OFFICIAL REPORT
AITHISG OIFIGEIL

Citizen Participation and Public Petitions Committee

Wednesday 28 January 2026

Session 6

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Pàrlamaid na h-Alba

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CITIZEN PARTICIPATION AND PUBLIC PETITIONS COMMITTEE
3rd 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

CLERK TO THE COMMITTEE

Jyoti Chandola

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Citizen Participation and Public Petitions Committee

Wednesday 28 January 2026

[The Convener opened the meeting at 09:30]

Decision on Taking Business in Private

The Convener (Jackson Carlaw): Good morning, and welcome to the third meeting in 2026 of the Citizen Participation and Public Petitions Committee. The first item on the agenda is to decide whether to consider item 3, on our future work programme, in private. Are colleagues content to take that item in private?

Members *indicated agreement*.

Continued Petitions

Homeless Temporary Accommodation (Scottish Government Funding) (PE1946)

09:31

The Convener: Agenda item 2 is consideration of continued petitions. Many people may be joining us this morning who are monitoring the development and progress of their petition. At this stage in the parliamentary session, there is little option but for the committee to consider whether there is anything further that we can do to progress a petition in this session. Irrespective of the merits of a petition, we may feel that we have no option but to close it. When that is the case, we will identify to petitioners that there is an option for them to resubmit the petition at the beginning of the next session of Parliament, if they think that that is the appropriate course of action. That would allow the petition to be properly explored by the Parliament in the new session.

PE1946, which was lodged by Sean Anthony Clerkin, calls on the Parliament to urge the Scottish Government to use general taxation to pay all charges for homeless temporary accommodation, including writing off the £33.3 million debt that, at the time of the petition, was owed by homeless people to local authorities for temporary accommodation.

We last considered the petition in June 2025, when we agreed to write to the Minister for Housing. The Cabinet Secretary for Housing provided a response to the committee that highlights work being undertaken to better understand the costs, quality and value-for-money challenges around increasing the use of suitable temporary accommodation. The submission states:

> "Charges for temporary accommodation are a matter for individual councils, but councils must take into account what a person can afford to pay."

It notes that the Scottish Government is willing to work in partnership with others

> "to increase consistency in monitoring to improve transparency on charges and value for money."

Colleagues, do we have any suggestions for action in relation to the petition?

Maurice Golden (North East Scotland) (Con): More generally, there is an issue with homelessness that we would all want to be rectified. On the petitions that we are considering today, it might be worth highlighting for anyone listening that, if any committee member articulates what the Scottish Government is stating, that is not an endorsement of that statement. It should be

regarded as just a statement of fact and not a position of agreement or otherwise.

We should close the petition, under rule 15.7 of standing orders, on the basis that the Scottish Government has stated that there are no plans to pay for homeless temporary accommodation or waive outstanding debts. Furthermore, the Association of Local Authority Chief Housing Officers does not think that there is any case for the Scottish Government to take on the cost of funding temporary accommodation or write off existing arrears.

The Convener: That was a fairly direct response from those two bodies. Do colleagues agree with Mr Golden's proposal?

Members *indicated agreement*.

Damp and Mould (Remedial Work by Landlords) (PE2143)

The Convener: PE2143, which was also lodged by Sean Anthony Clerkin, calls on the Scottish Parliament to urge the Scottish Government to introduce legislation to require all private and registered social landlords to investigate and remediate damp and mould within specified timeframes and to high-quality standards.

We last considered this petition on 4 June last year, when we agreed to write to the Scottish Government. In its response, the Scottish Government reiterated its commitment to bringing Awaab's law into force in the rented sector in Scotland from March 2026. As recently as last week, the Government announced the introduction of the first set of relevant regulations. Subject to agreement by the Parliament, the Investigation and Commencement of Repair (Scotland) Regulations 2026 will require landlords to investigate reports of damp and mould and to start repairs within a set timescale.

However, the petitioner remains concerned that requiring homes to be only "substantially free" from rising and penetrating damp does not go far enough. He argues that a statutory framework should also define high standards for the remedial work that is undertaken by landlords in this area.

It does seem that the Scottish Government is making progress in this regard. Would members like to make any comments or suggestions for action?

Fergus Ewing (Inverness and Nairn) (Ind): As you said, convener, the Scottish Government has committed to implementing the core provisions that the petitioner has asked for, from March this year. It has also now announced the introduction of the first set of relevant regulations. Therefore, it would appear that the Scottish Government is committed to doing what the petitioner has asked.

We all probably know of or have helped constituents with severe cases, where their homes are riddled with damp. That is a ghastly situation for any individual to find themselves in. I hope that the petitioner will be satisfied that, although we are not yet there, a successful outcome is promised. In the light of what has been promised, I do not think that there is any more that we can do. I therefore suggest that, in the circumstances, we close the petition.

