



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Criminal Justice Committee

Wednesday 3 December 2025

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 3 December 2025

CONTENTS

	Col.
DECISION ON TAKING BUSINESS IN PRIVATE	1
PREVENTION OF DOMESTIC ABUSE (SCOTLAND) BILL: STAGE 1	2
SCOTTISH FIRE AND RESCUE SERVICE (SERVICE DELIVERY REVIEW)	31

CRIMINAL JUSTICE COMMITTEE

33rd Meeting 2025, Session 6

CONVENER

*Audrey Nicoll (Aberdeen South and North Kincardine) (SNP)

DEPUTY CONVENER

*Liam Kerr (North East Scotland) (Con)

COMMITTEE MEMBERS

*Katy Clark (West Scotland) (Lab)
*Sharon Dowe (South Scotland) (Con)
*Jamie Hepburn (Cumbernauld and Kilsyth) (SNP)
*Fulton MacGregor (Coatbridge and Chryston) (SNP)
*Rona Mackay (Strathkelvin and Bearsden) (SNP)
*Pauline McNeill (Glasgow) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Colin Brown (Fire Brigades Union)
Tumay Forster (Shakti Women's Aid)
Pam Gosal (West Scotland) (Con)
Debbie Jupp (Committed to Ending Abuse)
John McKenzie (Fire Brigades Union)
Dr Marsha Scott (Scottish Women's Aid)
Agnes Tolmie (Scottish Women's Convention)

CLERK TO THE COMMITTEE

Stephen Imrie

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Criminal Justice Committee

Wednesday 3 December 2025

[The Convener opened the meeting at 09:31]

Decision on Taking Business in Private

The Convener (Audrey Nicoll): Good morning, and welcome to the 33rd meeting of the Criminal Justice Committee in 2025. We have no apologies this morning. Fulton MacGregor is joining us online, and we are also joined by Pam Gosal MSP.

Our first item of business is to decide whether to consider all the evidence heard on, and any follow-up correspondence or action from, our consideration of the Scottish Fire and Rescue Service delivery review in private at this meeting and at future meetings. Are we agreed?

Members indicated agreement.

Prevention of Domestic Abuse (Scotland) Bill: Stage 1

09:31

The Convener: Our next item of business is to begin evidence taking on the Prevention of Domestic Abuse (Scotland) Bill. We have one panel of witnesses today, for which I intend to allow up to 90 minutes. I refer members to papers 2, 3 and 4.

I welcome Debbie Jupp, operational manager at Committed to Ending Abuse; Dr Marsha Scott, chief executive of Scottish Women's Aid; Agnes Tolmie, who joins us online and who is chair of the Scottish Women's Convention; and Tumay Forster, operational manager with Shakti Women's Aid. A warm welcome to you all, and thank you for your written submissions.

Before we start, I remind you all to please be as succinct as you can in your questions and answers. I will start with a broad opening question, and then I will bring in other members. I will start with Dr Marsha Scott and then bring in Tumay Forster, Agnes Tolmie and Debbie Jupp.

What are your views on the main provisions of the bill, and in particular parts 1 and 2? Which provisions do you support and which do you disagree with or have questions about?

Marsha Scott (Scottish Women's Aid): Obviously, Scottish Women's Aid is delighted when any MSP is willing to go to the effort of bringing a bill to the Scottish Parliament to prevent domestic abuse. We warmly welcome the intentions of the bill. Unfortunately, we are concerned that it will not necessarily have the intended results, and that some of it will not serve women and children particularly well.

We are really supportive of part 3, which is on data. We are concerned about the failure of the justice organisations to collect equalities data and to disaggregate it, despite our whining about that for a decade now. Therefore, we would welcome any kind of statutory approach to that. Although we have laws in place already with the public sector equality duty that, in essence, require the collection and disaggregation of data, to date, we have failed to see any real progress on that.

I have spent a fair amount of time talking with Pam Gosal and with colleagues in the justice organisations—the police, the Crown and the Scottish Courts and Tribunals Service. I am concerned that the proposed measures will not make a big difference for women and children—certainly not for a significant number of them—but will lay a particularly heavy bureaucratic burden on the organisations that are being asked to engage.

On the use of the multi-agency public protection arrangements—MAPPA—structures, we are concerned that, as we see happening all the time, resources will be moved from the non-statutory infrastructure such as multi-agency risk assessment conferences, or MARACs, which are already underresourced and inconsistently supported across Scotland.

We see that with child protection. I am not saying that we should not have child protection on a statutory basis, but that, at local resource level, it trumps pretty much everything else. We are concerned about putting in place a structure that will draw away resources from MARACs and multi-agency working. That is especially the case with MAPPA, which was never designed to work for domestic abuse; it is designed for sexual offending.

Those are some of our top concerns.

Tumay Forster (Shakti Women's Aid): Good morning. Shakti Women's Aid, is a specialist organisation providing domestic abuse support to black and minority ethnic communities in Scotland. We feel that the bill holds a lot of opportunity, but that we need to understand better how the proposals would fit with the existing structures, such as the MARACs, the Caledonian programme and the equally safe at school programme. Obviously, it is not about reinventing the wheel; it is about making sure that the bill fits with what exists already.

However, it is very promising that the bill would put in statute measures such as those on preventative work in schools or rehabilitation programmes. Those exist at the moment, but the approach varies, so you get a varying response. For example, some schools follow the equally safe at school programme and some do not; if the approach was statute-backed, it would be a different story.

The same applies to rehabilitation programmes such as the Caledonian programme, which we know, from a BME perspective, is not very bespoke. Many of the domestic abuse behaviours in BME communities are driven by culture and tradition and we are not certain whether the programme takes that into consideration. If the bill can move towards achieving that, that would be very welcome.

We fully support the measures on data collection, because anything that supports data on BME-specific abuse is welcome. Unfortunately, we do not hold such data, which makes it extremely difficult for any organisation, whether it be a public, statutory or third sector organisation, to say, "This is the problem at hand." We do not have a data set that we can start from and build on. That is the case even for statutory bodies such as Police

Scotland. For example, although the data can provide a figure for the number of cases under the Domestic Abuse (Scotland) Act 2018, when you ask for a breakdown, the data is not there.

We would welcome it if Police Scotland could tell us the number of cases of honour-based abuse, forced marriage or transnational abandonment. That would be amazing. If we are aiming for a fully diverse and welcoming Scotland, we need to start at the level of statutory bodies being able to give us that data, but it simply is not there at the moment. Therefore, we fully support the provisions on data collection.

The only other point that I have not mentioned is about the requirements for a register. We see potential for that proposal, but we need to understand it better. From what we understand, it would cover only a small proportion of cases, because it would apply mainly to those heard under solemn procedure, which is a relatively small percentage, rather than summary procedure. However, as far as we understand how it would work, we would want those convicted of the most serious offences to be on the register.

BME women in particular face a lot of barriers when navigating the legal process. What tends to happen is that they find themselves at the other end of it—they are the ones who are alleged to have committed abuse. That is not because they are abusers but because they could not navigate the process, were given the wrong advice or there had been a situational abuse incident, which is almost like what you would call a defensive response to an abusive situation. We would not want those women to be caught in such a register. We also need to understand the register's timeframes and how it would work with the existing structures.

The Convener: Thank you very much. That is a really helpful opening comment.

Agnes Tolmie (Scottish Women's Convention): Good morning. The Scottish Women's Convention welcomes the bill's preventative intent, but we have a number of concerns. When we spoke to women about the bill, they raised a number of issues, including that the data in Scotland is not of the standard that it should be in this day and age, as has already been said. Through the bill, attention has been drawn to that issue yet again. Based on their lived experience, the women we speak to still report a fear of reporting due to inadequate protection. A number of incidents involve repeat perpetrators, which means that it is the same man committing them.

We also have an issue with the idea of self-reporting. To be honest, I do not know why on earth we think that if we ask men to put their

hands up and say, “Yes I did this,” or, “I am here,” or whatever the reporting structure demands of them, that will happen because, in the main, they deny responsibility for the crime from the beginning, and yet the bill would ask them to self-report.

We agree—and this has been a long time coming—that we need to educate our young people about violence against women and girls across the spectrum, but particularly in relation to so-called domestic abuse. I wish that there was another name for it, because there is nothing domestic about it. That is a big area that we should focus on. When people—including me—ask what kind of Scotland we want to live in, the answer must be, “One where women are free from the fear of violence,” so we need to talk to our young people as early as possible about how to respect each other. In Finland, youngsters at school learn how not to bully and so on. That is an area of the bill that we identify as something that we can work with.

Regarding the mechanisms in the bill and how we make it happen, it asks a lot of the agencies that currently exist and of individuals, so the Scottish Women’s Convention is inclined to say that it needs a lot more work.

The Convener: Thank you very much, Agnes.

09:45

Debbie Jupp (Committed to Ending Abuse): I have prepared what I have to say in a bit of a different way—I have written things down, so I will read out what our organisation thought. We looked at the proposal as a team, so these are my team’s views.

We thought that introducing the notification requirements would close an important gap in public safety. At the moment, domestic abuse offenders are not monitored in the same way as registered sex offenders, which does not make any sense to us. We get that it is different and that there would be some work around that.

We believe that there is an epidemic and that deterrents need to be put in place, because, at the moment, there are none. Time and again, we see repeat offenders going through the court process and getting a slap on the wrist, which does not act as a deterrent. A requirement to inform the police of details such as address and passport might improve safety—we do not know, because, as everybody else has said, quite a bit of work still needs to be done on how that would happen and whether and how it would help agencies to manage risk more effectively. Would it help agencies to do that? We do not know, but, at the moment, anything is worth trying.

Knowing where perpetrators are living could help how victims feel, because, too often, perpetrators are housed very close to their victims, which causes a lot of trauma—it enables them to carry on controlling and traumatising their victims.

We felt that the definition of “domestic abuse offender” in the bill was right, but that consideration needs to be given to counter-allegations, which is something that came up time and again with us—namely what would happen if a victim was charged with domestic abuse, once they felt safe enough to disclose the abuse to the people supporting them. Where it was recognised that someone was the survivor and it was a case of retaliation, would it be possible for them to be removed from the register? There are concerns about the repercussions of what is proposed and how it would affect the victim. How would it work with regard to repeat offenders who are not convicted of lower levels of domestic abuse? We know that that behaviour can escalate. Some perpetrators have learning disabilities. All that needs to be taken into account, too. We feel that what is proposed would help, but, as others have said, more work is needed.

The Convener: I will pause you there, Debbie, if you do not mind, because I am keen to let members come in with questions.

Liam Kerr (North East Scotland) (Con): I will turn to Tumay Forster first. It is proposed that the bill would apply to offenders who are convicted on indictment of an offence involving domestic abuse. My understanding is that the majority of cases go through the summary court system. If that is right, does such a distinction risk sending a message that there are two tiers of domestic abuse, rather than saying, “All domestic abuse is wrong”?

Tumay Forster: My take on the message that we are trying to send out is that, at the moment, there is no message. Again, I am answering from a BME domestic abuse perspective. With regard to the BME community, where there is a lot of honour-based abuse and forced marriage, the community’s general understanding is: “There is nothing out there that will hold me accountable for what I have done”, so we welcome anything that gives the message that the abuse is not right. I agree that quite a large percentage of cases will not be part of this system. Then again, even if the process holds only the most serious offenders to account, it might act as a deterrent by sending the message that the abuse is not okay.

If the idea is to stop domestic abuse completely, we know that that is not likely to happen, but if the idea is that the register will be a deterrent and will stop people from repeat offending, it might achieve that outcome. However, I am not certain because more work needs to be done on that.

From a BME perspective, and as I understand it, part of the aim is to address the most serious cases and the management of those individuals who are the most dangerous and cause the most harm to society. That is my take on it. If that is the case, we have to look at risk assessment, which BME communities do not have at the moment, although we hope that the bill could help that. For example, MARACs look at risk assessments, but MARAC responses for BME individuals around Scotland today vary greatly. I can tell you that you could not bring an HBA case to an Edinburgh MARAC because it would not be heard. However, we have a separate forum for the HBA cases, where we are part of it—

The Convener: When you say HBA, I take it that you are referring to honour-based abuse.

Tumay Forster: Yes, I am.

There is supposed to be a risk assessment for all those women, but even cases of BME women who suffer HBA from their ex-partners—we are talking about intimate partnerships—might not be heard in the main MARAC sittings. In those cases we would need to go to the separate risk assessment forum. Most of the time we find that, with all the MARACs around the country, the risk assessment falls onto the third sector. That is the problem.

If there was a statute that said that there should be risk assessments for everybody, even if it is a small percentage or the most serious offences, that would be welcome. We just need to understand how it fits with the existing structures, because we want to protect the existing structures and the statute to fit in and work in conjunction with it.

Dr Scott: Eighty-five per cent of domestic abuse cases go through summary court. The measure is a focused one. I have to say that, for many years, we have resisted the notion that we can somehow say that a case on indictment is more serious. That is because the data shows that the single biggest indicator of lethality in a domestic abuse case is coercive and controlling behaviours, and those are pretty much present in every one of the 85 per cent of cases that go through the summary court.

