on the links with heart health and dementia—and on developmental issues, particularly for young people who live in an environment where there is poor air quality. All that evidence has come through very strongly.

I am pleased to say that much of that evidence has come from Scotland. Lead scientists, such as Professor Jill Belch at Ninewells hospital, have been at the forefront of understanding the impact of poor air quality on children. That has led the WHO, through its peer-review process, to come up with new guidelines to help steer Governments and decision makers in the right direction.

The second point is that, from considering the issue and from the NZET Committee's work on it, I

have learned that there are no safe limits for air quality. It is not as if there is a point at which we can say, "Well, that is it—our communities are now safer because we have met this target or that limit value." Every time that we reduce particulate pollution, for example, we get a resulting public health benefit; there is a reduction in medical conditions and, as a result of that, there is potentially a reduction in mortality rates. Every single improvement that we can make to air quality in Scotland has a direct impact in terms of health benefits. It is important to recognise that.

There is a lot to consider in relation to adopting the WHO limits—you outlined some of the political considerations of doing so in your introductory comments, convener. It would be challenging, but I think that the Scottish Government is considering that in its next air quality strategy, which I understand is under development right now.

What are the committee's options? I welcome the fact that you have already made a start on the petition, but there could be an option to pass it to the NZET Committee, given that NZET will, at some point, be looking at the Scottish Government's progress towards its new air quality strategy. In answer to the written questions that I lodged, the Government has indicated that it will consider the new and much more robust WHO guidelines when it looks at the new regulations.

There are a lot of questions for the Government to consider, particularly around partnership working with councils and what is the art of the possible. If there were to be an opportunity to look at the matter in more depth, I see a window within the NZET Committee to do that work—unless this committee wishes to take up the work itself.

The Convener: Thank you very much, Mr Ruskell—that is very helpful. Looking at the responses that we received, it was not immediately clear where we could go with the petition, so I am very happy to embrace the suggestion.

Maurice Golden: If it would be helpful, I wonder whether we could write to some key stakeholders and then pass the petition over to the NZET Committee, so that it goes to that committee with some sort of evidence base. Mark Ruskell mentioned Professor Jill Belch at Dundee, who I think it would be useful to write to—and also the Royal College of Physicians. COSLA and the councils are key to all this in terms of air quality monitoring. I believe that the Scottish Environment Protection Agency has some air quality monitors as well, particularly for schools.

The Convener: The only question in my mind is the time that is left to us in this parliamentary session. I am slightly concerned that it could be another six to nine months before we consider the

petition again, which would then leave us up against the dissolution of Parliament. To give the petition some chance of life, I think that we would be better making the referral to the NZET Committee now so that the committee has some headroom within the life of the parliamentary session to advance the petition's aims and objectives. That is just one thought.

David Torrance: The convener and I have both been on the committee for many years now, and we know that time is against us. I would go with the convener's recommendation to pass the petition over to the NZET Committee just now, because that will give the petition a real chance.

The Convener: Are you content with that suggestion, Mr Golden?

Maurice Golden: Yes.

The Convener: Are members content?

Members *indicated agreement.*

The Convener: Thank you very much for the suggestion, Mr Ruskell. That is how we will proceed. We will keep the petition open and we will refer it to our colleagues on the NZET Committee, which is led by Edward Mountain.

Witchcraft Act 1563 (Posthumous Pardons) (PE2122)

The Convener: The last of the new petitions that we are considering this morning is PE2122, lodged by Gemma Clark, which calls on the Scottish Parliament to urge the Scottish Government to pardon the predominantly female historical victims of Scotland's witch trials, who were accused and convicted under the Witchcraft Act 1563.

For Mr Torrance and me, who have sat on the committee for some time, the petition brings us full circle to one of the first petitions that we considered in this parliamentary session. Members will recall that we considered a similar petition, which was closed partly on the basis that Natalie Don MSP was at that time pursuing a member's bill on the issue of a pardon. However, having now been appointed as a minister, Ms Don-Innes has withdrawn that proposal.

During her time as First Minister, Nicola Sturgeon issued, somewhat unexpectedly, a formal posthumous apology to all those who had been accused, convicted, vilified or executed under the act. It is noted in PE2122's background notes that those in favour of a pardon believe that it would

"convey a strong message of equality and opposition to misogyny in contemporary society."

In responding to the petition, the Scottish Government notes that a formal pardon would

require legislation and that, having set out its legislative programme for the remainder of the parliamentary session, it has no plans for legislation in that area. The response also states that the Government would give careful consideration to any fresh proposal for a member's bill in that area, although, frankly, given where we are in the current parliamentary session, the chances of a member's bill being progressed on the subject are zero. Given the backlog of members' bills that have already been advanced and the advice that has been given to members who might be considering lodging a fresh bill at this stage in the session, it is probably not a viable option.

Do colleagues have any suggestions as to how we might proceed?

David Torrance: In the light of the length of time that the parliamentary session has left and how short a timeframe there is for a member's bill or any other bill to go through, I suggest that the committee considers closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government has set out its plans for legislation in the parliamentary session, which do not include any plans for legislation in the area. However, in closing the petition, could we highlight to the petitioner that they have the right to bring back a fresh petition in the new parliamentary session, as there will be more chance of getting legislation through in a five-year session?

The Convener: As an alternative route forward, we could highlight to the petitioner that they could seek to approach a member of the next Parliament to see whether they would be minded to introduce a member's bill on the subject, rather than simply come back with a fresh petition.

Are colleagues content that we act on that basis?

Members *indicated agreement.*

The Convener: We thank the petitioner, who will, I hope, understand why we have acted as we have, given the options that are available to us.

That concludes the public part of the meeting. Our next meeting will take place on 5 February.

10:38

Meeting continued in private until 10:43.

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