The Convener: Under rule 15.7.

Fergus Ewing: Yes.

The Convener: Are we content to close the petition?

Members *indicated agreement*.

Garage to Home Developments (Evaluation) (PE1985)

The Convener: The next petition is PE1985, which was lodged by Darren Loftus. It calls on the Scottish Parliament to urge the Scottish Government to commission an independent evaluation and provide national guidance on garages to homes developments.

We last considered the petition on 6 December 2023, when we agreed to consider it at a future meeting on the basis that the petitioner had at that point requested a deferral of consideration.

The Scottish Government's submission to the committee states that planning applications are determined in accordance with the development plan for the area unless material considerations indicate otherwise. The submission sets out that planning and building standards, although separate regulatory regimes, involve robust processes, which means that whether in the Scottish Borders or elsewhere, garages to homes developments will require planning permission.

The submission states that it would not be appropriate for the Scottish Government to comment on any proposals that have been made as planning applications to a council, or that might be made in the future, because that might prejudice the outcome of the decision-making process, should the case be notified to ministers.

The Scottish Government does not consider that there are any national implications of the garages to homes proposal in the Scottish Borders, and does not believe that a broader, independent evaluation is required, because there are long-standing processes for assessing and adjudicating on proposals of this nature.

The petitioner's submission refutes the Scottish Government's view that there are no national implications of the garages to homes proposal in the Borders. The petitioner states that he has

evidence that the Scottish Borders Housing Association hopes that its feasibility study and pilot could be rolled out nationally.

The petitioner's view is that an evaluation is required of garages to homes developments, as planning and building standards regulatory regimes do not allow objections on the grounds of social impact. His view is that an evaluation is required to consider issues such as social inclusion, disability rights and the proximity of amenities.

In the light of the Scottish Government's response, would members like to make any comments or suggestions for action?

Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab): I suggest that we close the petition under rule 15.7 of standing orders, on the basis that the Scottish Government does not believe that a broader, independent evaluation of garages to homes developments is required due to the existing planning and building standards regulatory regimes that are in place.

The Convener: Thank you, Mr Russell. Are colleagues content to close the petition on that basis?

Members *indicated agreement*.

Swimming Pools (Financial Relief) (PE2018)

The Convener: PE2018, which was lodged by Helen Plank on behalf of Scottish Swimming, calls on the Scottish Parliament to urge the Scottish Government to provide financial relief to help to keep swimming pools and leisure centres open.

We last considered the petition on 7 May, when we agreed to seek a chamber debate on the issues raised by it and to write to the Minister for Social Care, Mental Wellbeing and Sport. As colleagues will know, the debate took place on Tuesday 6 January, our first sitting day of this year. In opening the debate on behalf of the committee, I expressed my hope that the Cabinet Secretary for Health and Social Care would engage both with the idea of establishing a national swimming pool task force and with the introduction of a statutory duty to have swimming as part of the school curricula, as was advocated by our witnesses in the evidence session last April.

It was encouraging to see so many colleagues across the chamber echo our call for the establishment of a task force. The Cabinet Secretary for Health and Social Care seemed slightly less enthusiastic, although he suggested that he would give that further consideration. He indicated that sportscotland would continue to work with Scottish Swimming to explore the best options available to support and protect swimming pools.

Following that, on 13 January, the Cabinet Secretary for Finance and Local Government announced that the Scottish Government will offer free universal swimming lessons to primary school children as part of its summer of sport programme in 2026. In response to a question from me, the cabinet secretary said that the initiative would be for only one year. However, she subsequently issued a correction notice to the *Official Report* to indicate that the lessons would be permanently available, which I was delighted to hear.

We received submissions from Rachael Hamilton MSP and Beatrice Wishart MSP, who highlight the impact of pool closures in their constituencies. We also have an additional submission from our petitioner, who states that

"At the start of 2026, seven pools have been in the news threatened with the prospect of closure",

and that the situation is

"likely to worsen".

The petitioner therefore reiterates Scottish Swimming's call for a task force and additionally proposes that Scottish Swimming and sportscotland should be consulted on the closure of pools to help to ensure their protection as community assets.

Given that we have done a lot of work on it and made some progress on it, it strikes me that the issue might be best served by a fresh petition in the next parliamentary session. The asks could then be updated in the light of the Scottish Government's initiatives to date, and the consequence of those initiatives will have been seen. Do colleagues agree with that?

Fergus Ewing: I was there for the debate, and I listened to it. I remember you asking whether the swimming lessons would be offered every year or whether it was a one-off, convener. I remember that exchange—it was a palpable hit.