At the moment, the general message is that we do not take domestic abuse that seriously—apart from the fact that we say that we do—partly because so many sentences do not involve serious GPS monitoring or custody. Across the piece, they involve community disposals, and I am sure that there is a whole other meeting and discussion to be had on that.

I am less worried about the message that is sent to the public and more about what the provisions

say to the legal community about such cases being serious but the rest really not being so.

Liam Kerr: Dr Scott, I will stay with you for a follow-up question but I will pose the same question to Debbie Jupp straight afterwards. In your opening remarks, you talked about whether the measures that are set out in the bill will help to reduce domestic violence. In our papers, the argument is made that much of the point of having a register is deterrence, such that perpetrators might think twice because they might end up on a register. If someone is a perpetrator of domestic violence and know that they could face the full force of law and be convicted for it, and yet they still do it despite the risk of criminalisation, will a register really deter them?

Dr Scott: I highly doubt it. I have not seen any evidence, and there is not much evidence out there, about significantly effective deterrent measures, so I cannot imagine that a register would be a deterrent.

I have lots of sympathy with my sister organisations saying that, given that there is currently nothing, why not at least try this? However, deterrence is the wrong way to go in this area. What increases the safety of victims? There is really no evidence that a register will do that significantly, especially for this quite small pool of offenders. We need to look at things such as investing in legal services for victims, and making our legal system work appropriately, so that they have access to justice. If victims have appropriate legal representation at the beginning of the process, that will be a deterrent to offenders. That is the kind of thing, along with investing in MARAC structures and challenging the use of risk assessments such as the domestic abuse, stalking and honour-based violence—DASH—tool, that will minimise the impact of coercive and controlling behaviours, which is the single biggest thing that we have to worry about in terms of lethality.

There are lots of things that we can do that will increase safety. For instance, if we are talking about data, I would really like us to collect data on perpetrators. Trust me, that is a far more important gap in the system than anything else. However, what we should be talking about here is investing in things such as MARACs and legal services, which we know are inadequate but are critical pillars in safety.

Liam Kerr: Debbie Jupp, do you have anything to add?

Debbie Jupp: No, I do not. Marsha Scott covered it all.

Rona Mackay (Strathkelvin and Bearsden) (SNP): Good morning. My question was kind of answered in Dr Scott's introductory comments, so I will ask it in a much shorter form. I would like to

go around everybody and clarify whether you think that the bill would add anything to the current multi-agency approach. I do not need a long answer because I have another question. Do you think that the bill is necessary and would it fit into the current structure?

Debbie Jupp: Yes, I think that it would help in tracking perpetrators. We have them going from one end of the country to the other, so collecting data on things such as addresses would perhaps help to track where they are, and perhaps they would not constantly move next to where their victims are. The part about collecting data and information will really help the victims of domestic abuse who we work with. On the part about schools, I think that all children should be educated and given information to help them to know what a healthy relationship is and what domestic abuse is. I think that the bill will help, but I feel that parts of it need to be looked at in more depth than is the case at the moment.

Rona Mackay: Do you feel that the good parts outweigh the parts that are cause for concern?

Debbie Jupp: Yes, I do. In the written submission from our team at CEA, we agreed with most of the bill, but we noted the parts of it that need to be looked at.

Dr Scott: As I said before, we would warmly welcome improved practice. I am not sure what would deliver it, because, when it comes to collecting data, that is already in law, yet some data is not even on the radar. I wish that I could say different, but I think that the other three parts of the bill, although well intentioned, are unlikely to make women and children safer or to hold perpetrators accountable and, in fact, they might get in the way of current good practice, much as it needs to still be improved.

Tumay Forster: We feel that the bill holds a lot of potential, but as I said earlier, further work needs to be done to see how it would fit with existing structures so that it can provide safety. For example, we make the comparison between the register and forced marriage protection orders, which the committee will be familiar with. When the orders were brought in, they held a lot of promise. We thought that the BME community would be quite keen to utilise those orders, and it was not. Some people were interested, but, ultimately, the issue was that communities wanted the abuse to go away but they did not necessarily want to see people having a criminal record, for example.

10:00

However, we know for a fact that the orders keep people safe, so now the issue is not so much the order itself—because the order provides

protection. In this case, the bill would have the same effect. The bill would provide safety, but we need to educate the women and the people who come to us to tell them how it can keep them safe. What needs to happen is for security and safety to be provided for those women. It is all very well putting somebody on the register, but, unless you can keep the women and children safe with separate measures, it will never be a complete picture. Therefore, the register will act as somewhat of a deterrent. I can assure you that it will send a message to BME communities, because, at the moment, they feel that there is not much.

If the register is going to be similar to the disclosure scheme, how will it work differently? Will it be utilised and used just by Police Scotland? If that is the case, what use will it be to the support organisations? Will support organisations have the ability to access the register? If so, that would be quite welcome. All these things need to be considered.

Rona Mackay: That is a very interesting point, thank you.

Agnes Tolmie: One of the aspects that the bill lacks is direct support measures for victims, survivors and their families. In Scotland, we are trying to encourage women to report offences—this criminal behaviour and violence that is perpetrated against them—but we need to do something after that. The bill refers to different things, such as education in schools, which is really important, and data collection and reporting—my colleagues on the witness panel have been much more eloquent than me about that—but we need provisions for safe housing pathways and trauma-informed mental health approaches and legal advocacy services, which Marsha Scott referred to.

We need legal advocacy and resources that women can use. Specialist third sector organisations, such as Women's Aid need a specialist fund. They need to be sustainable in delivering services to women. The bill does not provide that. If women do not have a safe route out of domestic abuse, how on earth are we going to get them to report the abuse?

Everyone in this room knows how underreported these offences are, and to enable women to report the abuse, we need to say to them, "We believe you, and you are going to be housed." Why is it nearly always the women who have to leave the house with the children? More of an onus is needed on Police Scotland to start recording and taking seriously such cases of violence against women, rather than using this cosy word, "domestic" when we talk about abuse.

I listened to Eilish Angiolini talking about her report yesterday, she spoke about how we have to move these offences against women further up the agenda so that they are taken more seriously and not just slotted in somewhere. The bill is well intentioned, and the women who we spoke to agree that every little helps, but, when they talk about their personal circumstances, they do not see how the bill will move things along.

Rona Mackay: Thank you, Agnes. You led me beautifully to my next question, which is about resources and rehabilitation for women and whether the bill addresses that. I will move on, because I understand what you have said and you have made some really good points.

Debbie Jupp, does the bill address the question of whether the resources will be there for adequate follow-up and rehabilitation?

Debbie Jupp: Do you mean for men—for the perpetrators?

Rona Mackay: No, for domestic abuse victims.

Debbie Jupp: Not particularly, no. A lot of funding needs to be put into the victims. Our service has a waiting list of 106 people. Domestic abuse victims should not have a waiting list; they should be able to access support straight away. More and more referrals are coming through our service constantly, and we have the equivalent of three full-time staff to deal with the massive influx of clients.

There needs to be more rehabilitation and psychological support for women. General practitioners and other members of the health service are referring to our small charity to get support for clients who are psychologically traumatised. There is not enough support for them.

More money definitely needs put into domestic abuse. It is supposed to be a priority. Through the bill, we are looking at how we can track perpetrators, collect data and things like that, but I agree with Marsha Scott that we also need to look at the other side and how we can put more funding into working with the survivors or the victims, whatever you want to call them.

There need to be more groups available. We are always being told there are no pots of money. Third sector charities have to spend half their time applying for funding and getting knocked back instead of putting the work into what they need to be doing. So, yes, that funding is probably not in the bill.

Dr Scott: I will just touch on the two areas that I have not talked a lot about. On rehabilitation, it is important to remind ourselves that, even in the best possible world, where every court and every community has access to a perpetrator

programme, we would still see a minority of good outcomes. We still should run those programmes—I am not saying that we should not—but I think that people want them to be a quick fix, and they are not.

Years and years of research and work was done to develop the Caledonian programme. Again—with my caveat—that is the system that we should be supporting and investing in. It is available in two-thirds of the communities or local authorities in Scotland. If we want to invest in rehabilitation, we should make sure that funding is available to extend it everywhere and to fund it appropriately. The support programmes for partners and ex-partners are critical, because they give the data feedback loop to show whether perpetrators are changing. That is my response on that one.

The equally safe in schools programme is strongly evaluated. However, we all know that the prevention of domestic abuse cannot be put on the shoulders of 14-year-olds. It needs to be delivered by older people—although most of them might be younger than me.

According to Scottish policy of the past 25 years, the prevention of domestic abuse is about addressing inequality so that women are not disproportionately poor, children do not lack access to their human rights, and women do not have to be the ones who leave. There is a whole set of things that we know that we should be doing, and those are the things that will best prevent domestic abuse.

I will get off my soapbox now.

Tumay Forster: Just for clarification, are you referring to resourcing in general in all four parts of the bill?

Rona Mackay: Yes, I am asking about resourcing in general.

Tumay Forster: That aspect for us is what I was referring to when I talked about how the bill will fit with the existing structures, because we do not want to reinvent the wheel because it all comes down to resourcing and budgeting. That part is not fully clear in the bill.

There is some suggestion of reliance on the third sector. From the third sector's perspective, given what we do, I must ask how much extra work is expected from third sector organisations. As a specialist organisation, Shakti Women's Aid has knowledge and understanding of cultural and tradition-driven behaviours and issues, and we would, of course, be very happy to share that knowledge, but the reality is that we have funding and resourcing issues. There are only so many of us, so, realistically, what can be expected from us and what can we deliver?

There probably needs to be more work on the resourcing aspect of the bill. Similarly, budgeting will need to be considered. It is not 100 per cent clear how the resourcing will fit in with existing structures to help to alleviate some of the resourcing issues. As Marsha Scott said, the Caledonian programme is trusted, so that should be used, but how will the bill fit in with that? What is it proposing to change or add? Having something in statute is brilliant, because it ensures that there is accountability for everyone in Scotland and that, if we want to be fully diverse, we must consider all stages of the process, but how will that work? The resourcing aspect is not very clear.

Rona Mackay: We are trying to establish how effective the bill could be and what practical changes it could make, so all those comments are really helpful.

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): Good morning. My questions are predicated on the written submissions that we have received, so they will probably be quite specific to individuals.

My first question relates to notification requirements and monitoring. I was struck by what Scottish Women's Aid said in setting out its view on those proposals. Its submission states:

"after consultation with colleagues across the system, we are not confident that this element of the proposal would actually make engagement with the justice system safer, and we see significant unintended negative consequences."

That is pretty stark. On the specific question about safety, the Scottish Women's Convention submission states:

"protective orders which are imposed without requiring victim-survivors to initiate legal action can reduce safety."

Again, that is a pretty stark thing to hear. I ask Marsha Scott and Agnes Tolmie to expand on the specific points that their organisations have made.

Dr Scott: I think that our submission pretty much covers it. We have concerns, despite the proposal being well intended. I do not want anybody to think that we would not like the system—the police and the courts—to be able to identify where a perpetrator was at any given moment, but I do not think that the bill will allow that to happen. We would like there to be consideration of the use of technology such as global positioning system monitoring, which is used in other countries, so that we build women's confidence that they are safe and that we make it clear to people who are monitored that their behaviour will be responded to if they break the protective orders or whatever measures are in place.

In general, quite a small number of perpetrators would be affected by the proposal. We know from lots of evidence over decades that the perpetrators or convicted offenders who abide by the rules of a protective order are the ones who, in general, are fairly compliant with the law. There is a whole set of very scary offenders who do not comply, so it is unlikely that the requirement to disclose their previous records or be on a register would change their behaviour in relation to whether they were putting victims at risk.

10:15

Jamie Hepburn: I get the sense that there is a strong view on the efficacy of the proposals. Could you say a bit more about that? It is pretty stark to say that there will be "significant unintended negative consequences".

Dr Scott: That is related to the fact that we are talking about a system that does not work very well as it is, and to what the bill would impose. We have had multiple conversations with colleagues in the public sector, and they are concerned that the bill would require them to go through bureaucratic processes that would not really deliver for victims or survivors and that might draw resources away from other areas that do.

Jamie Hepburn: Agnes Tolmie, will you comment on your point about a reduction in safety?

Agnes Tolmie: We have to remember the nature of these abusers, particularly controlling men. Women say to us that, when the process becomes bureaucratic, they think, "It'll only make him madder." That is one thing that women worry about, and that is the kind of expression that we hear—if you impose a thing that does not work on the abusers, you are just making them madder. Women just want out and away or the whole problem to stop. We fear that some of the proposals in the bill would "make him madder". Women do not want that; they just want the abuse to stop.

To go back to what Marsha Scott said, there are men whose controlling behaviour is so bad that it takes women years and years to even report any abuse in the first place. To then start going through a bureaucratic process rather than dealing with the perpetrator in the way that they should be dealt with would have an impact on the women. Women tell us that targeted prevention—saying to these men, "This is a programme that you're going to go through as part of the rehabilitation"—is a much better way to go than saying "You're going to have to report to us and wear an ankle bracelet," which women fear would have an impact on them.

