OFFICIAL REPORT
AITHISG OIFIGEIL

Citizen Participation and Public Petitions Committee

Wednesday 21 January 2026

Session 6

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CITIZEN PARTICIPATION AND PUBLIC PETITIONS COMMITTEE
2nd Meeting 2026, Session 6

CONVENER

*Jackson Carlaw (Eastwood) (Con)

DEPUTY CONVENER

*David Torrance (Kirkcaldy) (SNP)

COMMITTEE MEMBERS

*Fergus Ewing (Inverness and Nairn) (Ind)
*Maurice Golden (North East Scotland) (Con)
*Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Jackie Baillie (Dumbarton) (Lab)

CLERK TO THE COMMITTEE

Jyoti Chandola

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Citizen Participation and Public Petitions Committee

Wednesday 21 January 2026

[The Convener opened the meeting at 09:32]

Continued Petitions

A9 (Dualling) (PE1992)

The Convener (Jackson Carlaw): Good morning, and welcome to the second meeting of the Citizen Participation and Public Petitions Committee in 2026. This is an additional meeting, in recognition of the fact that the parliamentary session does not have much life left in it and there are very few meetings of the committee left. As of this morning, 68 active petitions were still before the committee. We have to be careful as to how we proceed.

The meeting is largely being held to consider the outstanding new petitions that we have before us, but agenda item 1 is to consider continued petitions. The only continued petition is PE1992, which was lodged by Laura Hansler, on dualling the A9 and improving road safety. The petition calls on the Scottish Parliament to urge the Scottish Government to deliver on the commitment that it made in 2011 and address safety concerns on the A9 by publishing a revised timetable and detailed plan for dualling each section, completing the dualling work by 2025 and creating a memorial to those who have lost their lives in road traffic incidents on the A9.

We previously considered the petition on 4 October 2023, when we heard evidence from Alex Neil, former Cabinet Secretary for Infrastructure and Capital Investment. The committee agreed to undertake an inquiry into the A9 dualling project, and we took evidence over a number of evidence sessions as part of that work.

We published the inquiry report on 1 November 2024, and we received a Scottish Government response on 9 January last year. Members then had an opportunity on 16 January last year—almost a year ago to the day—to debate a committee motion on the issues that were raised.

In its response to the report, the Government indicated that it expected to make a decision late last year on whether to complete the A9 dualling programme using the resource-funded mutual investment model contracts or whether to adopt an alternative approach.

Following publication of the draft budget for 2026-27, Fiona Hyslop, the Cabinet Secretary for Transport, provided an update to Parliament last week, in which she stated that the Government's updated financial modelling indicated that the cost of MIM contracts was about 28 per cent higher than the cost of equivalent capital-funded contracts, which represents an increase from the 16 per cent difference that it estimated in 2023. The Government has therefore concluded that, as MIM contracts provide poorer value for money, it will progress the A9 dualling programme to completion using capital-funded contracts.

Alongside that update from the cabinet secretary, the Scottish Government published its 2026 A9 dualling delivery plan. That is based on the establishment of a framework agreement, under which five contracts are to be procured in order to deliver the remaining projects that have not yet reached procurement. The Government also indicated that all the milestones that were set out in its 2023 plan were delivered as per that plan.

On the third ask of the petition, the Government's response to the inquiry report states that, although it sympathises with everyone who is affected by road fatalities, it is unable to be directly involved in a proposal for or decision on a memorial, which it considers should be

"a matter for communities and private individuals to progress with landowners and appropriate planning authorities".

The dualling of the A9 will undoubtedly continue to dominate the national agenda in the next session of Parliament—and, indeed, in the session after that, given the completion date of 2035. However, the committee must consider whether there is anything more that we can practicably do in the time remaining, given everything that we can rightly claim to have achieved in relation to the progress that the Government has announced to date, in light of the inquiry that we held.

Before I invite colleagues to comment, I welcome David Torrance, who is joining us online, rather than being here with us in the committee room. Do colleagues have any comments or suggestions?

Fergus Ewing (Inverness and Nairn) (Ind): I think that we should close the petition. However, in saying that, I am mindful that Laura Hansler, as the petitioner, has achieved an extraordinary number of things, and that shows the committee's value in our Parliament as a voice for ordinary people to come here with something that they wish to see achieved.

In paying tribute to Laura Hansler, I want to run through some of the things that are unlikely to have happened were it not for the work that she—and she alone—instituted. First, she paved the way for evidence to be heard from Mr Grahame Barn of the Civil Engineering Contractors Association

Scotland, which is the representative body of most of the civil engineering companies—or the large ones, at least. He said that Transport Scotland was

"the worst client to work for in the UK."

Mr Barn also pointed out, in a forensic display of knowledge of procurement policy, that the particular mode of procurement employed by Transport Scotland had the effect of deterring bidders, which meant that the Tomatin to Moy tender was abortive because there was only one bidder, which was rejected because its bid was too high, at £170 million. Then, later, Transport Scotland retendered that, and I believe that the total cost is £308 million. It may be that the Auditor General for Scotland will wish to examine that, and it may be that I will be inviting him to do so.

It is clear that Transport Scotland then changed its contract to the new engineering contract, which Mr Barn referred to in his evidence—I think that that was in January, early in the inquiry. The evidence that the committee took and Laura Hansler's efforts led to a major change in Transport Scotland's procurement policy. Transport Scotland might say that it would have done that anyway, but if it did, I am not sure that I would be too quick to believe it and swallow that.

Secondly, when the committee began the investigation, which became a formal inquiry, there was no revised timetable. However, due to the pressure that was in part exerted by the committee, time after time, meeting after meeting, a revised timetable was produced in December 2023.

The Beatles wrote the song "The Long and Winding Road", and the A9 is the long and winding road of the Highlands. It has been a long and winding tale, which was supposed to have been concluded by 2025 but will now not be concluded until 2035—and many of us doubt whether it will be concluded by then. Be that as it may, the revised timetable was extracted only because of the work that this committee has done.

The petitioner has pressed for a memorial garden, and she informed me informally that she had had discussions with one of the contractors, which was willing to carry out that work. It is abundantly clear that Transport Scotland has blocked that. I have no doubt that it will redact and conceal the advice that it has given to ministers, as it has frequently done, but the truth will out eventually, and I think that that will have been the case. It is ludicrous for the minister to say that it is up to the community, because the community has not got assets to carry out a contract of hundreds of thousands of pounds—that is for the birds. That issue will have to be revisited.

Lastly, the committee suggested in its report, and I think that this was substantially your idea, convener, that one of the problems since 2011, when Alex Neil first made the promise—he gave a very effective statement of his evidence, as the late Alex Salmond did in his last public appearance in the Parliament before he died—has been slippage. The scrutiny by the Parliament has been sporadic, intermittent and insufficient. That is why I hope that the committee—if it agrees with the convener's suggestion and with the one that I am repeating now—will write to the incoming Presiding Officer of the next parliamentary session to suggest that there should be a bespoke committee, given the scale and importance of the contract. Its scale is bigger than that of any previous construction contract ever in Scotland. Such a committee would mean that the scrutiny was not sporadic and intermittent; it would be consistent, thorough and forensic, and there would be no hiding place.

I have a personal interest, because I hope to be around for some more terms yet as the representative of the good people of Inverness and Nairn, if they feel that that is a good idea. I am determined to be there at the cutting of the red tape ribbon when the dualled A9 opens. I would prefer that to be in the next session than in the one thereafter.

The Convener: Mr Ewing, the long and winding road, as ever, leads us to your door. Thank you for your contribution on the petition. Are you making a formal proposal to close the petition and to establish in practice the criteria that we might indicate as the basis for its closure?

Fergus Ewing: I am happy to do that. Laura Hansler might well be back before us in the next parliamentary session.

The Convener: Do colleagues agree to close the petition on that basis and to note and accept Mr Ewing's suggestion that we, within our competences, have a posthumous letter on our recommendation ready for the next Presiding Officer of the Parliament, if only to ensure that the issue does not recur as a running sore thereafter and that there is an opportunity for our recommendation to be factored into the proper scrutiny of the project by the colleagues who will have the responsibility to monitor it in the next parliamentary session?

Members *indicated agreement*.