If the Scottish Government has promised to consider a working group, would it be worth while to write to the minister to ask whether that decision will be taken in this parliamentary session and, if so, what the decision will be? That might not prevent us from closing the petition, because we have probably gone as far as we can with it. However, in doing so, I wonder whether it might be useful to give the minister a prod. Heaven forfend the thought that the minister would just play for time, but others might perhaps suggest that he would.

The Convener: I propose closing the petition under rule 15.7, on the basis that the Scottish Government has committed to introducing a

universal offer of swimming tuition, that sportscotland will continue to work with Scottish Swimming, that the Scottish Government's view is that it is for local authorities to decide how funds are best allocated, and that we have probably raised issues as far as we can in this parliamentary session.

In closing the petition, we can write to the cabinet secretary indicating that he said in his contribution to the debate that we led in Parliament that he was open to considering a task force, that the committee remains very committed to that—as do the petitioners and others in the chamber who express an interest in such matters—and that it would be helpful to have some indication as to whether he believes that that consideration will lead to an outcome in this parliamentary session or the next.

Are colleagues content to close the petition on that basis?

Members *indicated agreement*.

The Convener: We thank Helen Plank and everybody who has contributed to what has been one of the really interesting petitions that we have considered in this session of Parliament. Certainly, the attention that we have given to it has raised awareness of the issue. That issue remains huge. I do not forget Duncan Scott asking us where the next generation of Olympic swimmers are going to come from if we do not have swimming pools for them to train in. I hope that, one way or another, the issue continues to have the profile that it deserves in the next session.

Fertility Treatment (Single Women) (PE2020)

09:45

The Convener: PE2020, which was lodged by Anne-Marie Morrison, calls on the Parliament to urge the Scottish Government to provide the same fertility treatment to single women as is offered to couples in the national health service so that they have a chance to have a family. When the committee last considered the petition, on 21 May, we agreed to write to the Minister for Public Health and Women's Health.

The response that we received states that, at a meeting of the national fertility group, Public Health Scotland provided a recap on the demand modelling that had been completed earlier in the year and provided further information on capacity and cost modelling. It states that subsequently it was agreed that the Scottish Government would consider commissioning Public Health Scotland to carry out capacity modelling on the expansion of in vitro fertilisation access criteria to include single people. Once that work is completed,

"the National Fertility Group would then need to schedule time to properly discuss the modelling implications and consider whether they would support a criteria change recommendation in the medium to longer term as an aspiration when health budgets could support the increase in funding this would require."

It further states that those

"conversations are likely to take place in early 2026."

In the light of that response, do colleagues have any suggestions for action?

Maurice Golden: Unfortunately, because the aims of the petitioner have not been acquiesced to as yet, the committee has no choice but to close the petition under rule 15.7 of standing orders, on the basis that the national fertility group is considering options for expanding NHS IVF treatment for single people—so at least there is a possibility of action from that. Beyond that group's work on IVF, the Scottish Government has not indicated that work to expand other fertility treatments to single people will take place.

The Convener: Are we content to close the petition on that basis?

Members *indicated agreement*.

The Convener: I urge the petitioner to contact her MSP after the election with a view to pursuing the Government with inquiries over the national fertility group's consideration of those options. If that does not lead to the progress that is hoped for, she could potentially submit a fresh petition to the next Parliament.

Victims of Domestic Violence (PE2025)

The Convener: PE2025, which was lodged by Bernadette Foley, calls on the Scottish Parliament to urge the Scottish Government to improve the support that is available to victims of domestic violence who have been forced to flee the marital home, by ensuring access to legal aid for divorce proceedings where domestic violence is a contributing factor, ensuring that victims are financially compensated for loss of the marital home, including loss of personal possessions and furniture that are left in the property, and ensuring that victims are consulted before any changes are made to non-harassment orders.

We last considered the petition on 21 May and agreed to write to the Minister for Victims and Community Safety. The response states that a series of "immediate reform actions" were to be implemented in 2025-26, with the aim of making it easier both for solicitors to work with legal aid funding and for users to access it. The minister also indicates that the Government was undertaking research on legal aid fees in 2025 in order to begin developing a future legal assistance system. The response reiterates that, based on

that work, relevant primary legislation will be introduced in a future parliamentary session.

Regarding non-harassment orders, the minister highlights that the Scottish Law Commission's aspects of family law project is focusing on a review of the civil remedies that are available for domestic abuse, which include civil non-harassment orders. At the time of the minister's response, that review was under way. The committee previously heard that, when an NHO has been made by a criminal court, the Crown Office and Procurator Fiscal Service proactively seeks the views of the victim when prosecutors make a decision about whether to oppose an application to revoke or vary the NHO.

We have also received a submission from the petitioner with a number of additional questions that she thinks should be addressed.