Jamie Hepburn: Is that drawn from specific conversations that your organisation has had with victims?

Agnes Tolmie: Oh, absolutely—yes.

Jamie Hepburn: I have questions on domestic abuse education in schools. We all understand that it is broadly a good idea to put that in place. However, again, Scottish Women's Aid had some pretty stark comments on the specific propositions in the bill. The written response says:

"The proposal as stands raises some alarms for us—the implications for children and parents who choose to withdraw their child, for children in the class who disclose abuse in a setting not properly trained to respond safely for the child are two scenarios we worry about."

That speaks to the point that, sadly, given the prevalence of abuse, there will be kids in the classroom who have witnessed and experienced it, so there is clearly an inherent danger of retraumatisation. How do we deal with that in the school environment?

Maybe Marsha Scott can go first, given that I cited her submission, and then others can comment.

Dr Scott: Allowing parents to pull their children out of those classes raises all kinds of questions and issues in a school system. Either we think that children need something or we do not. We do not ask whether people want to pull their child out of English—do you know what I mean?

Having said that, it is a difficult issue. I have to say that I have this conversation in many places many times a month. People's idea of prevention often involves doing a school programme, and that always makes me think of a piece of research by the Young Women's Movement into young women's experiences of sexism in schools. It asked whether we should do curriculum-based interventions on how wrong sexism is, gender rights and so on, and one of the young women said, "Well, until I walk out of that class into the hallway and do not get sexually assaulted, it's kind of hard for me to take that seriously."

When women all around Scotland live in a world where domestic abuse is rife and where one in five children grows up with it, doing an intervention in schools that says that you should be nice is worthy, but it is highly unlikely to prevent domestic abuse. What will prevent domestic abuse is the creation of a culture in which, when the kids walk out of that classroom, the women are not more poor and the girls are not being sexually assaulted in school.

There is absolutely a place for curriculum-based work about the history of oppression that women and other very marginalised groups experience and how unproductive, inefficient and harmful it all

is. We want to create a different world, but, although putting in place a specific domestic abuse curriculum makes people feel good, it does not do much to prevent domestic abuse unless you do all the rest of the work, too.

Jamie Hepburn: The general question to you all is on the issue of the potential traumatisation or retraumatisation of children. How would that be dealt with?

Dr Scott: Kids are traumatised by watching stuff on TikTok—do you know what I mean? We really like awareness raising in schools for one reason, which is that young people do not see themselves as victims of domestic abuse when they are living with it in a family or in their own relationships. It is good to let them know that there are services such as the folks here today provide and we oversee that are designed for children and young people and are available to them for free. They should see themselves as being in the constituency of people who have a right to that kind of support.

I do not think that talking to them about domestic abuse will retraumatise them, depending on how it is done, of course, but I also do not think that it will help them particularly, unless you link it up to information about what the local support services are.

Jamie Hepburn: That is a useful perspective. Do others have anything to say on that?

Debbie Jupp: At CEA, we have a team of children's workers that go into schools and work one to one with children. They have also done projects with whole classes, and we have had really positive feedback from that. Obviously, if a child is experiencing domestic abuse, that work needs to be done in the right way for their age and stage. All the services, including social work, constantly refer people to us, because we provide such good help to children—we work with more children on the child protection register than any other service, and we have to run a waiting list. We do safety planning and make sure that children are aware of what to do if there is a domestic abuse incident in the home.

We think that rolling out that approach to classes in schools would help a lot more children than we can by doing it on a one-to-one basis. However, we need to take account of issues such as the fact that there will be children in those classes who are experiencing domestic abuse, so we would have to look at how we deal with that.

At the minute, there is a big requirement for those children to get help and support. We have a play therapist. We have filial therapists working with families. A lot of good work is already going on, but, again, there is a lack of funding.

Jamie Hepburn: That sounds more like direct support for those who are experiencing it as opposed to general education.

Debbie Jupp: Yes, that is what I am saying. We are already doing some of that work and rolling that out into schools. As you say, how do we not traumatised children who are not coming forward but are experiencing domestic abuse in the home?

I see what you are saying on that point, Marsha, but at the minute, we do that work on a one-to-one basis. We have done work with whole classes, and the feedback has been that that was really helpful.

The Convener: Agnes would like to come in.

Agnes Tolmie: Education is important, and young people would benefit from it—not only when it comes to domestic abuse issues, but also in learning to respect, appreciate and not harm one another. If nothing else, we have to do something to combat the online rubbish that our young people are engaged in. We recently had a conference on misogyny in education, and a number of young girls in third, fourth or fifth year or whatever shared examples of being hurt or injured at school.

Thankfully, an outcome of that is that many schools now have processes for reporting such issues, but that does not take away from the fact that we need to get into young people's heads very early about what is right and wrong, how we should treat each other and the fact that women are not "baddies", as we are portrayed on social media. One young girl told us that she was pushed down the stairs by a boy, who told her that the reason that he did it was because, "I don't like women. I don't like girls." That is a problem that we need to address.

I was quite saddened that the misogyny bill that we were promised never came to fruition, because that would have helped to sharpen the minds of a few people about what is right and wrong.

Jamie Hepburn: I have a couple more questions, but I am conscious of the time. Can I come back in later if there is time?

The Convener: I will bring you back in if there is time at the end.

Sharon Dowey (South Scotland) (Con): You covered some of this in your responses to Rona Mackay, but do you have any comments on the financial and resource aspects of the bill that you have not already raised?

On 25 June, we heard from Pam Gosal MSP that the "maximum cost" of the bill would be £23 million but that the investment would be worth making because it would achieve an estimated £7 billion in savings by reducing domestic abuse

offending costs. Is £23 million a realistic figure? Should other things be considered in the financial memorandum? Do you have any other comments?

Tumay Forster: It is very difficult to say. As I said earlier, will the provisions be factored into the existing systems and structures or will there be a considerable increase in resourcing? For example, will the register be Police Scotland's responsibility? What resourcing do we need? Will it sit on top of what we have in the disclosure scheme, will it be in conjunction with that or will it be rolled out to other women's groups? Who will have access? Those questions raise further issues around the resourcing side of things. For us, it is very difficult to say what the resourcing implications will be, based on what we have seen in the bill.

Dr Scott: I do not really have anything to add to what I have said.

Debbie Jupp: I have nothing to add.

Agnes Tolmie: I could not put a figure on it either, but if there is £23 million lying about in Holyrood, I am sure that Women's Aid would make good use of it.

Sharon Dowey: I am sure that a lot of organisations would make good use of it. However, comments were made about whether a specialist person coming in and delivering education rather than a schoolteacher would be preferable. Are such costs addressed? Do we need to put more funding in, given the potential savings? We heard that the bill's provisions would cost £23 million but that £7 billion would be saved by reducing domestic abuse reoffending.

Dr Scott: From my perspective, what is being proposed is that we do curriculum-based interventions, which is often the case elsewhere. You would have to develop and test the curriculum and you would have to train your teachers to deliver it if you were actually serious about it. I have no idea what that would cost, but if you want to do a curriculum-based intervention, you should do it in partnership with your local services to ensure that you are hooking kids up appropriately. However, we should not be asking voluntary sector organisations with waiting lists to be doing curriculum-based interventions.

My feeling about the £23 million and the however many billions is that there is not an awful lot of evidence that many cases will be prevented, although every case is worth preventing. The figures are difficult to grapple with, given the amount of uncertainty in all of this.

10:30

Sharon Dowey: I have one final question. Earlier, you said that colleagues in the public sector had concerns about the amount of bureaucracy involved. Could that be addressed by extra funding? Could you tell us concisely what the public sector concerns were and who they came from?

Dr Scott: I do not want to speak for our partners. I am sure that the committee is well aware of the failure to implement elements of the Domestic Abuse (Protection) (Scotland) Act 2021 such as the domestic abuse protection orders and the domestic abuse protection notices. We already know that the police have significant resource issues and if we expect them to do the things that they have not done, partly because of resourcing, while laying something else on them, we are highly unlikely to see a positive outcome.

Pauline McNeill (Glasgow) (Lab): I will start by asking Tumay Forster to elaborate on the evidence that she gave about women who might be convicted because they have retaliated in self-defence. I was not really aware of that until Pam Gosal mentioned it to me as being a big issue. It would be helpful to understand that.

Tumay Forster: It is a big issue, particularly for BME women, who find it incredibly difficult to navigate the legal system. They do not have much understanding at all, even about what it means to plead guilty or not guilty. In many women's cases, especially if they also have children, all they want is for the abuse to stop and for them to keep their children. We have had cases of women being led to believe that, if they plead guilty, they will be able to take their children back.

Many women do not understand the abuse that is happening to them and they will accept anything and they will plead anything if they think that that will mean that they are going to get their children back. They do not understand what a guilty plea means for them now or in the future. We have had cases like that, especially because legal protections are not quite there and legal aid is difficult to come by—those women are left in the hands of solicitors and other people who want to expedite the process because there are long waiting times in the courts and people want quick outcomes, which are not necessarily good outcomes that keep the women and children safe.

Pauline McNeill: Are we talking about cases in which a woman has been charged with assault, for example?

Tumay Forster: I do not want to call it retaliatory action, because it is not. It is a defence mechanism or something that is situational. The woman is resisting the abuse and trying to keep herself and her child safe. Resisting does not

necessarily mean that she is an abuser—she is defending herself and trying to keep her child safe.

Pauline McNeill: Could self-defence not be argued in court in such cases?

Tumay Forster: No, because there could be a counter-allegation from the partners. BME women often rely on the husband financially. Many of them are first-generation migrants who have come to this country and they do not know how the system works. All they know is that they were brought here by their husbands so they have to rely on them 100 per cent.

We often hear men saying, "She has done this, this and this," but he is saying all those things because he knows how the system works and she has no idea, so she would not even be able to say that she was acting in self-defence. She would not be able to explain that.

Dr Scott: I am glad that Tumay Forster raised this issue—I think that Debbie Jupp did, too. Counter-allegations are a big problem in the system. If we wonder why women do not want to report, we should note the number of women who are victims yet are invoked as being perpetrator, rather than victim, by the perpetrator's, or the perpetrator's lawyer's, use of the system.

We are involved with the Scottish Women's Rights Centre in doing a study on dual and malicious reporting, which is an issue in every system that responds robustly to domestic abuse. We find that the police are required to identify the primary aggressor in a case. We used to have lots of cases in which both partners would be reported as being violent, with the courts then being asked to sort it out. We had a new protocol some years ago that worked quite well at reducing those dual reports. However, unfortunately, the unintended negative consequence is that we still see a significant number of malicious reports, whereby somebody is treated as a perpetrator, instead of as a victim, even if she understands the legal system.

Pauline McNeill: Is your concern about the register, Tumay, that those women would be on the register?

Tumay Forster: Yes, absolutely.

Pauline McNeill: I want to explore what Agnes Tolmie said about angry men, which really struck me. First, Agnes, can I just check whether your concern is that the notification requirement for those men to be on the list would almost be a provocation, so it would not keep women safe? Did you mean that it would be provocative and that it might lead to more violence?

Agnes Tolmie: Yes. Women talk to us about examples of anything that can cause fractious behaviour. It is like poking a guy with a stick—you

just make them more angry. The kind of examples that have been given to us include, “I don’t want to annoy him, because he’ll start messing me about with the kids or he’ll not give me money,” and various things like that—if the woman has managed to escape but still has to let him see the children, for example. By putting the men on a register, you would make them angrier and so on.

Pauline McNeill: That is what I thought you said. It is a striking comment. Do the other witnesses share that view about the register?

Debbie Jupp: There would be a concern that it would make the men angrier. However, again, if they had committed an offence and been charged by the police, it would not be that person’s fault that they would go on the register, so I see it from two sides.

Dr Scott: Like Agnes Tolmie, we hear such things all the time. This is about the risk assessments that victims and survivors do. If this was a response to putting somebody on a register that absolutely made women and children safer, they—and we—would not worry about him being angrier because he would not be able to get to them. However, unfortunately, our system provides access through child contact and all kinds of ways, so they would not be safer and he would be angry. Also, I note that domestic abuse is not about him being angry; it is about him having power.

Pauline McNeill: I know, but I just want to understand—

Dr Scott: It is an excuse for him to be angry.

Pauline McNeill: This is a central part of the bill, and that comment is very pertinent, so I just wanted to get your reaction to that. As I understand it, the purpose of putting convicted offenders on the list would be so that the police could monitor them. I acknowledge what has been said about resources and everything else, but that would be the purpose of it, so it is quite interesting to hear that there might be an unintended consequence. Tumay, do you want to comment?

Tumay Forster: This is a difficult one to manoeuvre, but we cannot not hold people accountable because they will get mad. Domestic abuse is a crime, and when there is a crime, you cannot just not take action on it because it will make the abuser angry. It undoubtedly will, and I can guarantee that it will make families very mad in honour-based abuse cases. If you put the man on the register, the rest of the family will be quite mad as well, because of the multiple perpetrator concept.

In the eyes of the law, we cannot just let someone get away with it because they will get upset, because if that was the case, we would

have to review the whole system. My view is that we have to take action on it. Will it make some people very angry? I am sure that it will.