New Petitions

09:43

The Convener: That brings us to consideration of new petitions. I really highlight the difficulty that the committee faces. I have looked through the new petitions that we will consider this morning. Some of them raise substantive matters that the committee would, in ordinary circumstances, want to pick up and pursue. However, there is normally a gap of six months between each consideration of a petition in the committee. That lead time is required for the actions that we initiate and for us to collate and present the required responses to the committee. We have four or five meetings left before the end of the parliamentary session, in which we will be considering our legacy report and the petitions that we can hold open.

09:45

I say to some petitioners who might think, "Should our petition be held open?" that the parliamentary rules are such that, if we hold a petition open and it or any of its criteria is judged to be obsolete in any way, the new Parliament may close that petition and there would be an embargo of 12 months before it could be brought back to the Parliament. However, if we close a petition now, it can be lodged again immediately in May and it can be considered afresh in the new parliamentary session.

I think that that condition is less applicable to new petitions, because they are unlikely to be covering historical matters. I can think of a couple of petitions that have been open for more than five years where some of what underpins them may no longer be current.

Before any petition comes before the committee, we receive the Scottish Government's initial review. I have to say that that has been a little slow in coming forth for a couple of the petitions that we are considering this morning—indeed, one response was received on Friday. We also get advice from the Scottish Parliament's independent research body, the Scottish Parliament information centre, which allows the committee to be fully briefed about the issues that underpin a petition.

Scottish Outdoor Access Code (Review) (PE2191)

The Convener: The first new petition for consideration is PE2191, lodged by Robin Pettigrew, which calls on the Scottish Parliament to review the legislation concerning the Scottish outdoor access code in order to explicitly prohibit camping in a vehicle outside designated camping zones, and to make the provisions of the code legally enforceable by introducing dedicated enforcement teams and fines for code violations.

The right of responsible access to land was introduced by the Land Reform (Scotland) Act 2003 and is guided by the SOAC, which is a voluntary code of conduct. Currently, access rights apply only to non-motorised vehicle access.

The Government recognises the potential challenges that are posed by the behaviour of some road users. It states that infringements of the SOAC are a matter for local authorities, roads authorities and Police Scotland to manage. The Scottish Government considers that the creation of a new team with enforcement powers might create confusion over roles and, it implies, a less effective response to SOAC infringements.

On illegal or antisocial behaviours that fall outwith the scope of the code, the Government's response suggests that a range of mechanisms are available to tackle those behaviours and that reviewing Scotland's system of non-motorised access rights would not make a substantial difference to the enforcement of any such actions.

I read all that from the Government and thought that it was rubbish, to be frank. A serious issue has been raised in the context of the petition, but I am sorry to say that this is one of the petitions that I have identified for which we would need to initiate considerable work. If the committee proposes to close the petition, I hope that the petitioner will raise the issue in the new session of the Parliament when it convenes in May.

Do colleagues have any suggestions or thoughts?

Fergus Ewing: I suggest that we close the petition under rule 15.7 of standing orders, on the basis that legal access rights and the outdoor access code were designed to apply only to non-motorised access to land. The Scottish Government believes that infringements of the code are best tackled in that way.

Before making that proposal, I read the Scottish Government's response. I must say that it seems to be sitting on the fence. For some strange reason, the Scottish Government shows a strange propensity for being reluctant to say anything at all about camper vans. I cannot imagine why that could possibly be the case.

Those remarks aside, lay-bys are not meant for overnight camping for recreational purposes, but they can be necessary to allow drivers of heavy goods vehicles to take a break. Those drivers may have to do so because of tachograph rules that are designed for vehicle safety. It is not entirely straightforward, but I think that a distinction could be drawn for commercial business employment

use for protected lay-bys, which are the only ones that should be used for overnight parking. We should distinguish between that on the one hand and camper vans on the other.

The petitioner has a serious point to make and I thoroughly back up what the convener has said, but we have no alternative but to close the petition.

The Convener: My late colleague David McLetchie used to observe that this Parliament had only two buttons: ban it or make it compulsory. In this instance, the Government appears be sitting on the fence somewhat—as you say, in defence of camper vans. There must be a sticker in that somewhere.

Notwithstanding that, and without trying to convey any comprehensive sense of levity—I would not want the petition not to be taken seriously—I think that there is a serious issue in the petition that is worth exploring, and this is the committee that is best placed to do it. It is one of those issues that the committee is best able to tease out. I hope that, if colleagues support the recommendation to close the petition—I see that members are saying yes—the petitioner will bring the petition back to the new Parliament immediately after it assembles in May. Do colleagues agree with the proposal?

Members *indicated agreement*.

Domestic Abusers (Bankruptcy) (PE2192)

The Convener: PE2192, which was lodged by Kevin McGillivray, calls on the Scottish Parliament to urge the Scottish Government to amend the Bankruptcy (Scotland) Act 2016 so that debt owed by domestic abusers to their survivors cannot be written off by sequestration.

The SPICe briefing for the petition clarifies that sequestration is the term that is used in Scots law for entering personal bankruptcy. When someone becomes bankrupt, a trustee is appointed to manage their assets on behalf of creditors. The trustee is usually the Accountant in Bankruptcy, which is a Scottish Government executive agency.

Further, the briefing clarifies that if a domestic abuser is trying to abuse the bankruptcy process and is not, in fact, genuinely unable to pay their debts, it is possible for anyone with an interest—including the ex-partner—to apply to the court to have the award of sequestration recalled. Furthermore, concerns about the abuser having hidden income or assets can be reported to the trustee. On investigation, the trustee is able to require assets and income to be handed directly to them, if necessary. The debtor can also be reported to the police if they are suspected of a criminal offence.

The Scottish Government's view is that the fraudulent use of bankruptcy to further abuse a partner amounts to financial abuse and that safeguards are in place to prevent that. The Government clarifies that, in investigating the debtor's assets, the trustee's powers are limited under the 2016 act, as

"They cannot carry out covert investigations, examine income or bank accounts not held in the debtor's name, or act beyond the statutory investigation period."

In relation to alternative action, the response points to a nationwide policy review of statutory debt solutions, which was initiated in 2019. The final report of recommendations to Scottish ministers was expected by the end of the last calendar year.

The petitioner's written submission highlights that economic abuse involves complex financial behaviours that trustees cannot detect under the existing powers. It also expresses concerns that the transparency presumed by the insolvency system does not always work in practice.

There is quite a lot in the petition, but the response suggests that there is already provision available to remedy the situation. What do colleagues think? Are there any proposals for action?

Maurice Golden (North East Scotland) (Con): I have sympathy with the petitioner and, ultimately, the motivation to receive justice. However, the committee has no choice but to close the petition under rule 15.7 of standing orders, on the basis that, first, the Scottish Government believes that sufficient safeguards are in place to prevent the fraudulent use of bankruptcy to further abuse a partner; moreover, if the abuser is not genuinely unable to pay their debt, it is possible for survivors or anyone with an interest to apply to the court to have their abuser's award of sequestration recalled; and finally, concerns about undisclosed income or assets can be reported to, and investigated by, the trustee, who could then get court orders to require such assets or income to be handed to them.

The Convener: Are there any other comments or thoughts? If not, are colleagues content to support Mr Golden's recommendation?

Members *indicated agreement*.

The Convener: We will close the petition on the basis that has been identified.

Paediatric Cancer Diagnostics (PE2193)

The Convener: For the next new petition, I note that we have some guests in the public gallery, and we are also joined by Jackie Baillie.

PE2193, lodged by Avril Arnott, calls on the Scottish Parliament to urge the Scottish

Government to introduce mandatory clinical standards to ensure that urgent paediatric cancer referrals are subject to the same maximum wait times as adult referrals; require clear accountability and follow-up when a paediatric cancer referral is downgraded or delayed; fund training and update guidelines to enable general practitioners and clinicians to recognise, and escalate action on, signs of cancer in children as promptly as they would in adult cases; and undertake a formal review of paediatric diagnostic delays in Scotland, to identify systemic failures and implement change.

The petition was motivated—as petitions too often are—by the tragic passing of a young girl after she was repeatedly referred and downgraded in her medical assessments. The petitioner argues that no young person should have their symptoms underestimated simply because they appear to be healthy or are perceived to be too young for serious illness.