Given the stage that we are now at in the parliamentary session, with just four meetings remaining, do members have any comments or suggestions about action that we think we might be able to take?

Maurice Golden: My personal view is that the legal aid system is a farce and that the situation with regard to the petition is disappointing. Nonetheless, the committee has no choice other than to close the petition under rule 15.7 of standing orders, on the basis that the Scottish Government claims that it has taken some short-term actions to improve access to legal aid. Perhaps that claim should be tested.

The Government has also indicated that long-term work is being done to inform the development of legal aid reform legislation in a future parliamentary session. I would welcome the petitioner resubmitting the petition in the next session of Parliament to test that claim, too. Furthermore, the Scottish Law Commission is undertaking a review of the civil remedies that are available for domestic abuse. Again, that could be looked at in the next session. The Government has also said that it is the policy of the Crown Office and Procurator Fiscal Service to proactively seek the views of the victim when prosecutors decide whether to oppose an application to revoke or vary a non-harassment order.

The Convener: Are colleagues content that we close the petition on that basis?

Members *indicated agreement*.

The Convener: Given that a review is under way, there will be an opportunity to pursue the matter and to interrogate the Government on it in the next session.

Vulnerable People (Capacity) (PE2061)

The Convener: PE2061, which was lodged by Laura Johnston-Brand, calls on the Scottish Parliament to urge the Scottish Government to help to prevent coercion of vulnerable, frail and debilitated individuals by requiring solicitors to have a medical professional co-sign legal documents confirming the capacity of the individual.

We last considered the petition on 18 June, when we agreed to write to the Scottish Government. In its response, the Government states that, following the 2024 consultation on proposed changes to the Adults with Incapacity (Scotland) Act 2000, it concluded that additional time was required to ensure that any legislative proposals were robust and workable and would deliver the best outcomes. For that reason, the proposed bill was no longer included in the May 2025 legislative programme. The Government has set up an expert working group to develop the policy and the operational considerations to support future legislative change in the area, and a minister-led oversight group has been established to monitor and drive progress. Initial meetings were expected to take place in September 2025.

The Academy of Medical Royal Colleges and Faculties in Scotland previously highlighted concerns that requiring a medical assessment in all instances in which a potentially vulnerable person signs a legal document, rather than only in cases in which there is concern about their mental capacity, may prove burdensome, time-consuming and potentially more expensive for the individuals affected.

Members might also remember that Law Society of Scotland guidance states that, when a solicitor takes instructions from a client, they should be satisfied that the client has the capacity to give instructions in relation to the matter in question. The guidance further indicates that, if there is any doubt as to a client's capacity to instruct in a particular case, solicitors should seek input from an appropriate qualified professional.

Do colleagues have any suggestions for action?

Fergus Ewing: I recommend that we close the petition under rule 15.7 of standing orders, on the basis that, first, it is already best practice for solicitors to obtain medical opinion if there are doubts about a person's capacity; secondly, the evidence received by the committee suggests that mandating the proposed practice in all cases could become time-consuming, costly and burdensome; and, thirdly, the Scottish Government has suggested that additional time is required to develop workable legislative proposals to reform the Adults with Incapacity (Scotland) Act 2020 and

has set up a working group. I think that the Scottish Government's response was provided in response to a request that I made during our previous consideration of the petition that it should provide an explanation of why the proposal to introduce legislation had been withdrawn.

To be fair, the Government has been quite candid in its reply, in which it states that this is an area not without complexity and that a number of different problems have been identified and views expressed in response to a consultation that was undertaken, but that it is not yet ready to provide robust legislation that is practical when it comes to the implications of obtaining medical opinion in such circumstances. I wanted to add that because the petitioner and those who supported her have done a good job at focusing attention on the issue, which is plainly very complex.

I recall the petitioner's circumstances: her father was taken advantage of by a solicitor who was, as a result, fined for misconduct. The petitioner had a very bad experience, but hard cases can sometimes make bad law. I hope that the petitioner recognises that, to be fair, the Government is giving the matter the serious consideration that it deserves. I hope that, in the next parliamentary session, the Government might consider it anew, not least because—there might be different views about this—the Assisted Dying for Terminally Ill Adults (Scotland) Bill, if it is passed, might multiply the complexities of such issues.

The Convener: On that basis, we propose to close the petition under rule 15.7. I recall the previous discussion that we had on the petition, which raises important issues that came out of a difficult circumstance. The fact that the Government is reviewing the issue and that it has had to undertake further review illustrates the complexity of the issues involved. Are we content to close the petition at this stage on that basis?

Members *indicated agreement*.