Pauline McNeill: Thank you. Lastly, if I may ask—

The Convener: I think that Agnes Tolmie wants to come in before you move on.

Agnes Tolmie: My point is that we are telling you what women are telling us. It is not about these men not being on a register; it is about women’s fear of being the ones who put them there. It has to be done differently.

The bill does not address that. It says, “Right, there will be a register and you will be on this register for four times the length of your sentence,” and so on. However, women tell us that, if they can escape the abuse, that is preferable to having to deal with an angry man. Depending on the abuse that the women face, the reaction will be different. We want justice to take place, but it has to land on the shoulders of the men. I totally agree that they should be put on a register or behind bars—it does not matter to me where they are put, but what does matter is the unintended consequences for women. We just need to be careful about how we do it.

Pauline McNeill: Thank you very much.

I have a special interest in the whole curriculum issue that you mentioned. My personal view—I have expressed this many times—is that we need to work with everyone, but we need to work with boys in particular. Some notable figures—such as David Gandy, who spoke out this week—have talked about boys not having the role models in society that they need. Do you agree that some of the work that we need to do needs to be targeted at boys and needs to talk to them? If we do not tackle the root of the problem, we will not tackle domestic abuse. What are your thoughts on working with boys at any age, given your experiences and expertise?

Debbie Jupp: We already work with boys. As I said when discussing children in school, we work with boys and men. We are one of the only domestic abuse agencies in Scotland that does so, and we get lots of calls from men all around the country. It is done over the phone because they will not come to the office, but we agree that boys should be educated, as well as women, because it affects them.

Last week, I was at a college doing an open day, and three teenage boys came up to us and asked, “Would somebody be able to come to college and talk to the boys about domestic abuse?” They see it and hear about it. I thought that that was quite interesting, because it is normally girls who ask. Boys would not normally

come up to a domestic abuse stall in a college and do that. We should definitely work with boys.

Dr Scott: I will not be helpful here, Pauline. There really is not any convincing evidence that male role models are important elements when it comes to changing harmful behaviours. Children need good adult role models. We need to work with boys, but it needs to be within the context of the fact that a significant percentage of them grew up with domestic abuse. We know that domestic abuse is not about them repeating that behaviour. It is not a learned behaviour, despite what the cycle of abuse people say.

10:45

We need to change a system that rewards men for being harmful and abusive by investing in systems that allow things such as parental leave, for example, which is a cultural issue—this is a whole other discussion. If men have equal access to the things that support them to be the kind of parents that we all want them to be, it will make a big difference. However, as designed in many places, not just in the bill, education needs to think about what needs to change around boys to help them to think about women differently. I am as worried about toxic media as anybody else, but let us do something that works.

Tumay Forster: We strongly advocate working with boys. Especially in the BME communities, a lot of abuse is based on male power and even females in BME communities will try to honour the male, in a way.

Unfortunately, the only opportunity for most young BME girls and boys to understand what is a healthy relationship might be in school. While they are in their own communities and their own homes, they are still very much around culturally driven and traditional role models. The school is a controlled and structured way of delivering the idea of what a healthy relationship looks like, how boys should treat girls and how girls should interact with boys. They will not get that opportunity in their own homes.

The education aspect of the bill is important to us, and we welcome it. It should be mandatory, because it will be the only opportunity for a BME boy or girl to get such information in a controlled and structured way. Honour-based abuse dynamics are very much driven by male honour, so it would be helpful to work with boys, as well as working with boys and girls together, so that they understand each other. If we are talking about a truly diverse and inclusive Scotland, every boy should understand a girl's perspective and every girl should understand a boy's perspective, and people coming from different ethnicities should

understand those dynamics, so that young people will grow up to be the adults of tomorrow.

The Convener: I will pause you there and bring in Katy Clark. There are also one or two follow-up questions, including questions from Pam Gosal.

Katy Clark (West Scotland) (Lab): Some elements of the bill would require further legislation to bring them into effect, including part 1—we have heard your evidence that that part might have unintended consequences and might not fit in well with existing systems. However, other aspects of the bill would not need further legislation.

From sitting on the committee, I know that quite a lot of the legislation that was passed in the previous parliamentary session still has not been implemented—for example, the Parliament focused yesterday on female genital mutilation legislation that has not been implemented. Even if we managed to pass the bill, it might be a long time before work was done on implementation.

Work is going on now on school education. We know that about one third of schools are signed up for the equally safe at school programme, but it looks as though that will mean different things in different parts of the country. I have heard the evidence about the scale of sexism, misogyny and violence in schools and how it has not been dealt with, so we cannot silo it into personal and social education and modern studies classes.

If we were to go ahead with mandatory school education on domestic abuse, would it be helpful to restrict it to domestic abuse alone, or would it need to be framed far more widely to cover sexism, misogyny and violence? We know that violence in schools—in particular against women staff and pupils—is a massive problem, against the backdrop of social media and the influence of the far right. If we were to go down the path of mandatory education, would it be helpful to frame it narrowly?

Debbie Jupp: I would add in education on healthy relationships, because a lot of things can be covered in that.

Dr Scott: Liz Kelly, who is a long-time researcher on violence against women, once pointed out that women's lives are not divided into incidents of domestic abuse, sexual assault, straight harassment and so on, so the point is well made in that sense. If we were starting from considering what children need, we would not simply give them a domestic abuse case to look at.

If somebody gave me a magic wand, I would want to look at how we ensure that our schools, from nursery to graduation, are giving out messages about gender equality. The single

biggest curriculum intervention that I think would be helpful for children and would reduce the harm that they experience is media literacy. There is good evidence for that—it is a tool and a skill that can be applied in many different ways, and it can challenge the messages that are coming from the incel movement and all the places that scare us old people so much.

However, we cannot ever get away from the fact that we need, through a whole-school approach, to deal with the sexism in the hallway. We cannot just beat teachers up for not somehow knowing about all the issues around abuse and not being able to intervene in a way that changes what happens in the hallway. However, unless what happens in the hallway changes, what happens in the classroom is not going to change.

Tumay Forster: I agree 100 per cent with Marsha Scott. Although having these issues taught about in schools through any lens would be very welcome, a wider lens would be better to enable young people to understand the problem of gender inequality, which is the major reason why such abuse is happening. A wider perspective would be welcome, but anything would be welcome to educate young minds.

Agnes Tolmie: I have a real passion about this subject—I think that it is really important. When boys and girls go to school, we have to teach them that each of us, male and female, has a role to play in this world, and it is not just about how men feel or what women want.

To go back to the point about role models, I think, from looking around—starting with the leader of the western world—that we are short on male role models, to be fair. It is important that we get men who the boys respect and admire to stand up and say, “That wasn’t right what he did,” or “That isn’t right what he said,” and be more vocal about that. I think that that would help.

On what happens at school, we need to learn together. When I first went to secondary school, the boys and girls were separated and all that nonsense. We need to learn together and share experiences, and we need to learn together that violence is wrong. We need to learn that women are really good people, and boys need to learn to respect that. How we do that is somebody else’s game, but Marsha Scott is right that we need to stop discrimination from an early age.

The violence really has to stop. I cannot believe that, in a small country such as Scotland, we have more than 8,000 sex offenders on a register. That is ludicrous. The earlier we start with interventions and have honest conversations about who we are and about what we are or are not entitled to from life, the better it will be for our children.

The Convener: We are about five minutes out from our scheduled finishing time, but—with the agreement of the next panel of witnesses in the public gallery—I will extend the session for another five minutes to allow for some supplementary questions.

I have a quick question that goes back to the notification requirements in part 1 of the bill. Marsha Scott touched on the fact that MAPPA was not really designed for domestic abuse; I am interested in that. Sticking with you, Dr Scott, do you have any additional views on the provision to make all domestic abuse offenders—as they are defined in the bill—subject to MAPPA? As you touched on that earlier, perhaps you can give a fairly brief response.

Dr Scott: Brevity is not my strength, as you know. Back when I worked in a local authority, I was excited when I heard that MAPPA was going to be extended from sexual offences to cover violent offences. I thought, “There we go—we’ll have a system that we can use to protect women and children living with domestic abuse”. However, it immediately became clear to me—and I have heard this from our partners in the police and in community justice—that, while MAPPA works very well for sexual offenders, as it was designed to do, the design is very different from what we would need to monitor and scrutinise the behaviour of domestic abuse offenders. The system as it is currently designed would not work for that.

The Convener: Thank you—that is helpful.

I will bring in Jamie Hepburn for a very brief, succinct question, followed by Liam Kerr and Pam Gosal. I ask you all for brief questions.

Jamie Hepburn: I have very specific questions for individual witnesses, convener, so I will be brief. The first question is for Agnes Tolmie. Your written evidence says that it is

“a significant oversight that the Bill does not require the collection of data on all protected characteristics as defined under the Equality Act 2010.”

You specifically cite

“sexual orientation, gender reassignment, religion or belief, pregnancy and maternity, and marriage or civil partnership”

as omissions. Your submission touches on this, but will you set out some of your concerns about those characteristics being omitted?

Agnes Tolmie: Again, this goes back to what women with lived experiences are telling us. They tell us that they can be treated differently by the police and the system if they are not part of a “normal” heterosexual couple. That puts them off making complaints and processing the harm that they have experienced. They say, “When I go to the police station, they do not treat me in the same way.” To be honest, there is still a bit of education

to be done with our police around what domestic abuse is.

Jamie Hepburn: That is helpful.

I have one final—again, very quick—question, specifically for Debbie Jupp. In response to the question on

“concerns about the human rights or equality implications of the Bill”,

the written evidence from Committed to Ending Abuse says:

“The expansion of notifications and data processing engages privacy rights under Article 8 of ... ECHR.”

I must confess that I am not aware of that particular issue.

Debbie Jupp: Can I look at that question?

Jamie Hepburn: I will just make sure that that is your evidence and that I have not misattributed it to you.

Debbie Jupp: I do not remember saying that. What question number is it?

Jamie Hepburn: It is your submission, for sure—it is the response to question 7.1.

My question was whether you could expand on your written response, but perhaps I am putting you on the spot a little. You could maybe come back to the committee in writing.

Debbie Jupp: Yes—can you come back to me?

Jamie Hepburn: If you can come back to us on that—

Debbie Jupp: I think that my colleague did the last part of our written submission.

Jamie Hepburn: I see—right. If you could speak to your colleague and ask them what they were getting at, that would be great.

The Convener: If there was an opportunity for you to share any additional information with the committee on the basis of that question, that would be helpful.

11:00

Liam Kerr: I have a question for Agnes Tolmie. I was intrigued by Pauline McNeill's line of questioning on the unintended consequences of a register, and there is a thought in my mind that I would like you to clear up for me.

Let us say that we have a victim who is being abused and who reports that. If the partner was prosecuted, they would go on the proposed register, as would happen—as we have seen from our papers—with the sex offenders register. However, this register is different, because the victim might well take the partner back. You will

tell me if I am wrong, but I think that that happens in more cases than not. The perpetrator would be on a register, and the victim would have put him there through her report. I presume that there would be a risk that the perpetrator could use that against her—“Look what you did to me.” As you said earlier, it could “make him madder”. If all that played through, would there be a risk of the victim being less likely to report the domestic abuse, as a function of the register being brought in?

Agnes Tolmie: No—I do not think that there is an issue with men who commit violent crimes against women and girls being on a register. The issue relates more to the terms of the bill and the length of time for which someone would be on the register and would have to be reporting or wearing some type of tracking mechanism. That is what women were worried about.

The issue is not so much about the register—the guy has committed a crime and he is entitled to be put on the register for however long. It is the additional requirements in the bill that were worrying women when we spoke to them.

Pam Gosal (West Scotland) (Con): Good morning. I have two questions. The first is a direct question for Marsha Scott, and I then have an open question to the other witnesses.

Marsha, I have spoken to you at three informal meetings and you have responded to two formal consultations. From my recollection—and according to the minutes that I have from our one-to-one meeting in July—you said that my bill is moving in the right direction. You had said that you would be happy to support the creation of the register with the addition of some amendments to address certain things—for example, to add that the register should include information on where the perpetrator works, because we had said that it would include the address where someone lives.

I was therefore really surprised to see your latest written response, given that I have been working with you throughout the process to ensure that we have good legislation. I used the whole summer to speak to a lot of organisations, including 22 Women's Aid organisations, the majority of which were supportive of my bill. That was also reflected in the consultation responses, with five Women's Aid organisations indicating their support for the bill and specifically the register—

The Convener: I will have to ask for your question, please.

Pam Gosal: Sorry, convener.

As Marsha Scott knows, I have concerns that organisations that are funded by the Scottish Government may say one thing publicly and another in informal settings, as their views may

lead to funding being withdrawn. What has changed from what you said previously?

Dr Scott: Nothing has changed, really. I remember very distinctly saying to you that I would have to discuss the matter with colleagues in the police, in the Scottish Courts and Tribunals Service and in the Crown Office and Procurator Fiscal Service to understand the situation.