The Scottish Government points to a number of projects, either completed or in progress, that directly address the points raised by the petition. The Scottish referral guidelines were updated last summer to support GPs in referrals for children and young people. The cancer action plan for Scotland for 2023 to 2026 includes carrying out a clinically-led review of the latest evidence to determine

"whether there is merit in specific additional or alternative cancer waiting times standards for different types of cancer and cancer treatment".

In 2024, NHS Scotland launched a primary care cancer education platform, which provides primary care clinicians with information to support earlier cancer diagnosis efforts and enable effective decision making. The Scottish Government expects the managed service network for children and young people with cancer to be alert to systemic failures and to initiate local board escalation procedures if necessary. Additionally, the Scottish Government previously stated that the managed service network handles the implementation of "Collaborative and Compassionate Cancer Care: cancer strategy for children and young people 2021-2026". That work started in 2021 and is due to be completed in 2026.

Before the committee decides what action to take, I invite Jackie Baillie to contribute to our thinking.

Jackie Baillie (Dumbarton) (Lab): I know that the committee is no longer routinely inviting MSPs to speak, so I appreciate the opportunity. I join you in welcoming Isla's mum, dad, aunt, uncle and grandmother to the visitor gallery today.

We all agree that there have been significant advances in cancer care. Our clinicians do an exceptional job, but that is what makes Isla's experience all the more disappointing. She first went to her GP in July 2022, and she received a diagnosis some two years later. By that time, her cancer had spread and was too advanced to treat.

The family raise three main issues. First, GPs who are diagnosing such conditions see only about 180 children and 200 teenagers every year, so the reality is that a GP will not come across a child with cancer very often. The family want improvements in diagnosis by and guidelines for GPs. In fairness, the Scottish Government is addressing that, which is particularly welcome. Secondly, there is no longer data collection on the number of children and teenagers who get cancer. Again, the Government says that it is addressing that, which is also welcome, but there is work to do before it becomes a reality.

I would like to concentrate on the third issue. Isla's GP made an urgent referral for a biopsy—it was at that stage that the clinic downgraded the referral from urgent to routine, and we lost even more time. It decided to do that on the basis that she was young—that was it. The sole clinical judgment was that she was young, so the referral was just made routine. It is inappropriate to downgrade on the basis of somebody's age.

I risk being on the wrong side of the committee, but I think that we should take our chances and keep the petition open. I invite the committee, if there is time remaining, to write to the Scottish Government specifically on the referral point, which the Government has not addressed in its submission to any great degree, and to ensure that children and young people in Scotland will be treated in exactly the same way and as urgently as adults with cancer.

10:00

The Convener: In the face of your eloquence and in view of the tragic circumstances that underpinned the petition—which might otherwise have been avoided, for all we know—that is a very focused additional inquiry, so I am minded, if the committee is willing, to hold the petition open by exception and to make that specific request of the Scottish Government. I do not think that we can go any wider, given that we want to see what action we can get. We have certainly been able to highlight the issue through the evidence of the petition's having been raised and the contribution that you have made.

If colleagues are content, we will hold the petition open, by exception, and we will seek to clarify the specific point that Jackie Baillie has raised with the Scottish Government.

Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab): I totally agree. So far,

allowing local escalation has meant that there are no hard and fast guidelines. Failure occurs where there is no structured guideline.

The Convener: Any of us who is a parent, even if that was perhaps some time ago—well, we are always parents, but even if our children are no longer children—thinks, "There but for the grace of God." To think that something might have been avoided if the issue had not been dismissed simply because of a prejudice against the idea that young people might have cancer is deeply disturbing.

Fergus Ewing: I was struck by the background information to the petition, which pointed out that Scotland continues to have one of the highest cancer mortality rates in western Europe among children under 18. That is a shocking statistic.

I was not aware of many of the issues that Jackie Baillie has eloquently set out. Although it is heartening that some progress has been made on points 1 and 2, she is absolutely right to focus on point 3 and seek a specific answer from the Scottish Government. However, I see no reason why we should not at the same time write to the Royal College of Paediatrics and Child Health to see what it says about the issue. Plainly, the Scottish Government refers regularly to advice, National Institute for Health and Care Excellence guidelines and everything else from the royal colleges, so it might be worth while to do that—there would be no harm in it.

The Convener: I am content to do that in relation to the focused issue. The Scottish Government will appreciate the urgency with which the committee would appreciate its considering the point that we are raising, but we should certainly make it clear to any third party that, given the limited time for the Parliament to consider the issue further, we would appreciate it if they were able to come back to us promptly.

Are colleagues content with the proposal?

Members *indicated agreement*.

The Convener: We will therefore hold the petition open and act on that basis. I thank Jackie Baillie for her contribution and the people in the gallery for being with us this morning.

Adults with Incapacity (Scotland) Act 2000 (PE2194)

The Convener: PE2194, which was lodged by Lesley E Roberts, calls on the Scottish Parliament to urge the Scottish Government to amend the Adults with Incapacity (Scotland) Act 2000, in line with the recommendations of the Scott review, to make it fit for purpose and to protect vulnerable adults from abuse of power of attorney.

The SPICe briefing highlights recommendation 13.3 in the final report of the Scottish mental health law review—the Scott review—as being particularly relevant to the subject matter of the petition. It adds that the Scottish Government announced new legislation to reform the 2000 act in its 2024 programme for government, but indicated in May 2025 that that had been delayed, with work being done to bring forward a bill early in the next parliamentary session.

The Scottish Government has explained that it has established an expert working group and a ministerial oversight group to progress work on the reform of the act in line with recommendations of the Scott review, including improvements to the power of attorney process, and that it commits to hearing the views of key practitioners and people with lived experience in developing the legislation.

Power of attorney has cropped up from time to time during this parliamentary session and, finally, something appears to be being done to look into it. Do colleagues have any suggestions for courses of action?

Maurice Golden: I think that we should close the petition under rule 15.7 of standing orders, principally because of time constraints—it will not be possible to progress the petition further in this session of Parliament.

However, I note that the Scottish Government has established an adults with incapacity reform expert working group. In my experience in Parliament over the past decade, establishing an expert working group often means that nothing happens. I hope that that is not the case here.

Despite the Scottish Government announcing in 2024 that a bill would be introduced to amend the 2000 act, it has proposed that that be taken forward in the next parliamentary session. A promise that a bill will be taken forward by future Governments is a very weak promise, even a future Government of the same party. We have had experience of such bills being delayed for the best part of eight or nine years.

Nonetheless, I will try to step back from being so cynical and hope that the matter will be addressed in the next session of Parliament. If it is not, closing the petition today will allow the petitioner the opportunity to bring back the issue and increase the pressure on the Government, if required.

The Convener: Thank you, Mr Golden. Are colleagues content to close the petition?

Fergus Ewing: I absolutely endorse what Maurice Golden said, but I want to add a few things. The petitioner's account of what happened to his mother is a heart-rending and very sad story of actions being taken that were completely opposed by the family. There are always two sides to every story, I guess, but, on the face of it, it is a tragic case.

I was also struck that, in their submission of 3 January 2026, the petitioner pointed out that the local authority "ignored all concerns", that the Mental Welfare Commission for Scotland was "unable to do anything" and that the Office of the Public Guardian said that the power of attorney role "was not overseen". All the public bodies that are supposed to be providing help provided absolutely no help whatsoever.

I have to say that the Scottish Government did not answer the petition's specific asks in its response. It simply said that there was going to be law reform, but it carefully avoided making any substantive comment on the petition, which is about protecting vulnerable adults from abuse of the use of power of attorney.

I hope that, if we close the petition today—there is no alternative—the petitioner will bring back the petition for the reasons that Mr Golden set out, so that the new committee can consider these things anew—de novo—early doors.

I just want to say one more thing, on the euthanasia bill, or the right to die bill, that is being taken through the Parliament. Should that pass—my goodness me, if there are problems with power of attorney now, we ain't seen nothing yet. I will not be voting for that bill, but if it is passed, I think that the number of serious issues that will arise will be far greater and that will be profoundly sad.

The Convener: I will be supporting that particular bill, and I hope that those matters can be duly addressed, but that is a debate for another place, I think.