Prostate Cancer (Screening Programme) (PE2062)

The Convener: PE2062, which was lodged by Bill Alexander, calls on the Scottish Parliament to urge the Scottish Government to introduce a national screening programme for prostate cancer. We last considered the petition on 27 November 2024, when we agreed to write to the Cabinet Secretary for Health and Social Care and the United Kingdom National Screening Committee, which has opened a consultation on prostate cancer screening that closes on 26 February.

The consultation seeks feedback on a 2025 modelling study and on a draft recommendation for action. The modelling study considered whole-population screening and found that screening all men in the UK, regardless of their risk profile, might lead to a small reduction in the number of deaths from prostate cancer but would result in substantial overdiagnosis. That means that many men would undergo treatment that they did not need, due to screening identifying a cancer that would not have caused symptoms of death. The study set out that whole-population screening would be likely to do more harm than good.

The UK National Screening Committee's draft recommendation is that population screening should not be recommended as a course of action. The cabinet secretary's response to the committee highlights the detect cancer early campaign, which aims to reduce fear of cancer and to empower those with possible symptoms to act early. In parallel with the campaign, a roadshow has visited communities in Scotland to reinforce key messages with the target audience.

Douglas Ross was recently able to ask the First Minister a question about the Government's decision on prostate cancer screening. As we know, a very high-profile campaign has been led by figures such as Sir Chris Hoy and the former Prime Minister David Cameron, among others, about the potential benefits of screening. The First Minister said that he was open to further considering the issue.

Following the exchange that the First Minister had with Douglas Ross in the chamber, I wonder whether the committee would be content to write to the First Minister to say that we would be interested to hear what further consideration has been given to all that, given the high-profile campaign that has been led by many significant people in Scotland, and given the on-going concern that prostate cancer is one of the key men's health issues that remains unresolved, despite the potential ability for early diagnosis to save lives. In that light, we might consider adding PE2062 to the list of petitions to keep open. Do colleagues have any thoughts?

Davy Russell: Bearing in mind that prostate cancer is one of the biggest killers of men, the petition deserves further consideration.

The Convener: I propose that we write to the First Minister following his exchange with Douglas Ross and potentially add PE2062 to the list of petitions that we might consider, because there is a small list of around half a dozen petitions to be bequeathed to our successor committee. Do members agree?

Members *indicated agreement*.

Proceeds of Crime (Funding for Charities) (PE2107)

10:00

The Convener: PE2107 is about using more of the money that is recovered from the proceeds of crime to support community-based charities that train animals to assist in the detection of drugs. The petition was lodged by Kevin Craigens on behalf of the Shetland Times Ltd. It calls on the Parliament to urge the Scottish Government to direct more public funding that is recovered through the Proceeds of Crime Act 2002 to support charities such as Dogs Against Drugs, which are vital to their communities and play an integral part in the seizure of drugs and criminal assets.

We considered the petition at some length on 18 June last year, and we agreed to write to the Scottish Government because we wanted to get some clarity on the specific work that has been done to improve grant-making practices.

The Government explains that it established a dedicated grants capability and assurance team at the end of 2023, which has since created a grant improvement group that brings together key stakeholders from across the Government to co-ordinate improvements in grant policy and operations. The Scottish Government further explains that its fairer funding pilot provides two-year funding to third sector organisations and that it has prioritised those that deliver front-line services and tackle child poverty. The pilot is expected to run until 2027. The Government commits to the delivery of an interim assessment by May 2026 in order to identify the pilot's impact and potentially build the case for further multiyear funding arrangements.

None of that seems to me to be terribly helpful to Dogs Against Drugs or the Proceeds of Crime Act 2020 funding. What do colleagues think?

Maurice Golden: I am cheering this petition on, as are, I am sure, all the beagles, bloodhounds, Labradors, shepherds, terriers and springer spaniels, who ultimately, to use the old adage, reap what we sow. It feels as if some of those excellent companions are not receiving what they should for the value that they clearly put into society.

However, given where we are in the current parliamentary session, and despite my personal views, I think that the committee has to close the petition at this stage under rule 15.7 of standing orders on the basis that, first, the Scottish Government's current priority for the fairer funding pilot is to provide funding to third sector organisations that focus on front-line services and child poverty. That could potentially be expanded, as the petitioner suggests. Secondly, the Scottish Government intends to deliver an interim assessment of the pilot by May 2026 to potentially build the case for further multiyear funding arrangements. As a result of that, if there is to be any progress in this area, it will have to be in the next session, with a new petition.

Fergus Ewing: If I may say so, Mr Golden has been pursuing this issue doggedly, a bit like a bloodhound. He gave a comprehensive list of the various types of dogs that are involved.