I said that the bill was moving in the right direction, as I had been concerned that a register was not going to be effective and I thought that the new version of the bill had essentially removed the idea of formal registration on a register, because the wording had changed. However, when I talked to colleagues about it, I saw that what was being proposed would operate very much like the register in the previous version of the bill.

I did mention including information on an offender's workplace, because—as I said—we would really like police to be able to put their hands on perpetrators at any given point. However, do we think that the register would deliver that? No. It is now focused specifically on offenders who have been convicted under indictment, which is, relatively speaking, a very small number of offenders. The colleagues I spoke to had strong concerns that the bureaucratic burden would be very significant and that the amount of safety, or even accountability for perpetrators, that would be offered would be minimal.

I believed sincerely that I wanted—and I would still want—to find ways to support all the mechanisms in the bill, but I just could not.

Pam Gosal: Because of the time, I cannot come back on that, so I will just go on to my next question, if that is okay.

The Convener: I ask you to select one or two of the witnesses to respond, because we are running out of time.

Pam Gosal: I thank all the witnesses for coming to discuss my bill. We are going through the 16 days of activism against sex-based violence, so it is important to raise awareness of domestic abuse. We know that, year after year, the number of cases is getting higher, and repeat offending is rising, too. Many survivors who I have spoken to have said that things have not changed. From the consultation responses, and from the evidence that we have heard today, we see that there is some support for the creation of a domestic abuse register and for the other aspects of the bill.

Some of you have indicated where amendments would be needed to improve the bill. My goal is to make good legislation so, if the bill passes stage 1, what improvements should be made at stage 2 to ensure that survivors feel safe and that the

burden on public authorities is as minimal as possible?

Tumay Forster can go first.

The Convener: In fairness, I think that we have covered quite a bit of where the witnesses feel that there would be scope to make changes to the bill, so I ask you all to keep your responses as brief as possible.

Tumay Forster: I can refer to the written submission, if that would help.

Pam Gosal: Would it help if I summed up what I heard today and you could all say whether you agree? I have heard from you that the issues are resources and funding, and how the bill is going to work with existing structures.

Tumay Forster: That is correct.

Debbie Jupp: Yes, I agree.

Agnes Tolmie: Same. In addition, the focus on collecting the data is really important.

Pam Gosal: Thank you.

The Convener: I apologise for the session overrunning slightly and I thank all our witnesses for an insightful opening session.

We will have a short suspension to allow for a changeover of witnesses.

11:07

Meeting suspended.

11:13

On resuming—

Scottish Fire and Rescue Service (Service Delivery Review)

The Convener: Our next item of business is consideration of the forthcoming Scottish Fire and Rescue Service reforms. As members may already be aware, we expect the Scottish Fire and Rescue Service to publish its proposals in the new year. Today, we have an opportunity to hear from the Fire Brigades Union its views on the proposed reforms. I intend to allow up to 60 minutes for this session.

I refer members to papers 5 and 6. I also note that the Scottish Fire and Rescue Service's annual report and accounts for 2024-25 have now been laid before Parliament; the clerks have circulated a copy to members in the normal manner.

I welcome, from the Fire Brigades Union, Colin Brown, executive council member for Scotland, and John McKenzie, Scottish regional secretary. You are both very welcome. I invite you to make some short opening remarks—over to you, Colin.

11:15

Colin Brown (Fire Brigades Union): Thank you. We will try to be succinct, as always, but for John and me, that is probably quite a challenge.

The Convener: Oh no! [*Laughter.*]

Colin Brown: On behalf of the Fire Brigades Union, we welcome the opportunity to address the committee as it considers the Scottish Fire and Rescue Service's service delivery review.

The committee will be aware that the FBU recognised the need for reform in our 2023 "Firestorm" report. That was a detailed piece of work that put members' voices at the forefront of the conversation, and it is a vital piece of work as the SFRS considers the service delivery review.

First, I want to say that it can often sound like we, as trade unionists, are being critical of the workforce and the workers—but, by default, those are our members, and I want to give an assurance that we are absolutely not. I commend the thousands of FBU members across Scotland who, every single day, working in our fire stations and control rooms and in support roles, do incredible things against a really challenging financial and societal backdrop. We should never lose sight of the fact that it is our members who carry out that work, every single day, against that challenging backdrop. Although a lot of our support staff are represented by other trade unions, the work that they do is often the hidden part of the Scottish Fire and Rescue Service, and without them, our

members cannot function in the roles that they undertake.

On 12 November, the committee took evidence from the chief fire officer, and I wish to push back very gently against some of the comments that were made in that session.

The chief said—quite rightly, from his perspective—that the service is "not ... in crisis". However, that is not how our members in fire stations and control rooms feel as things stand today. We have a crisis in our control rooms that has led the FBU, in the past two months, to issue safety-critical notices because the staffing levels are below critical. I do not know how something functions at a level below critical, but that is where we are in our control rooms. At present, there is an attrition rate of roughly 36 per cent in our control rooms, which means that 36 per cent of the workforce are unavailable to perform their important function.

I encourage the committee to look at the FBU's "Operator" film, which is available on YouTube; I am happy to share a link at some point. The framing of the role that our control firefighters play every single day is exactly right, and it is harrowing to watch. That is a trigger warning, if you decide to watch it, but it is vital that people who are involved in decisions around fire and rescue understand these roles.

The chief fire officer's description is not the experience of our members in stations either. The Health and Safety Executive was informed by the FBU about issues in Shetland, which led the HSE to issue improvement notices to the service earlier this year. The safety-critical notices and improvement notices are being worked through, but the fixes are not quick and the issues have been years in the making.

There may be dispute between ourselves and the chief as to the definition of "crisis", but our members' experience is that they have appliances and specialist resources off the run every single day. They have the retained duty system, and of the 345 pumps that should be available on the streets of Scotland every single day, protecting communities, roughly 200 can be unavailable at any given time. The push to increase reliance on the retained duty system through the service delivery review should be of concern to the people of Scotland. It is certainly of concern to our members, and it should be of concern to the committee, and to the public.

The withdrawal of 10 whole-time pumps in 2023 was an entirely financial decision. The service had a budget crisis that it had to address with the temporary removal of 10 pumps. However, that is not the true story; the fact that 166 firefighter posts were slashed at the same time is the story. When

a fire starts, it is a firefighter who puts it out—it is not a pump—and that cut of 166 posts took us to around 1,200-plus firefighters lost since the single service was created in 2012-13. That is really significant.

The wad of paperwork that I have in front of me is one month's statistics for the availability reports for specialist appliances across Scotland. If you give me a date in October, I will pull out that date and tell you exactly the impact of what I have described. It should be remembered that 10 pumps and 166 firefighters were taken out in 2023, and we still routinely see around nine or 10 appliances off the run every day. We see specialist rope teams reduced to a crew and resource level that would be challenging. Water rescue teams and mass decontamination teams are all being reduced across Scotland daily. We are not providing the service that the politicians who are sitting in front of me today believe that we are providing right now. Although the service delivery review is a vital and timely piece of work, some of the direction is quite a problem for us.

I hope to have the opportunity to take questions on the nearly £900 million that is projected to be saved by the service. That is almost three times the amount that the move to a single service was anticipated to save. That money has not been reinvested in fire and rescue—it has not been reinvested in making the service better or safer. We still have crumbling stations and reinforced autoclaved aerated concrete panel issues that the service is struggling to get on top of. We do not have dignified facilities, and we are not able to implement the FBU's decon processes across stations.

Those are statutory responsibilities, and there is guilty knowledge now that the service is struggling to get on top of the situation, and the current budget cycle and the SDR are not going to resolve the issues quickly enough. Dealing with three stations a year, when there are 365 fire stations, means that the process is not going to happen quickly enough to save the health and wellbeing of our members.

I also hope to be able to speak about response times. In his evidence to the committee, Andy Watt, the deputy chief fire officer, touched on response times being "complex". They are complex—a multitude of factors are involved. However, it would mean applying mental gymnastics if we were saying that response times are linked to traffic jams, road works and traffic calming measures but not speaking about the extended travel time, with fewer fire appliances and fewer firefighters having to travel greater distances—we would be kidding ourselves on and not addressing the facts.

I appreciate that I am over my two minutes, convener—I could go on, but I will pause there to allow committee members to come in. I look forward to taking the committee's questions and providing evidence today.

The Convener: Thank you—there was a lot for us to think about in your opening statement.

I was going to ask you about the service delivery review and what may come from it that you feel may be positive. However, I want to pick up on the reduction in firefighter numbers that you mentioned. I am interested in probing that a little more and looking further at the reasons for it.

A lot of organisations are seeing a change in their staff numbers as a result of all sorts of different things, such as the introduction of technology, artificial intelligence and innovation—and, in your case, fewer fires. Can you expand on where the cuts are coming from?

Colin Brown: I will bring in John McKenzie in just a moment, but I will open up the thinking around that.

Yes, the single service stripped out a swathe of duplication in the service; I think that the chief and his team referred to that when they gave evidence on 12 November. However, in our written submission, you can see what the service's own papers say—we have taken graphs from the service that show the year-on-year reduction in whole-time staff. The cut of 166 firefighter posts in 2023 had a direct correlation to the budget.

I have the latest statistics here. There is the reduced target operating model, which is the number of firefighters who should be in whole-time positions in order for our duty system to give 24/7 fire cover in every single fire station and on every single fire appliance across Scotland. We are currently sitting at 103 below the reduced level that was implemented in 2023 and which was supposed to resolve the issue.

The projected number of retirements and leavers, which it is complex to try to anticipate for a service the size of the Scottish Fire and Rescue Service, is anticipated to be 200 in 2026. The recruit courses that are due to run over that period of time will bring in 144 firefighters, so we are already losing another 56 ropes, because the service cannot recruit quick enough to keep up with attrition. We put pumps off the run and reduce specialist teams every day, and we never quite catch up.

I will pose a question to the committee. The service said that there are around vacant 200 or 300 retained duty system firefighter posts—not posts that have been removed but vacant posts, because the service cannot recruit into those areas. Bearing in mind that the service has

already had to come back for more than £1 million to cover its primary function in response to wildfires this year, what would happen to the service's budget, if every single one of those posts was filled? We would be looking at another 200 or 300 retaining fees, another 200 or 300 turnout fees and another 200 or 300 payments for training evenings. That would bankrupt the service right now. Those posts may not be occupied—they are vacant—but, in our view, the service cannot afford to fill them.

I will pause and allow John McKenzie to come in with more detail around some of those numbers.

John McKenzie (Fire Brigades Union): I do not wish to repeat any of Colin Brown's points. Broadly speaking, there are two areas where there are cuts to firefighter numbers. Up to the year to date, 1,239 posts, or 16 per cent, have been lost since the introduction of the single service in 2013. That is a really significant number; we have seen the impact on response times, which I am sure that we will get into later.

I said that there are two factors driving this. For full-time firefighters who do this as their job, it is their primary source of earning. They are available 24/7 and they cover the vast majority of fire stations across the central belt and up the north-east coast, predominantly in our more densely populated areas. The cuts here are purely down to funding; there is no confusion there. The resource budget for the service is, in real terms, £84 million less than the equivalent budget in the last year of the legacy services in 2012-13. The resource budget is £332 million, so that is a huge and really significant amount of money. That is what has led to more than 720 whole-time posts being lost since 2013—a cut of almost 18 per cent of the total, which has had a really significant impact.

The other element relates to retained firefighters—people who do this as a secondary job or who respond to a pager, and who are predominantly, although not exclusively, in more rural and remote communities. There are socioeconomic challenges with regard to depopulation in some of those areas, which makes it difficult for the service to recruit members to fill the duty system. That is not purely down to funding. Although remuneration is a key area with regard to recruiting and retaining people, the issue is more complex than being purely about money. However, I want to be really clear that any reductions to the number of whole-time firefighters and control operators are exclusively driven by funding.

Katy Clark: It is really helpful to get your evidence about extended travel time. Can you say more about response times? It is very concerning that there seem to have been considerable increases in response times over recent years.

The Fire and Rescue Service would say that there is a health warning with regard to response times: the response time is a statistic that relates to the first appliance arriving, when, sometimes, you need three appliances and the right configuration of firefighters and equipment before you can do what needs to be done. However, how concerned should we be about the significant increases in response times and the prediction that they will continue to increase?

Colin Brown: There is no denying that response times are not the only measure that we should look at. The driving force behind my entire career in the fire service, since my first day as a recruit, has been about trying to prevent fires and accidents from happening in the first place—the community safety aspect. However, as I touched on earlier, when something happens, it is a firefighter who needs to attend to resolve it. For example, because of the complex and dynamic nature of the wildfires across Scotland this year, crews were deployed on to hillsides for protracted periods. Then we see response times for the first appliance to arrive of 57 minutes. Sometimes whole streets are being wiped out as a result. That is not an exaggeration: it is evidenced in the statistics and in the press. These are all incidents that have happened, so we have a problem.