Davy Russell: What progress has the expert working group made, and does it involve the same people who failed in the system that Mr Ewing referred to?

The Convener: I have had constituency casework during the past couple of sessions of Parliament—other members might have had such casework, too—which had its genesis in issues that have arisen on power of attorney. I do not know how widespread this is, but local authorities have become progressively underresourced and certain areas simply have not been prioritised, because the focus has had to be elsewhere.

I am not presenting this issue as the only example in that regard, but I have found that there have been matters on which I might historically have expected the local authority to take a more active role. However, frankly, the resourcing to do so does not exist now, and certain things have been excused or passed over as a result.

There are issues to be considered, and were it not for the time left in this parliamentary session, and the fact that we have had a number of petitions relating to issues arising on power of attorney, this might have been a very interesting area for the committee to have explored in more detail.

I hope that the petition will return and that the issues in it can be pursued during the next parliamentary session but we have a recommendation to close it on the basis that has been suggested.

Are colleagues content with that?

Members *indicated agreement*.

Survivors of Care Abuse (Redress) (PE2197)

The Convener: That brings us to PE2197, lodged by Linsay McRitchie, which is on allowing more survivors of care abuse to access redress. The petition calls on the Scottish Parliament to urge the Scottish Government to extend section 18 of the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021 to include survivors of abuse that occurred after 2004.

Under section 18 of the act, redress payments are limited to abuse of children in "relevant care settings" in Scotland that occurred before 1 December 2004. The policy memorandum for the bill set out that that is the date when the then First Minister, Jack McConnell, gave a public apology in the Parliament.

The policy memorandum also set out that

"Rapid and substantial change in relation to the monitoring and regulation of the care system in Scotland took place in the period immediately following the creation of the Scottish Parliament."

Consideration was given to the date being set at 17 December 2014 instead, to match the Scottish child abuse inquiry's terms of reference, but the Scottish Government's view was that 2004 was a more appropriate cut-off point in the context of the redress scheme.

The Scottish Government's response to the committee states that it considers that the cut-off date for the scheme

"remains appropriate and in line with the core purpose of the scheme".

It also states that there are no plans to review that.

The petitioner's written submission states that

"Just because the law drew a line at 2004 doesn't mean abuse stopped then".

She believes that if the inquiry investigates abuse over a specified time period, the redress scheme should also cover that time period. The petitioner also states that the

"cut-off date leaves an entire generation behind",

as they are left with no route to redress.

Do members have any comments or suggestions for action?

David Torrance (Kirkcaldy) (SNP): Could we consider closing the petition under rule 15.7 of standard orders, on the basis that the Scottish Government has clearly set out that it considers the cut-off date to be appropriate and that it has no plans to review it?

The Convener: Are colleagues content, given the position of the Scottish Government, notwithstanding the importance of the issue, to accept that we will not be able to advance the petition during this parliamentary session?

Fergus Ewing: Yes. Mr Torrance is absolutely right. The Scottish Government has set out its stall, but it does not really have an answer, nor can it ever have an answer, to the point that has been raised by the petitioner. The cut-off time is arbitrary, and one can well understand how much that must rankle and worry people who have been through abuse before 2004.

I guess that we will come back to the issue again, because if a decision is not based on principle and confounds any sense of decency, I am quite sure that this committee will be hearing about it again—and rightly so.

The Convener: The work of the Scottish Government's inquiry is on-going. Therefore, it might be worthwhile for the petitioner to wait for that to conclude and then resubmit a new petition to the next Parliament, in the light of whatever arises from that. At that point, the new committee could consider it and potentially pursue it.

Are colleagues content, notwithstanding the importance of the issue, to support Mr Torrance's recommendation?

Members *indicated agreement*.

Local Government (Public Participation) (PE2198)

The Convener: The next petition is PE2198, lodged by Wilson Chowdhry, on establishing a standardised and fair public participation process for all Scottish councils. The petition calls on the Scottish Parliament to urge to Scottish Government to introduce new legislation or amend existing legislation to require all local authorities in Scotland to adopt, within a specified timeframe, a set of minimum standards for public participation processes—questions, deputations and petitions—that will ensure that such processes are accessible, transparent, fair, inclusive and consistent across Scotland. It also calls on the Scottish Government to designate a new or existing body to oversee and monitor compliance with such standards and either take or recommend action when those are not met.

The SPICe briefing explains that

"each local authority publishes its standing orders on its website. These may set out how deputations, questions and petitions are handled"

and that

"It is up to councils themselves to develop, publish and update their standing orders, in line with relevant legislation".

The Scottish Government suggests that the first ask of the petition could be feasible, but states that it

"does not have any current data to assess whether this would be practical or desirable to mandate across all local authorities."

The Government points to a number of existing good practice frameworks for community engagement across Scotland, including guidance on participation requests for public service authorities and community councils, which is regulated under the Community Empowerment (Scotland) Act 2015. As the SPICe briefing clarifies, it is up to local authorities to interpret the 2015 act and ensure compliance with the guidance.

10:15

The Scottish Government believes that the petitioner's second ask may also be achievable but that it is dependent on identifying appropriate resource and budget. The Government highlights that its open Government team is considering how it could develop a national strategy for public participation as part of Scotland's next open Government action plan in 2026-30.

The committee has had an interest in issues relating to public participation. It has always been a case of heightening awareness and extending pilots, and seeing what arises from that. That process has led to recommendations that Parliament has embraced and will be adding to its way of operating in the next parliamentary session, with people's panels to be a fixture of interrogation.

Mr Torrance, you and I are the only two survivors from when the committee began in this parliamentary session. There are issues that the Government seems willing to explore, but I do not think that there is much more that the committee can do at this stage. It is not clear whether participation will be in the new committee's remit, because it was an addition to the responsibilities that the petitions committee had in previous parliamentary sessions.

Do members have any thoughts?

David Torrance: As you said, we are the sole surviving members of the committee from the start of the session. In light of the evidence, I propose

that we close the petition under rule 15.7 of standing orders, on the basis that, although the Scottish Government considers that changing the legislation may be feasible, it lacks the evidence to assess whether mandating a single participation process across all local authorities is practical or desirable. The Scottish Government's view is that it is for local government to consider whether further standards for public participation are required, beyond the provisions in the 2015 act. The open Government partnership is examining how developing a national strategy for public participation can be achieved, as part of the next open Government action plan for 2026-30.

The Convener: Are colleagues content to close the petition?

Members *indicated agreement*.

Emergency Telephone Services (Remote Communities) (PE2199)

The Convener: PE2199, which was lodged by Timothy Bowles, urges the Scottish Government to provide robust back-up or alternative means to ensure that remote communities are able to contact emergency services in the event of complete power failure.

The traditional landline telephone network—the public switched telephone network, or PSTN—is being replaced by voice over internet protocol technology across the United Kingdom. VoIP uses a broadband internet connection to make phone calls. That leaves users more vulnerable in a power cut because, as the SPICe briefing shows, the digital system works in a power cut only if battery back-up is available.

Because telecommunications are a reserved power under the terms of the Scotland Act 1998, the Scottish Government states that it is unable to intervene directly to provide back-up along the lines requested by the petition, or indeed to instruct providers to do so. However, it points to Ofcom guidance that advises providers to have at least one solution available to consumers to access emergency services for a minimum of one hour in the event of a power outage.

The Scottish Government also mentions that its new national islands plan acknowledges that more can be done to strengthen resilience across Scotland. It adds that the plan includes a commitment to work with local authorities and other key stakeholders to capture and apply learning from disruption affecting island communities, in order to strengthen its preparedness and response planning, including in relation to digital infrastructure.

Finally, the committee received a submission from Consumer Scotland, which highlights the extensive work that it has been doing in this area. It states that it continues to engage with the Scottish Government and local stakeholders to improve data sharing, in order to enable providers

"to more easily identify consumers who need support".

Do colleagues have any suggestions for action?

Davy Russell: It is a reserved matter, because general telecommunications policy remains reserved to the UK Government. Ofcom guidance states that providers should offer solutions to enable

"access to emergency organisations for at least one hour in the event of a power outage".

The Scottish Government has committed, via a national islands plan, to work with key stakeholders to strengthen preparedness and response planning, including in relation to digital infrastructure. Therefore, I recommend that we close this petition under rule 15.7 of standing orders.