Seriously, however, the petition is an interesting one. It asks for money for a very worthy cause—namely, to support the use of sniffer dogs in tracing drugs. I recall from my experience in the mountain rescue team that one dog was 20 or 30 times more effective than a human in tracing a missing person because of their sense of smell and their swiftness. They have a tremendous ability to do that.

Irrespective of where the money comes from, the use of dogs would seem to be an extremely effective way to recover illicit drugs and cash, as the petitioner, Mr Kevin Craigens on behalf of the Shetland Times Ltd, said, and as Beatrice Wishart enthusiastically argued on 18 June.

I do not think that we can take the petition any further but, in closing it, I wonder whether we might write to the Government to say that, irrespective of how funding is found for the purpose—whether it is through the proceeds of crime, which has a certain symmetry about it, or by other means—it is a very worthy cause, and to ask whether the Government is going to do anything at all about it.

I thought that the Government's response was studiedly evasive and unhelpful—unnecessarily so, because it seems to be an obviously good idea and an effective practice. It is surprising that it has not been, to use an ugly phrase, rolled out southwards beyond Shetland.

The Convener: From the response, it was almost as though we were asking for free lawnmowers to cut grass or something. I thought that the response fell well short of the importance of the issue that underpins the petition, which deserves slightly more direct attention. I am quite happy to write to the Government, although we will no doubt be accused of making funding requests for the budget without identifying sources. In this instance, however, we would be identifying a source, because we would be saying that the proceeds of the drugs should be directed to the charity.

I note that the Scottish Government intends to have completed an assessment by May 2026. We could write to the Government to indicate that we have closed the petition and that we thought that, frankly, the response was a bit short and that the

issue deserves greater merit and attention. In addition, we could say to the petitioner that, in the light of the fact that there is to be an assessment by May 2026, there would be an opportunity for the committee in the next parliamentary session to consider a fresh petition on the basis of the outcome of the review. We could suggest that the petitioner pursues the fund more directly at that time.

Are colleagues content with that suggestion?

Members *indicated agreement*.

Children (Automatic Expulsions) (PE2139)

The Convener: PE2139, which was lodged by Maria Giordano, calls on the Scottish Parliament to urge the Scottish Government to introduce automatic expulsion for children who have been charged on suspicion of committing a crime against another child. We last considered the petition on 23 April 2025, when we agreed to write to the Convention of Scottish Local Authorities, Connect, the Children and Young People's Commissioner Scotland, Together: the Scottish Alliance for Children's Rights, and the Scottish Youth Parliament.

Connect's response states that it does not feel qualified to comment on the petition in detail. It notes that parents' views are not homogeneous and that there will, therefore, be many different opinions on a challenging subject.

COSLA's response highlights the national approach, getting it right for every child, and notes that it is rooted in the United Nations Convention on the Rights of the Child. Its response acknowledges that the scenario that is set out by the petition is an example of the complexities that can arise when the rights of different children are in conflict. COSLA states that those circumstances demand a considered, thoughtful, skilled and multi-agency response in order to navigate a way forward. It notes that the petition calls for a sanction to be applied to a child before any due process under the judicial system has taken place, and it agrees with the position that has been articulated by the Scottish Government, which is that employing a policy of automatic exclusion without considering the individual circumstances of each case would not be helpful.

The clerks have confirmed that we did not receive a response from the Children and Young People's Commissioner Scotland, which I believe is unacceptable. The commission is an expensive additional level of government that the Parliament is required to fund, and it ought to have the courtesy to make a submission in response to a petition when requested. I would like to write to the Children and Young People's Commissioner Scotland to express the Parliament's dissatisfaction that a body that is funded by the Parliament was unable to respond on an important public policy issue. Notwithstanding that, do colleagues have any suggestions for action?

Fergus Ewing: Again, in view of the limited time that is available to us in the session—substantially because of that—we should close the petition under rule 15.7 of standing orders. The Scottish Government's position is that it would not be lawful to employ a policy of automatic exclusion without considering the individual circumstances of each case. It has no plans to change the law on exclusions, and the committee has undertaken detailed work on the broader issues relating to violence among young people. Plainly, nothing will change between now and 8 April—that is a matter of fact. In saying that, as Mr Golden said earlier, I am not supporting a review.

Indeed, I am bound to reflect that, in the individual circumstances to which our attention was drawn, the person accused of rape and the alleged victim were in the same class. If that is the case, anybody can understand that that is an extremely difficult circumstance. I thought that COSLA's response was very general, whereas the issue raised by the petitioner was very specific, and it is difficult to generalise from a specific case. I do not think that the petitioner's case has been answered properly by COSLA, the Scottish Government or anybody else.

It is a very difficult area indeed, and I do not pretend that I have a magic solution, but I do not think that the issue is going to go away. It is rare that much time passes without the issue of violence in the classroom being raised in the chamber—it is raised very frequently.