Although we might be talking about three, four or five of those incidents in Scotland, I ask committee members what would be a tolerable increase to the response time if you were in a house fire or if your family member was in a ditch in a car awaiting rescue? I do not think that there is a tolerable increase. Yes, it is a dynamic and complex situation, but the reality is that we have seen year-on-year increases. Comments have been made in the chamber that the increases are to do with health and safety measures for firefighters, which mean that they now don their personal protective equipment before getting into an appliance so that they can put their seatbelt on. The FBU pushed for and whole-heartedly supported those measures in their entirety. However, they have been in place for the 17 years that I have been a firefighter. They are not new, yet we see year-on-year increases to response times. Traffic calming measures have been used as an excuse for those year-on-year increases, but they are not new either. With reference to the service's internal risk ratings, traffic calming measures and road works never appear on the board's risk register, so those are clearly not the driving force behind increased response times.

We have also seen increased call handling times in our control rooms, which lead to increased response times. As we have reported, our control rooms are so understaffed that they are running at below critical levels, which potentially leads to the creep of human error,

because fewer and fewer staff are having to do so much more. That leads to increased response times. There is also the issue of increased travel distances, as we have taken 10 fire appliances that might have been the first to respond to an incident. When the distances are greater, it seems counterintuitive to remove more firefighters and more fire appliances and to have even greater distances to travel to what are routine incidents. The increase in travel distances is one of the main drivers of increased response times. John McKenzie might have additional comments.

11:30

John McKenzie: Response times are a really important subject, and Colin Brown has covered accurately the fact that there is a whole range of important metrics when it comes to measuring how the Fire and Rescue Service is performing. Our members have done excellent work to increase preventative work, which has resulted in a reduction in many incident types. However, to be really clear, there is no more effective measure of the resilience of the fire and rescue and emergency response to the emergency aspect of what our members do than response times. Seconds count, and the ability of our members to make life-saving interventions is absolutely critical.

What should really concern the committee about the Fire and Rescue Service's direction of travel is that, every year, we see response times increase. The pattern for the past 10 years has been that, year on year, response times have increased. Are we comfortable with that position? A 90-second increase in response times over a 10-year period is really significant.

Katy Clark touched on the fact that what is measured is the response time for the first appliance only. In many incidents, what one appliance can do with regard to making a meaningful intervention is limited; in some in some incident types, it is non-existent. We have that one limited—although nonetheless useful—area of data. With many incident types, the real measure is the time within which you can get a second and third appliance to provide the weight of response that is needed, particularly in high-rise incidents, more complex incidents and incidents that involve more members of the public.

We do not want to pretend that response times are the only key measure, but there has been too much of a drift away from them in fire and rescue services across the United Kingdom. Often, the reason that politicians and chief fire officers are keen to move away from that metric is that the direction of travel has been consistent for 20 years. The reality is that, if you are in a house fire or trapped upside down in a car in a road traffic

incident, response times are absolutely critical to you, and our members recognise that.

Katy Clark: Convener, would it be okay to ask a question about decontamination and the extent to which that is covered in the review?

The Convener: I will come back to you for that later, Katy. I will bring in Liam Kerr first to keep the order of questions right in my head.

Liam Kerr: Good morning. I have a question for Colin Brown on a not unrelated point. When the committee heard from the SFRS on the service delivery review, the SFRS made it clear that the review and the decisions in that regard were not driven by budgetary concerns. In your written submission, you disagree with that. On that basis, do you conclude that, had different budgetary decisions been taken by the Scottish Government in relation to funding, the service delivery review would have come to different conclusions, and, if so, in what way would they have been different?

Colin Brown: That is an excellent question. We believe that the review would have been different. We talk about the removal from the service of £900 million, potentially, by 2027-28, but had that been reinvested in the service, it would not be having to look at ways of freeing up resource and capital funding from its current budget levels to implement projects. For example, Katy Clark briefly touched on the work on decontamination. The service is looking to modernise its estate to provide decon-compliant and dignified facilities, but it is not getting the level of capital funding that it needs to effect that level of change in a timely manner across the entire estate. Funding is a primary driver, because the service is having to find capital from within the system in order to implement massive capital projects.

This year, health and safety improvement notices were applied to some stations, and the service is having to find a way to resolve that from its current budget. In many ways, that is fiscal responsibility, and, quite rightly, the Government and politicians absolutely focus on that. A taxpayer-funded organisation should look at how it spends its money.

However, changing a fire station from having sleeping accommodation that enables firefighters to be on call from that location and available at a second's notice to being a building that does not require to have such facilities saves millions of pounds. The service wants to reinvest that money in the service. Our question is whether that decision would genuinely have been considered if the £900 million, or even a third of it, had been reinvested in the service. Our view is that the constant stripping away of capital and resource has led us to a situation in which the service is having to ask, "How do we replace 14 RAAC

panel-constructed stations from our current capital budget?”

Liam Kerr: Thank you—that was clear. As we are talking about stations and the estate, the delivery review proposes to close eight stations that are described as “long-term dormant”, six of which have been non-operational since before 2016 and five of which are not staffed. Do you agree with the proposal? Given the situation, are you comfortable with that?

Colin Brown: In theory, that is a challenging question for a trade union that exists to represent firefighters and protect their jobs. We take very seriously our members’ responsibilities to their local communities. That said, the reality is that there has not been a firefighter in those stations for upwards of 10 years, so what are we actually protecting? The stations in question are long-term dormant; overwhelmingly, they are volunteer system stations, and we have concerns about that model for a professional fire and rescue service as it is.

However, that relates to an issue that I have already mentioned—overreliance on a model that is already causing us to consider closing nine stations. Increased reliance on such a model should be of concern to us, because population and societal shifts away from people living and working in their local community, as a result of the economic draw of large city centres, have resulted in remote and rural communities being left without people to staff retained and volunteer duty system stations.

Some of those stations are in very small island communities. I apologise to the residents of the island of Kerrera, but I think that the population is around 60 and the age dynamic is in the upper percentile. None of them wants to be an RDS firefighter. You do not create a crew from zero, so, with the best will in the world, those stations will never be operational again. It takes three years to train a competent firefighter, and you need two of them to make a breathing apparatus team. It takes an additional minimum of a year to get a crew commander in place and an additional year or so to get a watch command team in place. You cannot generate experiential learning and exposure to fire incidents when there have not been incidents or turnouts for 15 years, so you can see that such crews will never exist again. It is entirely sensible for the service to consider shutting those stations, because I would guess that the service is spending upwards of £1 million a year for appliances, equipment, maintenance and testing for stations that are absolutely not functioning.

Liam Kerr: I understand.

John McKenzie: This slightly relates to the point that Audrey Nicoll put to me on the breakdown and root causes, and it touches on your first question. The FBU is fully supportive of the service looking at the resources that it has and where those are. The “Firestorm” report made it clear that there are areas in the service that need to change, a number of which Colin Brown has clearly set out.

We are not against change or against looking at the issues; our issue is with the fact that that change is set in a context that is entirely driven by cuts. I disagree with the service’s position that the SDR is not driven by cuts, although I understand why it would make that comment. The reality is that the 10 fire appliances that were removed in 2023 form part of the SDR consultation. The service has been crystal clear that those changes were driven by its not having sufficient finances to staff the 166 posts that were required to keep them there. That is the context.

With regard to your specific question, the proposal does not relate only to the eight dormant stations. At the other end of the scale, the second busiest station in Scotland is potentially earmarked for closure. That relates partly to issues that predate the current Government—issues that go back many decades in relation to capital infrastructure spend across a range of public services, but particularly the Fire and Rescue Service. We now have a legacy of what is, in effect, an £800 million problem that must be solved at some point. Some of the areas that we are discussing are wrapped into that.

We are looking at a context in which the second busiest station in Scotland for incident responses has been pushed into that situation because sufficient capital has not been spent on the building. That is one of the options, along with stations that have been dormant for six, seven, eight and—in some cases—even 10 years.

I have a final point about an aspect that I would be highly surprised if we were able to cover today. Three quarters of fire stations in Scotland are staffed by retained or volunteer firefighters. Those stations are in communities where we are seeing increasing depopulation of the kind of people who we would expect to join the service. That is a significant issue, which goes beyond funding. However, we must not lose sight of the fact that many of the changes are specifically driven by the significant funding gap in the past 12 years.

The Convener: Do you want to come back in, Liam?

Liam Kerr: You mentioned the second busiest station in Scotland. Just for the record, which station is that?

John McKenzie: Cowcaddens, in Glasgow.

Jamie Hepburn: As Colin Brown and John McKenzie will know, my area could be impacted by proposed changes to Cumbernauld fire station, although I should say for the record that it is not a full closure that is proposed. I also put on record that I am very grateful to the FBU for the interaction that I have had with it, particularly its local members.

My first question is about the process, which I would like to get your perspective on. Many advantages have been derived from the fact that we now have a national service. I have seen that locally in the tremendous response from firefighters across the entirety of central Scotland to wildfires and the St Mungo's church fire, which you will be well aware of. Your mention of Cowcaddens is pertinent to my question. I have been struck by the fact that the proposals seem to have been made on a localised or regional basis. Cumbernauld is part of the proposals that were set out for Lanarkshire, but my area might be just as impacted by, for example, the closure of Cowcaddens or changes that have been posited for Springburn.

Are you also concerned about the process? We have a national service, but the manner in which the proposals have been laid out does not necessarily seem to have reflected that or to have taken advantage of the fact that we have a national service.

Colin Brown: I appreciate the question. The service is referred to as having pan-Scotland resources and the ability to bend and flex to incident types and needs. Wildfires are a perfect example, but there are also specialist incidents, such as rope rescue incidents. There are four rope rescue teams across Scotland, which is a crushingly small number when we think of the geography of Scotland and the potential for that type of rescue. That is one element. Rope rescue teams might have to be moved or reduced. Whatever happens to them is described as being part of a different part of the review.

There is a degree of sympathy for the service. How do you consult on something that is so broad reaching? How should we consult someone on Skye, for example, on a proposal for the centre of Glasgow? People's lived experiences and interactions with the fire service are usually remarkably different. There is an issue with regard to how we meaningfully consult, but, with us now being a pan-Scotland resource, there should be interaction between those two areas to say what the impact is, because there is every likelihood that closing a station in location A will have an impact on stations across the country.

Jamie Hepburn: We could talk about the process of consultation and the concerns that we have about that, but maybe the issue is less about the process and more about the proposals that have been consulted on. Has enough consideration been given to how what happens in one area might impact on another? That is a concern for me.

Colin Brown: I will bring in John McKenzie. In the second document that we submitted to the committee as written evidence, which relates to the pre-consultation phase with stakeholders, we said that we should not be pitting one against the other, and that is the feedback that we have received from our engagement with communities.

Maryhill is a striking example. People asked, "Why are they saying that we can have a pump back, but only at the cost of the station down the road?" That element of pitting one against the other has been raised as a concern. It is certainly of concern to us.

John McKenzie: I think that I understand the broad principles of the question. We have certainly come across questions about the rationale behind some of the options. However, a far greater concern is that the whole process is cart before horse. The money has not been there for years now. We are sitting at 10 per cent below what the current operating model should be for whole-time firefighters in fire stations today. The options that we are talking about are largely driven by that. They are reactive to the fact that 10 per cent of the workforce that should be there to support the resources that are currently sitting in fire stations is not there, and that has driven us to where we are today.

Some of the options need to be done quickly, but they are all directly interlinked with resource—physical resource or, predominantly, people. That is what is driving the issues. I can absolutely understand why MSPs focus on constituents' issues, and a lot of that is to be welcomed, but the Scottish Fire and Rescue Service does not currently have the people in place to maintain the existing resources.

11:45

The reality is that the 16 whole-time pumps that were listed on a bit of paper in August 2023 as provisionally being in place to protect communities are not staffed, because they were temporarily removed from operational duty in September 2023 or because the people are not in place to respond to incidents right now. That situation cannot be maintained. We cannot say, "We have X resources," when in reality they are not in place to respond to the very emergencies that they were designed to respond to.

From that perspective, we welcome the SDR, because what the service has been doing for many years is completely unsustainable, but the response is critically linked to resource. If we do not have the resource, we cannot have the response. That high-level question is what we need to see the Government and others outside the service wrestling with. Do we have the correct resource in place to provide the resilience that is expected by members of committees such as this one?

Jamie Hepburn: I will not get too drawn on Maryhill fire station, even though it is the one that was closest to me when I grew up. I totally understand your point, which is that you do not want to get drawn into pitting one area against another. However, do you accept my point that, given that we have a national service, with all its advantages, the national picture and how areas interact with one another should be part of the equation when it comes to service redesign?

Colin Brown: I absolutely accept that. To give a very succinct and brief example, when storm Arwen swept Scotland's east coast several years ago, entire communities were cut off and could not access the national resource. When there is water ingress in electrified houses, we regard that as a very significant situation. Persons that are reported as being inside such houses are potentially at risk from significant fire. However, those communities were completely cut off from resources that they could normally access because the road network was inundated with water or completely washed away.

The idea of having a national resource in normal conditions is really important and very effective, but we need to think about whether we are closing off access behind natural barriers that will come through at peak times. We need to consider that challenge alongside all the issues that we have discussed today.

Jamie Hepburn: I have one other area to raise on service redesign. You mentioned the need to provide dignified facilities and to address the presence of RAAC, which is an issue at Cumbernauld fire station. Clearly, there are constraints around capital—I do not mean for the service; I am speaking in general terms about the pressures on the Government as a whole—and, to be even-handed, you have recognised and cited that the Scottish Fire and Rescue Service understands the issue of RAAC and the need for dignified facilities.