Fergus Ewing: I do not think that we have any alternative but to close the petition. The residents of Seil island have made their point. It is all very well saying that Ofcom and all the authorities are committed to doing something about it, but that falls short of their actually doing anything about it.

The petitioner, Timothy Bowles, has raised a very fair point, which must apply to other islands, although there cannot be that many islands that will be in this predicament. The Scottish Government points out the considerable expenditure on the reaching 100 per cent—R100—broadband programme, which has laid 16 undersea cables that have assisted communications in many islands. It is not as if nothing has been done—a lot has been done. That means that there can be relatively few places left that are in this predicament. It is not beyond the wit of man for Ofcom and the Scottish Government, with all the mighty resources that they have, to find out which ones are left and sort them out. I hope that the petitioner perseveres.

The Convener: I also urge the petitioner to write to his MP, given that the matter is reserved, and to seek to pursue the issue in relation to Ofcom. Although I saw the Ofcom assertion of the support that is meant to be in place, it did not tell me whether it is in place. It is all very well to say that organisations should enable such access, but do they? Unfortunately, there is no scope for us to pursue the issues that are raised by this petition. If I were Mr Bowles, I would write to my local MP and ask him to take the issue up with Ofcom and try to get a satisfactory response. Given that position, are we minded to close the petition?

Members *indicated agreement.*

Colleges (Funding) (PE2200)

The Convener: Our next petition is PE2200, lodged by Melanie Jane Stuart on behalf of the Educational Institute of Scotland Further Education Lecturers Association—EIS-FELA—and Unison at Dundee and Angus College. It calls on the Scottish Parliament to urge the Scottish Government to develop, publish and adopt a multiyear—for example, three to five years—funding settlement for Scotland's colleges, to avoid the reliance on annual decisions; to commit to funding that, at minimum, rises in line with inflation, in order to prevent real-terms erosion of college budgets; to deliver a substantive, above-inflation funding settlement within the 2026-27 Scottish budget that places all colleges in a financially secure position; to provide safety-net baselines for the provision for additional support needs, core student support services and regional or local community access programmes; and to require the Scottish Funding Council to give colleges clearer forward figures and simpler in-year rules, to allow planning flexibility for staffing, curriculum, capital investment and community partnership activities above the three baselines that are set out above.

Members will be aware that this has been a prominent issue in the Parliament's chamber in the light of the reports from Audit Scotland and the Scottish Funding Council regarding significant financial challenges in the college and university sector. Furthermore, the Education, Children and Young People Committee recently completed substantive work on the long-term sustainability of funding for colleges and universities, that having been the focus of that committee's pre-budget scrutiny for the budget that we have just received for 2026-27.

In its response to the petition, the Scottish Government has confirmed that the SFC is engaging with Colleges Scotland and the wider college sector on a fundamental review of the funding allocation model. Since responding to the motion, the Government has announced that its 2026-27 draft budget for education and skills reverses some of the previous considerable and damaging cuts in college funding, with an increase of £70 million in resource and capital funding to colleges. In addition, the 2026 Scottish spending review indicates that Scotland's colleges will see £146 million of additional resource funding allocated by 2039-40.

Do colleagues have any comments or suggestions for action?

Maurice Golden: The Scottish Government would argue that there is a sustainable funding model for Scotland's colleges, but I disagree with that, and I would widen that out to the tertiary education sector. Nonetheless, with regard to the petition's aims, I believe that the committee has no choice but to close the petition under rule 15.7 of standing orders, on the basis that the Scottish Government, is engaging with the Scottish Funding Council and Colleges Scotland on the wider college sector and is looking into a review of the funding allocation model.

I note that many colleges are making difficult decisions in order to be sustainable. Dundee and Angus College has recently closed its swimming pool at Gardyne Road, much to the dismay of the local community. However, unfortunately, at this stage in the session, I do not believe that there is anything that the committee can do to further progress the petition's aims.

The Convener: Thank you, Mr Golden. Are colleagues content to close the petition?

Members *indicated agreement*.

Schools (Parent Notification) (PE2201)

The Convener: PE2201, which was lodged by Tamara Giocopazzi, calls on the Scottish Parliament to urge the Scottish Government to place a legal duty on schools to inform parents and carers by the end of the school day if their child is involved in any incident or allegation that affects their safety, wellbeing or dignity. The Scottish Government's response to the petition states that it expects schools to work with families on any issue that affects their child's safety, wellbeing or dignity. It is the cabinet secretary's expectation that this includes contacting parents or carers in a timely manner when an incident has taken place.

The submission states that schools and local authorities should already have established protocols in place to notify parents of incidents affecting their children's safety and wellbeing, such as when they have provided first aid as a result of illness or injury. The Scottish Government's view is that, as it is a local authority's statutory responsibility to deliver education, it is appropriate that notification protocols are developed and implemented locally.

Mr Torrance has to leave us at half past 10, so I wonder whether he has any thoughts to share on the petition before he leaves us this morning.

David Torrance: I wonder whether the committee, in the light of the evidence, would consider closing the petition under rule 15.7 of standing orders, on the basis that schools and local authorities should already have established protocols in place to notify parents of incidents affecting their children's safety and wellbeing. Local authorities have a statutory responsibility in that area; therefore, the Scottish Government's position is that it is appropriate for notification

protocols to be developed and implemented locally.

The Convener: Are colleagues content to close the petition?

Members *indicated agreement*.

The Convener: It is also open to the petitioner and any individual affected to contact their local councillor, their local MSP or their local MP, who are, after all, elected to represent them and assist them should such incidents arise. However, I think that there is no option for the committee but to close the petition.

Guga Hunt (PE2202)

The Convener: PE2202, which was lodged by Rachel Bigsby, calls on the Scottish Parliament to urge the Scottish Government to amend section 16 of the Wildlife and Countryside Act 1981 to remove the power to grant licences for taking gannets on Sula Sgeir. The guga hunt can take place legally only under a special licence issued by NatureScot—our old friends in NatureScot, which is the least effective organisation in the western world. That is a personal observation.

The Scottish Government's response to the petition states that it truly appreciates the petitioner's concerns over the protection of this important species. In considering an application for a licence, NatureScot considers two main issues: sustainability and animal welfare legislation.

A licence was granted in 2025 with a limit of 500 birds, which is significantly fewer than in previous years, when the licence granted the taking of up to 2,000 birds. The limit aims to safeguard the sustainability of guga and support its continued recovery following the avian flu. The Scottish Government does not intend to amend section 16 of the Wildlife and Countryside Act 1981 to remove the power to grant licences for taking gannets.

The petitioner has provided a written submission, which states that the central question is whether the continued licensed killing of gannet chicks is compatible with conservation science, animal welfare standards and the Scottish statutory obligations. The submission highlights the avian flu outbreak, which many of us will have seen visual evidence of, and coverage of subsequently, and which caused mortality in northern gannets.

The petitioner states that the population modelling used by NatureScot shows that the limit of 500 birds is not a recovery level but a maximum level that avoids immediate population decline. She is also concerned that no independent observer is present during the hunt, stating that there is no independent verification that licence conditions relating to humane killing are being complied with.

10:30

The committee has received a written submission from OneKind, a charity working to protect and improve the lives of animals in Scotland, which highlights a number of concerns and states that tradition does not justify the killing of young gannets. It also states that manual killing depends on the skill of the operator and the conditions that they are working under, so it can vary widely in terms of efficacy and welfare impact.

The committee has also received a late submission against the petition from a resident of the Isle of Lewis, who believes that many of the comments that have been made in respect of the petition are abusive and offensive, that the petition is ignorant of the ways of island life and that there is no merit in its being progressed.

Do colleagues have any comments or suggestions for action, bearing in mind our position and the issue of timing with regard to the parliamentary session? Members know my views on NatureScot, but I am not sure where we can go in the time that is available to us.

Maurice Golden: The issue warrants further consideration, but, unfortunately, the committee will not be able to give it that consideration at this point in the parliamentary session. We come back, again, to the term "sustainability", this time in respect of the gannet population, but, ultimately, the committee has to close the petition under rule 15.7 of standing orders, principally because the Scottish Government has made it clear that it does not intend to amend section 16 of the Wildlife and Countryside Act 1981 to remove the power to grant licences for taking gannets on this particular island, whose name I struggle to pronounce.