The Convener: Would you prefer that we left this petition as one that we might consider on our shortlist of petitions to be carried forward?

Fergus Ewing: There is a case for doing that, but it is up to the whole committee.

If I were the petitioner and in the circumstances that have been described, which I have alluded to briefly, I would be very unhappy with COSLA's response. Indeed, by highlighting the United Nations approach and getting it right for every child—GIRFEC—the COSLA response is almost like a moral lecture that says that people who agree with the petition do not have the right attitude. The United Nations is a hell of a long way from the classrooms that we are talking about. When we are dealing with children, it is a very difficult area, but, nonetheless, I stress that it is an issue of growing concern around the country to parents, children and, frankly, everybody.

The Convener: What are the committee's thoughts? I do not really feel that we have been

given much information. But for the fact that this parliamentary session is about to conclude, we might have considered taking evidence to advance this petition. There is an argument for putting it on the shortlist of petitions that we might consider holding open. Are we content to hold the petition open at the moment and to see whether it is one that we recommend leaving open for the successor committee to take forward? I do not think that the aims of the petition will have become obsolete in the interim, and, as we might have been inclined to take evidence, it is possible that a successor committee might very much wish to do so.

Fergus Ewing: The Scottish Government's first argument, that a policy of automatic exclusion would not be lawful because it would need to consider every case, is fair enough. I have no doubt that that is true, and it is almost certainly true legally. However, the reframing of the aim could be that there should be a presumption that automatic exclusion would be appropriate in extreme circumstances, such as the one that I mentioned. I do not think that that would risk breaching the law, but I am thinking out loud here.

The Convener: That argument could be tested in evidence as well.

Fergus Ewing: Yes.

The Convener: We have an option. Which do we prefer to do?

Fergus Ewing: Hold it open.

The Convener: Do members agree with that suggestion?

Members *indicated agreement.*

The Convener: We will add PE2139 to the shortlist of petitions that we would like to consider carrying forward.

Psychoeducation for the Neurodiverse Community (PE2141)

The Convener: PE2141, lodged by Luis Robertson, calls on the Scottish Parliament to urge the Scottish Government to support the neurodiverse community by providing funding for psychoeducation. The petition calls on the Parliament to urge the Scottish Government to improve the support that is available to the neurodiverse community by providing fully funded psychoeducation and sensory aids that allow for greater community integration pre- and post-diagnosis.

We last considered the petition on 21 May 2025, when we agreed to write to the Scottish Government. The Scottish Government states that it does not currently have any plans to use existing frameworks to subsidise or distribute sensory aids. The response that we received points to a number of established funding frameworks that can be used by existing providers of either psychoeducation or sensory aids to deliver those products and services. The Government illustrates that with a project run by Home-Start Caithness, which used part of its funding to provide sensory aids for autistic parents for use during childbirth.

Additionally, the Government states that health boards and local authorities can choose to invest in services that integrate the provision of sensory aids with psychoeducation services delivered by neurodivergent individuals, should that be considered to meet the needs of their service users.

Do members have any comments or suggestions for action?

10:15

Maurice Golden: I am sympathetic to the aims of the petition, but, ultimately, as you have highlighted, the committee has no choice but to close the petition under rule 15.7 of standing orders, on the basis that, primarily, the Scottish Government does not plan to subsidise or distribute sensory aids. Furthermore, the Scottish Government has indicated that existing funding frameworks can be, and have been, used by existing providers of psychoeducation and sensory aids to deliver those services. Finally, local authorities and health boards may additionally choose to fund relevant services based on user needs and, in addition, based on their available budgets, which is a critical point in all this.

The Convener: In the circumstances, are members content with that?

Members *indicated agreement*.

Child and Adolescent Mental Health Services (Transition) (PE2148)

The Convener: PE2148, which was lodged by Heather Stitt, calls on the Parliament to urge the Scottish Government to improve the transition from child and adolescent mental health services to adult mental health services by ensuring that national referral guidelines and criteria are adhered to.

We last considered the petition on 21 May, when we agreed to write to the Minister for Social Care, Mental Wellbeing and Sport. The response, from the Minister for Social Care and Mental Wellbeing, highlights the transition care plan templates, guidance and protocols, which were developed alongside CAMHS and the Scottish Youth Parliament. The plan was developed in collaboration between volunteers and members of the Scottish Youth Parliament. MSYPs, as part of

a mental health steering group, worked with NHS chief executives and chief officers of integration joint boards to seek to ensure that they were aware of the transition protocols and were using them in the manner intended.

The submission states that initial feedback from NHS boards on the implementation of the plans in 2019 noted that they were being implemented to varying degrees. There was also feedback that the documents were easy to use and allowed for a clear central contact for the young people during their transition. The minister states that he will write to all boards to ask that they continue to review their work in the area and identify areas of improvement to support local needs.