On service redesign more widely, the world has changed. You yourselves have set out in the "Firestorm" report that the service might need to be redesigned and thought through. You will probably not be able to get into too much detail, given the time that we have, but can you set out

some of the high-level points that would require to be addressed as part of a review or change to the service provision?

Colin Brown: I do not want to personalise this, but the reality is that, if it is not your constituency that will be affected by changes, whose will be? A local community will always say, "We don't want the fire station at the end of our road to be closed, moved or taken away," because, regardless of the fact that the industrial risk that led to that station being put there is not a risk any more, the individuals who live there still want their houses to be protected, still want community safety engagement and still want the safety blanket that is provided by the service and the station being local. That will always be a challenge in such consultations.

We have spoken openly about the fact that we want to enter into the process with an open hand in order to understand what it is that we are doing. We fully support the mantra that we need to have the right people in the right place at the right time. However, I point out that the SDR does not propose a single increase in resource in a single community across Scotland, despite the changes in risk—wildfire risk and flooding risk—that we continue to reference. In fact, we are reducing the coverage that is provided by water rescue teams. That is potentially the case in Hawick, where the water rescue team might have day crews only, supported by a retained duty system overnight. We have spoken about the potential issues with that.

We agree that there needs to be a conversation and that thought needs to be given to the issue, but our belief is that it is the financial pressure that is the driving force behind much of the review. When the service is looking to free up resource that it can reinvest in itself, there is the potential for bad decisions to be made. Earlier, mention was made of the potential for making bad policy. The service could make bad decisions—albeit with the best intentions—because of the pressure that it is under to free up capital and resource budgets in order to invest in itself.

Jamie Hepburn: For the record, notwithstanding my genuine concerns about the situation in Cumbernauld, we should say that it is not proposed that the fire station there will close or be moved.

Sharon Dowey: Good morning. Among the changes that we are seeing, there is an increased reliance on duty firefighters. In your submission you have highlighted the

"sustained recruitment and retention issues"

that the duty system is facing. Will you set out your specific concerns about staff and public safety, should the proposed options be adopted?

Colin Brown: On this occasion I will be succinct, before passing to John McKenzie.

A number of stations are earmarked for closure under the review, because the service has been unable to recruit and retain firefighters for a number of years. We have touched on the fact that 200 of the 345 retained duty system appliances can be unavailable at any time of day or night, which is simply down to the fact that they do not have crew to staff and mobilise them. That is because people are working and living differently from when the system was designed.

On the idea that we will suddenly create even more reliance on the retained duty system, I want to put it on record that the retained firefighters who work across Scotland and across the system in the United Kingdom do phenomenal work, despite having limited time for training and for engaging with being a firefighter. They are exceptional human beings who we should all commend. I know that the committee will do that without my having to say it.

However, there can be no escaping the fact that there are huge gaps. Some 80 per cent of Scotland's land mass is covered by RDS stations, and 200 appliances are at times unable to respond to emergency incidents in those communities. They are unable to provide community safety engagement and unable to do the work of the Fire and Rescue Service. That should be a concern as the service looks to review how it does things. If there are 100 firefighters at a wildfire on a hillside, the overwhelming majority of them will be retained firefighters, who are taking a cut on sheer earning capacity by stepping away from their primary employment to be a firefighter for their communities. That system is hugely problematic, because the attrition rate means that the numbers keep churning over.

John McKenzie: There is so much that we could say about retained firefighters. They are almost unique emergency public sector workers. They earn the majority of their overall earnings from other employers, but they can give up to, and over, 120 hours of availability per week. They are on a pager, and have to respond to their local fire station within five minutes to provide an emergency response. Within minutes they could be making life-critical interventions for people. It is an entirely unique model.

The fact that more than 200 fire stations are staffed purely by retained firefighters is incredible, and that brings its own challenges. There is no hiding away from the fact that changes in population in more rural areas, some of which are losing young people who are moving to the central belt for various reasons, significantly undermine the model that has operated at some retained stations for decades. That is a real challenge, and

it cannot simply be resolved by the Fire and Rescue Service; it is a societal challenge.

More than 375 retained firefighters have been lost since 2012-13. The service cannot recruit and retain these people. Some of the issues are very different, or are different in some aspects, from those experienced with the shortages in the whole-time system. It will take more than the Fire and Rescue Service to resolve those issues.

There has been some positive work with the Fire and Rescue Service over the past year, however. Just at the start of this year, we finally harmonised and standardised retained firefighters' terms and conditions. That is long overdue: the issue dates back to 2013, and it involved a significant piece of work. We negotiated a significant pay increase for retained firefighters. Our earnings are still really minimal in many cases, however, and that is one of many challenges—they are not exclusively about that.

As Colin Brown touched on, retained fire stations make up almost 75 per cent of fire stations in Scotland, so that is a significant area of focus. To link that question and Jamie Hepburn's previous question, I want to mention one potential area of missed opportunity. Jamie touched on the changes that the union would welcome in the service delivery review process, or are certainly leaning towards. This is about considering what firefighters do and what type of incidents they respond to.

For a long period now, there has been a recognition that there could be additional value in firefighters responding to types of incidents that they are currently not contractually obliged to respond to. In 2022, the Scottish Fire and Rescue Service and the Fire Brigades Union came to an in-principle agreement about expanding firefighters' roles. Without getting into the detail of that, which is withheld, it would potentially see our members responding to incident types involving terrorist attacks and emergency medical response that they currently do not respond to, or it would increase their role in those.

Why is that important to the potential footprint for retained firefighters? Currently, there is a really good resource—over 360 fire stations across Scotland—where that additional response could come from. There is a danger of putting the cart before the horse if we close some of those stations, because, down the line, the funding might become available or be allocated in a way that means that those resources could have provided emergency medical response in local vulnerable communities that currently have very poor or limited provision from the national health service or the Scottish Ambulance Service. That is an issue where the fire station currently has a footprint that we are at risk of no longer having.

That would not get round the staffing issues that Colin Brown covered in answering Liam Kerr's question. If we do not have people who are willing to do those roles, or if there just are not people to do the roles in the first place, whether they are willing or not, that is a different challenge. The issues facing the retained service are complex and some are unique to the service.

Sharon Dowey: I have a wee question about colour blindness. The SFRS is the only UK service that removes firefighters as a result of colour vision testing. There is no evidence of risk and there is a poor test quality and no fallback plan. Are you finding that people are being taken off the run or whatever because of the new requirement for colour vision?

Colin Brown: I have not become aware of that in my role, but John has more information on it.

John McKenzie: I have been involved directly in that issue, and I would say that it is not a concern for the union. The numbers have been limited, and we have been involved in work with the service in that regard.

I would challenge the point that the SFRS is the only service in the UK that does that. I think that that is inaccurate—that is a detail that I just do not think is correct.

From our perspective, all the discussions that we have had with the employer have been to do with the health and safety of the individuals who are affected and of others at incidents. We have come up with a practical test for the Fire and Rescue Service that involves recognising the colour coding of key safety-critical equipment—that is a sort of layering of testing. We have done that through negotiation and consultation with the employer. I am happy to look at the detail again, but it is not an area in which we have concerns.

Sharon Dowey: That is fine.

I have a question about older firefighters and the fitness test. Is that a concern? I have heard reports that the fitness level for younger firefighters is the same as that for older ones and that, if the level was changed slightly, we might keep more people operational.

Colin Brown: That goes right back to 2002 and 2003, when the UK fire minister at the time, Penny Mordaunt, gave assurances that the changes to fitness standards in the testing would not negatively impact firefighters' longevity and ability to maintain a career through a full 30 and now 40-year career. That is not the reality for firefighters, given the changes to pensions and the like, which are a driving force behind that. We have to look at the issue from a health and safety perspective, in the sense that firefighters have to be operationally fit to be able to respond to very physically

challenging environments, but the reality now is that they would have to join the service at an Olympic athlete level of fitness in order to maintain that standard right through an entire career.

John McKenzie has been more involved than I have in the detailed work on that in Scotland, but it is a significant concern that there are no roles for firefighters who do not meet that fitness standard but who have an entire career's worth of experience and knowledge that they could share. Essentially, they will be retired on medical grounds because they cannot meet that operational standard.

John McKenzie: I will be quick on this issue, because it does not directly relate to the SDR. To be blunt, the FBU's position in Scotland is that the VO₂ max fitness testing level should be higher than the service currently has in place. That is not to say that we do not fully expect the employer to support our members who do not meet that level to meet it through support, assessment and everything else. However, at the hard end of this, firefighting is a physically arduous task, and the safety levels that are linked to that are absolutely critical.

You have a level of responsibility for your own safety and also for those who are entirely dependent on your ability to perform the task in that risk-critical environment. Without getting into too-specific detail, the Fire Brigades Union position for the Scottish Fire and Rescue Service, which has been our position for a long time, is that we should use a VO₂ max of 42.7. The service chooses to monitor people's fitness at that level, but would keep them available and instead have a slightly lower level. The union recognises that, but we do not have concerns about the service putting people off the run or about challenges around fitness. If anything, our position would be that the service should be more stringent on that.

12:00

Sharon Dowey: My final question was covered by Katy Clark earlier, but I have a big interest in the issue. In the FBU's opinion, will any increase in response times for any appliance in some areas ever be acceptable? I read through your "MSP Briefing Note Autumn 2025", in which you said that, in a contribution,

"the Minister made a number of statements which, at best, were misinformed, and at worst consciously untrue."

In the briefing note, you made a couple of comments about response times. Do you have any other comments?

Colin Brown: I will bring in John again in a moment. The FBU is always open to anyone approaching us for comment, for background information or for balance against what we would

term as the managerial brief that is provided by the service, because that is how we get genuinely progressive and thought-through decisions made.

As I touched on earlier, the idea that response times are in some way impacted by something that has been in place for more than 17 years—that is, donning your PPE before getting on to a fire appliance—is, as we said in the briefing note, demonstrably untrue as far as we are concerned, because the year-on-year increases in response times are not impacted by that. There is something else driving it. We have set out very clearly our thoughts on that: it is directly linked to the reduction in the number of firefighters, the reduction in spread and the increased travel times.

There is a direct link to changes in incident types. We have been very successful in driving down the number of domestic dwelling fires, which happen in the local communities where fire stations are based, but we see increases in other incident types, such as wildfires, and there is an increased travel distance to that type of incident. Ultimately, it all still comes down to the fact that, if we do not have the number of firefighters to respond to the same geographical area, the travel distance will be greater and, therefore, the time to get there will be greater.

Sharon Dowey: There was a press release that said that there was an increase in the number of domestic fires. I know that we hear a lot of comments that the number of fires is reducing, but that press release was put out by the Minister for Victims and Community Safety.

Colin Brown: There are always peaks and troughs. One incident can completely change that dynamic. If there are zero fires and then we have one fire, that is a 100 per cent increase, so the dynamic can change rapidly. However, I stress the point that the dynamic nature of how people live and work is the key factor, which is why we say that an emergency service cannot be run simply by counting the pounds and pence. Society has to decide whether it wants to fund an emergency service or a health service and to have the adequate insurance policy that we should have.

We would say that, if there are fewer firefighters in communities where we see an increase in some incident types, there are probably fewer firefighters delivering the community safety messages to avoid those incidents happening in the first place. That is a driver for incident types peaking and troughing, because such engagement is restricted by the number of firefighters available to deliver it.

John McKenzie: Colin has covered really well the fact that we are seeing increases in some incident types. It is a much more complex picture than just saying that incident types as a whole are reducing in number. I will not return to that.

Any increase in response times should be unacceptable to us all. I qualify that by noting that, in some local communities, with our current model, increasing response times are inevitable. If we do not have people in remote rural communities who are either able to or willing to carry out the firefighter roles, those resources will inevitably close; there are wider challenges in reducing such response times.

We touched on the overall process for response times before. There would not be a fire and rescue service at all if there was not an emergency response to life-critical incidents—the organisation would not be there. That does not mean that all the other areas of work that Scottish Fire and Rescue Service firefighters, control operators and all our members carry out are not absolutely critical. They are, but it is the emergency response that is the absolute foundation of the organisation.

That is linked to making meaningful interventions—it is linked to saving people's lives, saving property and reducing risk, and response times are pivotal in that. In summary, increasing response times should not be acceptable to any of us. The measure is not as blunt as that, because, due to other societal issues, it is difficult to challenge that approach in some communities. However, it is a metric that can measure the Fire and Rescue Service like no other.

Pauline McNeill: Good morning. I want to explore how we got here. I am familiar with centralisation, and I know that you supported it. You probably did not think that, in 2025, you would be here telling us about cuts of almost £1 billion, because the point of the exercise was not to make all these cuts. The committee heard from the Fire and Rescue Service management team, which was, at least, clear that it needed a certain amount of money and that otherwise it would have to reduce the head count. In that sense, the union and the management are saying the same thing, although you might disagree with the figures. I would say that this is the starkest warning that I have ever seen from justice partners. The police are saying the same thing that you are saying: you went along with the centralisation, you made the efficiency savings, and now you are coming to the committee and telling us that this is going to impact on the people we represent. I think that it is the most serious situation that I can recall as an elected member.