The Convener: I am uncomfortable, because the petition raises issues that the committee, in other circumstances, would have been happy to interrogate further. Certainly, we have interrogated NatureScot positions previously. Irrespective of that, though, we would have wanted to take the views of those on the island into consideration, too.

The petition has attracted more than 80,000 signatures, but, as we said at the start of the meeting, the committee has only a handful of meetings left in this parliamentary session. In closing the petition, which I think is what colleagues might be minded to do, I very much urge the petitioner to submit the petition again as soon as the new Parliament assembles. That will not require gathering the number of signatures that have already been gathered; one signature is all it takes for the petition to have the opportunity to be properly heard. However, there would be an

opportunity for our successor parliamentary committee to tease out and interrogate in more detail some of the issues raised by the petition.

It is with some reluctance that I suggest that, given that we have only a handful of meetings left and given that, if we make any inquiries now, we will simply not get any responses back in time to take anything further forward, we close the petition at this point.

Fergus Ewing: I agree with what you and Mr Golden have said, convener, but I note in passing that it is our understanding that the Scottish Government does not intend to amend the 1981 act to remove the power to grant licences, so it is not doing anything—it is just allowing things to go ahead. NatureScot has indicated that it is bound by the 1981 act, although I have to say that I do not quite understand that, because I think that it gives it some discretion.

I am struck by NatureScot's determination to allow the guga hunt to proceed while preventing the control of seagulls in my constituency, which is causing huge problems as well as lacerations and injuries to people. However, that is really for NatureScot to explain. Given the number of signatures that the petition has received, I think that the issue needs to be explored further, but that is probably for the next Parliament.

Finally, I would note the written submission that we have received from an islander. I am sure that any committee will want to ensure that the voice of the islanders is heard. They are making the case that this is part of their tradition and heritage. They want to be heard, and they are entitled to be heard, but I think that some of them feel a little bit browbeaten by the tone of some of the criticisms that have been made of them. I hope that the debate can be conducted in a civilised and rational way, even if people have very strong emotions about the matter.

The Convener: I suppose that the one other option that is open to us would be to consider whether this is a petition that we should leave open for the next parliamentary session.

Fergus Ewing: I suppose that the number of signatories would, in itself, justify taking that somewhat unusual step.

The Convener: I suggest to the clerks that we add this to the list of petitions that we will give further consideration to. We will leave just a handful of petitions open for the new Parliament to consider, and we will have a further meeting in which we will have to decide which petitions, from a shortlist, we would recommend that action for. I am minded to add the petition to that list.

Davy Russell: Keeping the petition open for the next parliamentary session will allow us to hear evidence from both sides.

The Convener: Yes, it will allow that. Are colleagues agreed that we will defer a final decision on the petition, on the basis that we will add it to the list of petitions that we will consider leaving open for the next parliamentary session?

Fergus Ewing: We would need to also stress to the signatories of the petition that its not being closed does not mean—

The Convener: Yes, any final recommendation would do that.

Fergus Ewing: —it is defeat; it is simply a deferral of probable consideration.

The Convener: We will be considering which petitions are likely to be kept open in the committee's next couple of meetings, so I am content on this occasion to hold the petition open while we consider whether that would be the appropriate action. If it has to close, it will be for the reasons that we have suggested.

Fergus Ewing: The members of the next Parliament, including those of us who are not ourselves culled, can give it consideration.

The Convener: Well, we could have a petition on banning that culling as well.

Are colleagues agreed that we will keep the petition open and add it to the small list of petitions that we will consider referring to the next committee, so that it has a working agenda when it first meets?

Members *indicated agreement*.

Schools (Allergies) (PE2203)

The Convener: PE2203, on making schools in Scotland safe for pupils with allergies, was lodged by Helen Blythe and calls on the Scottish Parliament to urge the Scottish Government to close the allergy safeguard gap by introducing legislation to mandate and fund all schools to hold an in-date adrenaline autoinjector; to have an allergy policy; and to provide allergy training for all school staff on emergency response, preventing reactions and allergy awareness.

The Scottish Parliament information centre briefing sets out that

"Allergies are thought to affect approximately 30% of children in Scotland."

The Scottish Government has written guidance to support schools, local authorities and health boards as they consider what action they need to take in order to safeguard pupils with healthcare needs. The guidance states that schools may obtain adrenaline autoinjectors

"without prescription, for use in emergencies".

It also states that

"Education authorities and local NHS Boards may wish to consider whether to implement their own local policy in relation to the use of emergency adrenaline auto-injectors in schools."

The guidance outlines specific issues that the policies could cover. The Scottish Government's response to the petition states that

"local authorities already have the power to use funding to take the action they deem necessary to protect children and young people with allergies from harm while at schools."

The submission states that

"decisions about … what staff training may be required need to be made taking into account local circumstances within each individual school."

The Scottish Government's view is that

"There is already sufficient legislation in place to require schools in Scotland to take appropriate action to safeguard children and young people with allergies as well as financial and practical support for local authorities to do so."

The younger members of my parliamentary team, whose experience of living in the world of a school is more current than mine, thought that the Scottish Government's response was a bit inadequate. If we are teaching pupils how to use defibrillators and about cardiopulmonary resuscitation, why are we not teaching them how to assist with adrenaline injectors and how to properly understand the issues that arise from allergy policy, leaving those issues more open to chance? I do not know that we can do anything more in this parliamentary session, given the Government's response.

In closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government has set out its position that there is already sufficient legislation in place to require schools to take appropriate action, I wonder whether the committee would agree that we should urge the petitioner to submit the petition again in the new parliamentary session. Perhaps the future committee could interrogate the evidence a bit further in the light of other training that appears to be perfectly within the capabilities of children to understand and that, as we have heard, in relation to defibrillators, could save the lives of people in school—or, subsequently, outside school—as a consequence. Does that meet with the committee's agreement?

Maurice Golden: Yes. I agree with you, convener. It is reasonable to ask the future committee to attempt to get some data on what every local authority in Scotland is doing on this. Allergies are very prevalent, so the issue is worthy of further consideration before coming to a conclusion, although that would be for a future committee.

Fergus Ewing: Yes, I agree with that. I am struck by petitioner Helen Blythe pointing out that an answer that she received to a freedom of information request said that fewer than one in 20 schools have all four recommended allergy safeguards in place—so, 19 out of 20 do not. Almost half—49 per cent—have no allergy policy, only 8 per cent hold spare adrenaline autoinjector allergy pens, and nearly a third do not provide any allergy training.

The Scottish Government has given a long answer, but, as far as I can see—I apologise if I have missed anything—it does not refer to any of those points whatsoever. When the Scottish Government replies to petitioners, why can it not just answer the questions that are put and the factual assertions that are made? If it says that they are wrong, let us say it. It never does that, and it must be extremely irritating for all petitioners.

That is a general point. On a specific point, the Government's response says that the job of the inspector at His Majesty's Inspectorate of Education in Scotland is to go round and inspect schools, to make sure that they are following their obligations in all respects, but it does not seem to refer to allergies at all. It refers to dietary requirements, which covers some allergies, but it does not refer to allergies. Is it possible to raise that issue ourselves? Or, if there is not enough time to do that, which may well be the case, could we encourage the petitioner to bring the petition back?

If I were marking the Scottish Government's response, I would give it a half out of 10, and not for the first time.

The Convener: I am very much of that view. Given the length of time that the committee has left, I would very much encourage the petitioner to lodge the petition again immediately when the new Parliament convenes. I hope that the new petitions committee, with time ahead of it, will be able to explore some of the issues that have been raised.

With some regret, I feel that we have to close the petition at this point, but I strongly recommend that it be resubmitted to the committee on the other side of the election. Are members content with that?

Members *indicated agreement*.

The Convener: I thank Josh MacLeod in my parliamentary office for his very forceful representations to me on the matter.