Do colleagues have any suggestions for action?

Davy Russell: We should close the petition under rule 15.7 of standing orders, on the basis that CAMHS, the Scottish Youth Parliament and the Scottish Government worked to develop transitional care plan templates, guidance and protocols to support young people's transition to adult mental health services, and that the minister has committed to writing to health boards to ask that they continue to review their work in the area and identify areas of improvement to support local needs. Also, the committee has limited time remaining to progress the petition.

The Convener: Colleagues, in the light of the Government's response and its commitment to write to health boards, and given the chances of our being able to advance the petition in the time left in this session of Parliament, are we content to support Mr Russell's recommendation?

Members *indicated agreement*.

E-cigarettes (Cessation Support) (PE2155)

The Convener: PE2155, which was lodged by Daniel Taggart, calls on the Parliament to urge the Scottish Government to improve support for people trying to give up e-cigarettes and vaping by expanding access to nicotine replacement therapy and stop-smoking medications to include e-cigarette users and vapers. We last considered the petition on 18 June 2025, when we agreed to write to the Minister for Public Health and Women's Health. We wanted to get a bit more clarity on what steps the Scottish Government is taking to increase support, as well as awareness of support, for those trying to quit e-cigarettes and vapes, with a particular focus on young people.

The minister's response points to the tobacco and vaping framework of 2023, via which the Government is committed to improving information on vapes and to increasing awareness of avenues for support with stopping vaping or smoking. The minister highlights a number of actions that have either already been taken or are to be taken over the next two years, although those are mostly focused on prevention rather than increasing support for those who are already using e-cigarettes and vapes.

Colleagues, do we have any suggestions for action?

Davy Russell: We can see the amount of young people who are using vapes—if you walk past a school, you can see that their use is widespread. Part of the problem is that they come in all these lovely flavours, including strawberry and vanilla—you name it. When you walk by somebody who is vaping, you might think, "That smells quite nice." That is how people get started on vapes, but getting them off them is much harder, so we need to address the root problem first. That is just a passing comment.

The Convener: I have been a member of the petitions committee, in various parliamentary sessions, long enough to remember the advent of vapes, which were, at the time, considered positively as providing a route to get people off hard tobacco. That was quite a successful initiative, but I do not think that anybody necessarily anticipated the massive growth in the use of vapes as an attraction in their own right, as opposed to their being a device to get people off hard tobacco.

As you said, vapes have now become incredibly prevalent, and they come in an assortment of flavours. Occasionally, I have asked someone what the flavour of their vape was, and they have said that it was mango, passion fruit or goodness knows what else. There are more flavours of vapes than there are flavours of ice cream nowadays.

I am not quite sure where we can take things.

Maurice Golden: As colleagues and the petitioner have suggested, vaping more generally is now a major crisis that we face not just in Scotland but across the UK. As the convener said, vapes were initially introduced as a cessation tool, but the position has changed for the next generation of those growing up—in many schools in Scotland, the use of vapes is commonplace, including in toilets, and it is considered to have no risk. There are wider implications relating to access to vapes, particularly for under-18s, and to the flavours—I presume that unicorn flavour and other such flavours are not targeted at over-18s.

Lots of work will need to be done in this area, including what the petitioner has suggested, by the committee in the next parliamentary session. There are two categories of actions. The first relates to cessation tools for people to go from tobacco to vapes or nicotine-based products such as patches. I think that the issues should be

considered in the round when such a petition comes our way.

There is potential for the committee to keep the petition open, but my preference is for a new petition to be lodged and for the new committee to consider the wider issues rather than just the specific issue that is raised in the current petition. Therefore, I think that the committee should close the petition under rule 15.7 of standing orders, for the reasons that colleagues have highlighted and on the basis that current NHS guidance states that users of nicotine-based products should be able to access licensed smoking cessation products and that users of non-nicotine e-cigarettes and vapes can be referred to non-pharmacy specialist smoking cessation services. The reality is that I would be shocked if many of the children who are currently using vapes in schools across Scotland are accessing said services.

The Convener: The health committee in the next parliamentary session could also consider the issue, which has definitely grown over the lifetime of the Scottish Parliament. I do not think that a proper holistic view has been taken. I am not in a position to say what harms, if any, are caused by vaping in the way that I could for wider tobacco products, so I do not want to presume anything. However, it is the case that the prevalence of public vaping among young people is now widespread.

Are colleagues content with Mr Golden's suggestion that we close the petition?

Members *indicated agreement*.

The Convener: That concludes the public part of our meeting. We will next meet on 11 February.

10:24

Meeting continued in private until 10:26.

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