I am sure that you will know this off by heart, but, in your submission, you said that, in 2024,

“sustained underfunding forced the SFRS to ‘temporarily withdraw’ 10 frontline fire appliances and reduce operational headcount by 166 firefighter posts in September 2023.”

So, it was temporary, but you predicted that it would be permanent, and you were right, because, as you go on to say,

"The inclusion of 'permanent solutions' to the cuts imposed in 2023 is evidence that the FBU concerns were well founded."

Rather than go over the whole 13 years, why do we not start there? Is there another example that would better illustrate where the big cuts have started to happen? What has the responsible minister been saying to you? I presume that you have met with her and discussed it. Can you share that with the committee?

Colin Brown: I will start by commenting on the chief's comments from a couple of weeks back. I do not think that it is lost on firefighters—probably across the entire UK—that, for generations, probably since response time targets were removed, a number of years back, chief fire officers have overwhelmingly gone along with the approach of, "Cut our budget and we'll make it work," "Reduce our head count and we can make it work." Maybe as a result of the political shifts at a UK level—it is not for me to comment on that in this sphere—there has been a step change in how the National Fire Chiefs Council is engaging in the conversation on budgets, and it is now saying that we have gone too far, too fast and too deep and that we need to reverse the funding situation.

That is echoed across the entire UK fire and rescue service, but, for us, the spotlight is on Scotland. We should commend our chief fire officer, and I want to go on the record as saying that I am incredibly pleased to see a chief fire officer for Scotland come to the committee and say that we are at the precipice right now. Earlier, we spoke about whether or not the service is in crisis. We are on the precipice of a crisis. There might be disagreement between us about the direct situation now, but the chief set out succinctly that we are right at the point of being in crisis, because of the numbers that would have to be cut. The previous chief spoke about, potentially, 700 firefighter posts having to be cut if there was a flat cash budget when the resource spending review was implemented. We are back in that situation, because, although I again commend the committee for its work in recent years to influence the budget setting for the Scottish Fire and Rescue Service so that it is not flat, the budget has not kept pace with inflation and costs. That is a key point.

There has been attrition from the service—a slow creep of head count out. John McKenzie touched on the fact that we are 1,239 posts below where we started in 2013. The key point is that we lost 166 posts at the stroke of a pen: those posts were just written out of our target operating model as a reduction in head count.

I have had the task—let us call it that—of working through the parliamentary record, and I note that the minister overwhelmingly responds to written and oral questions regarding proposed changes to the service by saying, "These are operational decisions for the Scottish Fire and Rescue Service." There is a space between those two places. We would not want politicians directly interfering in the day-to-day running of the Scottish Fire and Rescue Service—that is clear. It should be the responsibility of a semi-autonomous board under the governance structure. However, there cannot be a complete washing of hands of any responsibility for oversight of such significant decisions, which are generational for the Scottish Fire and Rescue Service—they are the biggest change since the single service was created, in 2013. They are generational impacts that will potentially remove firefighters, fire stations and fire appliances from communities across Scotland, and there should be political oversight of that.

We have called for that, and it has been called for in the chamber. Katy Clark had a members' business debate specifically on that. It did not go in the way that we would have liked, but that was just about the mechanisms of Parliament. There should be that oversight—and, indeed, greater levels of oversight—of such significant decisions. It should not be solely up to an unelected, appointed board to make decisions that will impact on every single person who lives or works in Scotland today.

John McKenzie: What has led us to where we are today? There are a couple of aspects. Colin Brown covered the resource funding aspect really well. We calculate that, to date, the service has saved £750 million in cumulative terms, and the service projects that the figure will be £900 million by 2027-28. Originally, the figure was outlined as being just over £330 million. Our position is that the service has just not been provided with the resources that it needs, year on year, certainly since the introduction of the Scottish Fire and Rescue Service, although I would argue that it predates that quite significantly.

Colin Brown touched on the fact that the funding challenges that the Scottish Fire and Rescue Service faces are not unique. If anything, the challenges are even greater in some fire and rescue services south of the border. However, the capital budget allocation challenges go back decades. You do not build up an £800 million capital backlog in a service with a £47 million capital budget in a matter of years. The problem has developed over decades.

In relation to governance and the roles of the minister and the Parliament, what do our members expect? They do not expect the Parliament to be involved in individual operational decisions. What

they expect is that grown-up decisions will be made in direct correlation to what we want firefighters to do. What do we want them to provide for the communities of Scotland over the next 10, 15 or 20 years, and are we matching the resource to our ask? If we are not marrying up those two things, we are asking the organisation to fail.

Pauline McNeill: That is why I asked the question. I highlighted what happened in 2023 and the temporary reduction. Did you have discussions about that?

I agree with everything that you have said. There is an operational board and it is not for politicians to interfere in the running of the service, but the resource is the responsibility of the Scottish Government. I would have thought that a good place to start would be questioning it about the resource that it allocates. We are now at the end of 2025 and we do not know what the January budget will bring for the service.

John McKenzie: On every occasion when we have met the minister and previous ministers, we have been clear that the service is underfunded. It is critically underfunded, and that has a direct impact on response—

Pauline McNeill: Are you getting any response to that?

John McKenzie: Colin Brown was correct to touch on the 10 appliances that were withdrawn in 2023. On paper, 166 posts were removed, but those 166 posts were already vacant because of underfunding. That point comes up in every engagement that we have with the minister, and probably at all levels politically.

Pauline McNeill: What response are you getting to that?

Colin Brown: We have asked directly what the road map is to reverse the temporary withdrawal and reduction. As I said, it takes three years to train a competent firefighter. When we ask what the mechanism and the road map are to reverse the temporary cut, we see blank expressions. Everyone looks at their shoes, because they know that it is not going to happen. They know that it was not temporary. There was no direct public consultation on such significant removals, and they knew that they would have to bring that consultation back. It is now incorporated in the service delivery review process that we are discussing today.

Pauline McNeill: Okay. As you have said, there are many implications, and you mentioned at the beginning the wider roles of the Scottish Fire and Rescue Service. Sometimes, we do not talk enough about the role that you have if there is an accident on the M8 or elsewhere and your critical

role in saving people's lives. I will not go into my concerns about shutting the stations in Cowcaddens and Yorkhill, which are in the region that I represent, but I think that Cowcaddens is a good example of a station that fulfils that role. You can correct me if I am wrong, but I assume that the location of a fire station such as the one in Cowcaddens, which is so close to a big motorway—the M8—is critical to the response times for serious accidents that happen on the motorway. Or is that not the case?

12:15

The Convener: I plead for a single response, because we are short on time and a couple of members still want to come in.

Colin Brown: Of course—although, as I said at the start, John McKenzie and I are probably the wrong people to ask to be succinct.

That question betrays some of the issues with the entire consultation process. On the one hand, the service delivery review consultation document said that there will not be a significant change to Cowcaddens and that we will still be able to put the right people in the right place at the right time. However, as you said, the Cowcaddens station is ideally located to respond to those types of incidents.

In the other part of the consultation process, there is Balmossie station in Dundee, which the consultation document said is not near enough to the road network to be able to respond efficiently to incidents, nor is it near enough to population bases to have a significant impact. The station is co-located with the Ambulance Service, and such co-location is a primary driver of public sector reform, but one of those options will potentially be shut. The two statements from the fire service in its consultation document therefore seem to be contradictory. One station is not close enough to the network, and response times are impacted by that—

Pauline McNeill: Sorry—just to be clear, Colin: in your view as a firefighter, are the locations of those stations important in relation to the response time in getting to major road networks or to the response time for any incident? I know that it is not always just about major road networks.

Colin Brown: Absolutely. It goes back to response times and how quickly we can get firefighters there. There is a golden hour for intervention and taking people to clinical care, which starts the minute that the accident happens. The sooner that we can get people on the scene, the better.

Pauline McNeill: Thank you.

Katy Clark: We are primarily looking at the service delivery review, but we are also looking at the budget. It is difficult to disentangle some of the issues that are involved with the two. I hear what you are saying about your concern that some of the proposals are primarily driven by a cuts agenda. You have clearly set out the challenge that we have in relation to response times, the number of firefighters and the number of appliances.

However, in committee meetings earlier in the parliamentary session, we heard strong evidence on decontamination. As an employer, the fire service has a duty of care towards its workforce to provide safe systems of work. It seems clear that that has not been happening. I know that you have done a lot of work on decontamination and that the service has relied quite heavily on your work. To what extent has that massive challenge been incorporated in the review? It must surely feed into some of the decisions. It would be interesting to get your perspective on whether the review captures the issue.

Colin Brown: The review does and does not capture that—I know that that is not the answer that you were looking for. I must commend the Scottish Fire and Rescue Service: when it does things, it tends to do them well. Obviously, our view on the SDR process is slightly different from that statement. However, the Scottish Fire and Rescue Service was a very early adopter of the FBU's decon work. There are still challenges in other UK fire and rescue services, which do not want to believe the data and choose to ignore it—I will not get into the roots of that.

The Scottish Fire and Rescue Service approached the Scottish Government and developed, under the CivTech programme, a challenge around how we monitor firefighters' exposure to contaminants. That work is on-going, and I believe that trials are due to start soon.

Therefore, I commend the service for its uptake and its response to decon. However, the challenge again relates to capital and resource. In spite of the service's best intentions, we cannot replace or redesign fire stations quickly enough to have a zoned flow of exposure within the station at the rate that is required to implement the measures, which needs to be as fast as possible. Anytime we put a new build in place or refresh a station, the service implements all those measures. However, there are 356 workplaces that need that work done now. It is not happening quickly enough.

The Convener: Finally, I call Fulton MacGregor. Please make it a brief question, Fulton, if you do not mind.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Thank you, convener, and good

morning. I must apologise to the panel and all committee members for not being there in person. I am still struggling a bit with a cold.

Like Jamie Hepburn, I, too, have had some contact from local fire officers, and I put on record my thanks to them for coming to me on this matter. A lot of the things that they raised with me have already been covered by other members, but I want to ask a wee bit about your views on the consultation on the review. I have heard some criticism that the review was not clear and concise enough for people to think through the actual implications of the changes and that there was not a great level of engagement with local organisations, businesses and community groups. In fact, a lot of the publicity in that respect came through the SFRS's Facebook page and social media channels. Do you have any comments on those thoughts—or criticisms, if you like—that have been put to me?

Colin Brown: I will be very brief. We submitted a freedom of information request to the service, and the response was that the engagement with the consultation—that is, responses to the survey by letter or email and through the petition format—amounted to 5,726 responses for the entire consultation across Scotland. Of the survey responses, 2,665 opposed the proposals. There is a further breakdown—which I will not go into detail here, because of time—but I can say that only 686 responses expressed support for one or other of the options.

The criticism that we lodged very early on was that there was no status quo option. The "Firestorm" report talks about the status quo potentially not being the best option with regard to the review, but, when we saw that the options for the public were, "Do you want the station next to you or the station along the road from you to be shut?" with no option of saying, "Neither of those," that was the starting point at which we had issues.

Issues were raised through the consultation. The level of engagement has been a challenging issue, notwithstanding the challenges that an organisation the size of the Scottish service faces in attaining that level of community engagement on such a complex issue. The service ran a number of community engagement sessions, and the FBU ran its own engagement sessions, which were very well attended. We deliberately kept our people out of the services sessions, because we felt that they should have the space to engage without our influencing the conversation and that we could pick the issues up with members of the community and community councillors outwith that.

I recognise the challenge that the service would have had with regard to the level of engagement required, but there has been significant criticism of

some of the process and some of the way in which it has been conducted. However, I would put that on the service to pick up rather than the FBU, to be honest.

The Convener: Fulton, do you want to come back in, or are you happy with that response? *[Interruption.]* I do not know whether you were able to hear me. I was just asking whether you wanted to come back in, or whether you were happy with that response.

Fulton MacGregor: That is me now, convener—I have been unmuted.

I am happy enough with that response. Just for clarity, though, I should say that I was asking the question as it was put to me; I was not saying that this is for the FBU to take forward. However, I think that Colin Brown has answered that point, so thank you very much.

The Convener: Thank you very much.

We are now over time, although I am sure that we could stay here for another good while and have a further discussion. I thank the witnesses very much for coming along today. I think that the session has been helpful for everyone.

12:23

Meeting continued in private until 13:02.

This is a draft *Official Report* and is subject to correction between publication and archiving, which will take place no later than 35 working days after the date of the meeting. The most up-to-date version is available here:
<https://www.parliament.scot/chamber-and-committees/official-report>

Members and other meeting participants who wish to suggest corrections to their contributions should contact the Official Report.

Official Report
Room T2.20
Scottish Parliament
Edinburgh
EH99 1SP

Email: official.report@parliament.scot
Telephone: 0131 348 5447
Fax: 0131 348 5423

The deadline for corrections to this edition is:

Tuesday 6 January 2026

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

All documents are available on
the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers
is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@parliament.scot