Endometriosis (National Database) (PE2204)

The Convener: PE2204, which was lodged by Candice McKenzie, calls on the Scottish Parliament to urge the Scottish Government to create a national database to record patient outcomes for medications, hormone replacement therapy—HRT—and all other hormone therapies used to treat or manage endometriosis. The Scottish Parliament information centre briefing explains that Scotland follows the National Institute for Health and Care Excellence guidance on endometriosis diagnosis and management. The guidance outlines best practices in endometriosis diagnosis, referral, pharmacological treatment, surgical management and care co-ordination. It has been used by NHS Scotland to develop the endometriosis pathway, which details the investigation and management of patients.

The Scottish Government's response to the petition states that the proposal would be a positive but substantial project. The submission states that the creation of a national database of this scale and complexity would have significant costs attached for the development and implementation, as well as considerable implications for clinical staff time. The Scottish Government considers that there are mechanisms by which those living with endometriosis are able to access the best possible care and support.

10:45

The Government also states in its submission that action has been taken to support women and health professionals to learn more about endometriosis, the symptoms and the treatment options, and that menstrual health, including endometriosis, will continue to be an area of focus in the next phase of the women's health plan. That next phase will continue action to improve the collection and use of data, as the Government acknowledges that there are clear gaps in routine women's health data. The Government also highlights information about current endometriosis research that it has funded.

In her written submission, the petitioner draws on her lived experience and international evidence, which she feels demonstrate that structured outcomes data improves safety, consistency and quality of care. She says that the absence of national data drives inconsistent care, avoidable complications and continued reliance on trial-and-error treatment, and that it contributes to patients being dismissed when they report worsening symptoms, as clinicians lack the evidence that is needed to validate or explain patient experiences. She goes on to highlight international examples of endometriosis data collection and the impact of endometriosis on economic productivity.

In the previous parliamentary session, I well remember our former Labour colleague Elaine Smith, who was very much associated with the issues of endometriosis, attending the Public Petitions Committee on a number of occasions and raising the subject in debate in the chamber.

This is another petition on which it seems to me that there is still more work to be done, but, with only five meetings left, I am not sure what work we could do at this stage.

Maurice Golden: I am shocked to learn that no data is recorded on patient outcomes for medications such as HRT and other hormone therapies that are used to treat or manage endometriosis. It seems bizarre and strange that we are not looking at patient outcomes in order to understand how to improve them.

Nonetheless, I think that the committee's only option is to close the petition under rule 15.7 of standing orders, on the basis that the Scottish Government has not indicated that it would be willing to create a national database. Instead, it believes that there are other mechanisms for improving outcomes for people with endometriosis.

I am not sure what those other mechanisms are. I think that a national database or something similar is required. However, the Scottish Government is elected to make decisions, and voters can make a decision on the Government in May this year. Perhaps the petitioner and those who have signed the petition might want to bear in mind the Scottish Government's response when they go to the ballot in May.

The Convener: It will certainly be open to the petitioners to submit a new petition, and I very much hope that they will, because issues have been raised that I would otherwise have been very content for us to progress. Of course, one way or another, we will have a Government of a fresh complexion, which might want to look at these issues in a different light.

Fergus Ewing: The Government has provided quite a long response, but it does not seem to be much more than a patchwork of random actions and fairly modest grants for small pieces of work here and there. It does not really address the point that the petitioner stressed in her written submission of 5 January, which is that,

"Despite affecting at least 1 in 10 women and people assigned female at birth"—

females—

"Scotland does not collect national outcomes data for endometriosis. As a result, clinicians lack reliable evidence

on:

• treatment effectiveness,

• treatment-related harm,

• complications and disease progression,

• and which patient groups are at highest risk of treatment failure."

I noticed recent press coverage of the issue, in which it was pointed out that females who suffer from endometriosis suffer horrendously—they suffer years and years of unremitting pain.

Given the numbers involved, the Government's apparent unwillingness to establish a database of outcomes is hard to understand. So determined is it to avoid doing so that it has pointed to all sorts of other things that seem to me to be inadequate substitutes.

There is just no time left. I hope that the ladies in the room and those outwith the Parliament who are interested in and affected by the matter will understand that, if the petition had been presented to us 12 months ago, we would certainly have taken evidence from the Minister for Public Health and Women's Health. She would have been here answering questions within a couple of weeks.

That is what should happen, and the petitioner can secure that by lodging a similar petition in the next parliamentary session. I am perfectly sure that the issue must be considered for the sake of women who suffer, as I understand it, unbelievable and unbearable pain.

The Convener: Do members agree to close the petition?

Members *indicated agreement*.

Access to Justice (Human Rights Claims) (PE2205)

The Convener: PE2205, which was lodged by Daniel Donaldson, is on extending access to justice by reforming court rules in equality and human rights claims. The petition calls on the Scottish Parliament to urge the Scottish Government to remove or raise the £5,000 monetary limit in simple procedure for claims that are brought under the Equality Act 2010 and the Human Rights Act 1998, and to extend qualified one-way costs shifting to cover equality and human rights claims.

The SPICe briefing explains that simple procedure is a simplified type of court procedure that is designed to be used for relatively low-value claims, without the need for specialist legal advice. Simple procedure uses maximum thresholds to cap the money that can be claimed for legal expenses.

In cases in which qualified one-way costs shifting, or QOCS—which is, apparently, pronounced "kwocks", although not by me—applies, the pursuer is not liable for the defender's legal expenses if they lose. However, the defender remains liable for the pursuer's legal expenses if the pursuer wins. QOCS is generally used in court actions when there is a recognised imbalance between the position of the parties.

The Scottish Government's response to the petition states:

"While officials have generally kept the Simple Procedure limit under continual review there have been very few calls for an increase in the Simple Procedure limit to date … There has been no detailed analysis specifically undertaken in relation to removing or raising the £5,000 limit in Simple Procedure claims brought under the Equality Act 2010 and the Human Rights Act 1998 … Removing or raising the monetary limit would require secondary legislation to be taken forward"

and the

"Government have no plans to do this in this Parliamentary session.

On the issue of QOCS, the Scottish Government says that there have been "few calls" for the change that the petition sets out—that is why we have petitions—and its submission states:

"At this time, the Scottish Government does not consider it has the sufficient data or evidence to support such a change. The need to deliver against existing priorities combined with the limited time remaining in the current parliamentary session will restrict further investigations"—

blah, blah, blah. Although no plans are in place to explore QOCS applying in the types of cases sought by the petitioner, future consideration might be given to whether QOCS could be extended to other types of civil litigation.

Do members have any comments or suggestions for action?

Fergus Ewing: Given the effluxion of time, we are unable to pursue the matter further, but the petitioner has raised an interesting point. I will say more about that in a minute. The Scottish Government has said that it has no plans to make any changes in the current parliamentary session, so nothing will happen in this session.

I want to make a very simple point. In England, the limit is £10,000, whereas it is £5,000 in Scotland. I looked in vain for an explanation, but the Scottish Government has not remarked on that point at all. I do not know the reason for that, but it is completely and utterly unacceptable.

I am no longer a practising solicitor, but, having observed the courts scene at the moment, I know that it is very difficult to get a criminal lawyer and that there are massive delays in the civil courts. Quite frankly, no individual can afford to go to court unless they are very well off or get legal aid, which

people often do not get. Therefore, there is, of course, a case for raising the limit to £10,000 to allow people to avail themselves of the simple procedure, instead of having to deal with the extraordinary byzantine complexity of the ordinary cause or summary cause procedures, which are not much simpler. The current situation means that, in effect, there is no justice for individuals in that narrow band.

It is impossible to get a lawyer for that sum of money, because the legal fees involved would probably exceed the sum sued for in most cases. Lawyers will not take the case on and people go without remedies. We are in a country where there is a theoretical right of access to the courts but where, in practice, it does not exist. One simple way to address that, to a modest extent, is to do what the petitioner asks.

This is another petition where, if it were not for the fact that it is now 2026 and we are a few weeks away from dissolution, we would have had the justice minister here to answer some of the questions that, quite frankly, they have manifestly failed to answer in any way at all, which is quite abysmal, in my opinion.

The Convener: On that note, are we content to close the petition? Well, we are perhaps not content, but do we agree?

Members *indicated agreement*.

Road Maintenance Funding Formula (Single-track Roads) (PE2206)

The Convener: PE2206, which was lodged by Jack McConnel, calls on the Scottish Parliament to urge the Scottish Government to review the single-lane road weighting in the road maintenance funding formula and to either consider increasing it or adapt the formula to reflect static or similar overheads for any road width, and to conduct an assessment of single-lane road overhead costs for rural local authorities and their impact on funding formulas across all road-related allocations.

We received a very succinct response from the Scottish Government, which, somewhat disappointingly, only minimally engages with the core issues of the petition. That is certainly the case with the second ask, which is on assessing costs. Essentially, we are informed that the needs-based formula, which is used to distribute the quantum of funding available for local government, is subject to constant review and is agreed each year with the Convention of Scottish Local Authorities. The Government states that it is always open to suggestions to improve the funding formula but that any such proposals must go through COSLA in the first instance.

Do colleagues have any suggestions for action?

Maurice Golden: The Scottish Government's response is disappointing but, ultimately, the committee should close the petition under rule 15.7 of standing orders, on the basis that the Scottish Government has what is described as a needs-based funding formula for local authorities that is agreed annually following negotiations between the Scottish Government and COSLA. However, it might be worth while if the committee, in closing the petition, wrote to the Cabinet Secretary for Finance and Local Government to highlight the issues that are raised by the petition.

The Convener: Are members content with Mr Golden's suggestion?

Members *indicated agreement*.

Ukraine (War Crimes) (PE2207)

The Convener: PE2207 is entitled "I demand the Scottish Parliament create a pilot court to try Russian war criminals with Ukraine". The petitioner, Sviatoslav Rozenko, demands that the Scottish Government establish a pilot court to try Russian war criminals in co-operation with Ukraine and international bodies. That will make Scotland a centre of international justice, ensuring punishment for the guilty, protection of victims and adherence to international law, strengthening the country's authority globally and demonstrating commitment to justice and international legal principles.

Before we begin any further consideration of the petition, I note that the committee did not receive the Scottish Government's response to it until last week, which is substantially later than was expected. That is disappointing both for the petitioner, given the effect on their opportunity to give any response to that, and for the committee.

The Scottish Government's response to the petition states that it does not consider the petition's ask to be practical or achievable. The submission states that, although it would be legally possible to create a new domestic court with universal jurisdiction over crimes committed in Ukraine, the Scottish Government's policy is not to create a new domestic court to prosecute those crimes. The Government's reasons for that are set out in its written submission and include the impracticality of prosecuting crimes without any nexus to Scotland, practical and financial challenges with investigating and translation, and the cost involved in creating a new court.

The petitioner has provided two written submissions to the committee. The petitioner sets out that the ask of his petition is possible in Scotland. He states that the Scottish Government's position is a political choice rather than a result of legal constraint. The submission counters the Scottish Government's financial

position, stating that no cost estimates or comparisons with alternative routes were provided. The petitioner states that the true reasons for the Scottish Government's rejection are political caution, fear of precedent, unwillingness to take international initiative and wider geopolitical consequences, all of which are perfectly legitimate. Do members have any comments?

11:00

Maurice Golden: My understanding of international law is that the International Criminal Court, which is based in The Hague or New York, can, as required, look into specific cases. In order for such a court to be established, my understanding is that the UK would need to pull out from the Rome statute, which is clearly not a devolved matter. I would have concerns about international legal obligations were that to be the case.

On that basis, and on the basis that the Scottish Government is not willing to progress the petition, such matters are outwith the jurisdiction of the Parliament. I believe that the committee should close the petition under rule 15.7 of standing orders.

The Convener: If members have no other comments, are members content to close the petition?

Members *indicated agreement*.

Child Sexual Offenders (Data Collection) (PE2208)

The Convener: PE2208, which was lodged by Joanna Kerr, calls on the Scottish Parliament to urge the Scottish Government to place a statutory requirement on public bodies to collect statistics on the nationality, ethnicity, immigration status and religion of child sexual offenders, and to collate and publish the data annually.

As with the previous petition, I will begin our consideration by noting the committee's disappointment at the Scottish Government's delay in providing its response. The response was received only on Friday of last week, which has limited the petitioner's opportunity to provide further evidence; therefore, all we have received recently is the Scottish Government's very late submission.

However, the petitioner provided a written submission to the committee in December, and her written evidence highlights a similar UK public petition, which has now gathered more than a quarter of a million signatures. The submission highlights that police in England and Wales are now expected to collect the ethnicity and nationality data of individuals who are suspected of being members of grooming gangs or perpetrators of other group-based child sexual exploitation.

The Scottish Government's response to the petition states that, given the number of public bodies in Scotland, placing a duty to collect data as set out in the petition would be difficult to implement and disproportionate to their wide and varied roles. The submission notes that, under the Criminal Justice (Scotland) Act 2016, following arrest, a person is under no obligation to answer any question apart from their name, address, date and place of birth and nationality. The submission notes, however, that work is under way to align Police Scotland recording systems to capture ethnicity data for suspects. It also notes that criminal justice agencies record information based on operational needs or where there is a legal requirement. Therefore, agencies do not hold coded data on nationality, immigration status or religion unless the specific circumstances of the offences make it relevant for prosecution.

The Scottish Government has highlighted a programme of work that is taking place to improve data collection on child sexual abuse and exploitation. A short-life working group will bring together experts to consider a range of data sources that can be collated and analysed to build a more comprehensive picture of child sexual abuse and exploitation in Scotland.

Do colleagues have any suggestions for action?

Davy Russell: I was thinking that there is a review of other cases, including grooming gang cases, which links in here. Perhaps that review could also consider this issue.

The Convener: I think that we privately explored that before the meeting, Mr Russell. There is not an open consultation at the moment, but there is a website that the petitioner could independently contact in relation to the issue that has been raised. That is one route. Alternatively, of course, it would be possible for a fresh petition to be brought in the next session of Parliament.

Maurice Golden: I wonder whether this petition might be one that we could keep open for further consideration at a future meeting, if the committee is so minded. There are inadequacies in Police Scotland's work to align the data. As soon as I hear the phrase "working group", it raises a red flag about the possibility that there will be no action. The issue is perhaps worthy of further consideration but, clearly, the committee cannot make a decision until we see the full list of all the petitions that we might want to keep open.

Davy Russell: The other thing to note is that Police Scotland is already amending its databases

to take into account information on other types of crime, so it cannot be too difficult for it to adjust its approach further to take this issue into consideration.

The Convener: So, this is another petition that we might want to leave on the short list of petitions that will be held over until the next session, as we think that there are issues here that we would like to be explored. We will defer a decision on whether to close it until we decide whether we feel that that is the appropriate route or whether a fresh petition would need to be submitted in the next session. Are our colleagues content with that suggestion?

Members *indicated agreement*.

Taxis (Mandatory Closed-circuit Television) (PE2209)

The Convener: That brings us to the final continued petition this morning, PE2209, which was lodged by Joanna Kerr, as was the previous petition that we considered. It calls on the Scottish Parliament to urge the Scottish Government to make CCTV mandatory in all taxis and private hire vehicles.

The Scottish Government's response to the petition states that, although the Scottish Government and the Scottish Parliament have responsibility for the overarching legislation, the day-to-day administration of the licensing regime is devolved to independent licensing authorities. The submission states that the licensing authorities—in this case, the 32 local authorities—have discretion to determine appropriate licensing arrangements for vehicles according to local needs and their own legal advice. That includes decisions in relation to the installation of CCTV in vehicles as a requirement of licensing. Therefore, the Scottish Government's position is that that is a matter more appropriately for individual licensing authorities to consider.

The submission notes that a task force on civic licensing is reviewing a range of licensing provisions, including provisions in relation to general taxi and private hire car licensing. It is expected that a report setting out recommendations will be presented to the Scottish ministers by spring 2026. Although the focus of the group is not specifically on CCTV, that issue might arise as part of its considerations.

Obviously, the issue is a matter for local licensing bodies, which are the local authorities. Do colleagues have any suggestions for action?

As there are no suggestions, I propose that we close the petition under rule 15.7 of the standing orders, on the basis that the Scottish Government's view is that it is more appropriately a matter for individual licensing authorities to consider. In any event, the committee has limited time ahead of it to consider the issue further.

Are colleagues content with that proposal?

Members *indicated agreement*.

The Convener: That concludes today's meeting.

Meeting closed at 11:08.

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