OFFICIAL REPORT
AITHISG OIFIGEIL

Citizen Participation and Public Petitions Committee

Wednesday 25 February 2026

Session 6

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Wednesday 25 February 2026

CONTENTS

	Col.
CONTINUED PETITIONS	**1**
Unborn Victims of Violence (PE1887)	1
Paediatric Cancer Diagnostics (PE2193)	3
Fatal Accident Inquiries (Deaths Abroad) (PE2085)	6
Detainees in Custody (Access to Medication) (PE1900)	11
Child Protection (Public Bodies) (PE1979)	13
Concessionary Bus Travel Scheme (Asylum Seekers) (PE2028)	15
RAAC-affected Communities (PE2113)	16
Flood Risk Management (PE2118)	18
Horses' Tail Hair Removal (Ban) (PE2130)	22
Scottish Public Services Ombudsman (Neurodivergent People) (PE2161)	22
Functional Neurological Disorder (PE2165)	24
General Teaching Council for Scotland (Abolition) (PE2170)	26
School Meals (Ultra-processed Food Ban) (PE2173)	27
Latex Labelling for Food Products (PE2178)	29
Use of Digital Material in Court Proceedings (PE2185)	30
National Entitlement Card Scheme (Ferry Travel) (PE2188)	33
Early Sexual Offences (PE2196)	34

CITIZEN PARTICIPATION AND PUBLIC PETITIONS COMMITTEE
5th 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 25 February 2026

[The Convener opened the meeting at 09:30]

Continued Petitions

The Convener (Jackson Carlaw): Good morning, and welcome to the fifth meeting in 2026 of the Citizen Participation and Public Petitions Committee. This might be our penultimate meeting, depending on the progress that is made on our legacy report at a subsequent gathering.

In view of that fact, I must be honest and say that at this stage in the session there is very little that we can do, and that we are between a rock and a hard place in terms of our ability to take petitions any further. In some instances, we will close petitions, not because we do not believe that they are still substantive and with merit but because, if we keep them open and the committee in the next session chooses to close them, there will then be a 12-month embargo before the issue can be raised again. It might suit the aims of the petitioner to be able to simply relodge the petition at the start of the next session, which will allow the petition to be aired immediately by the new committee.

There are a handful of petitions that we will be minded to keep open. The criterion that we have to think about is whether the original asks and narrative of the petition are still current. If a petition has been open for a long time, events have moved on and its original underpinning is somewhat dated, it would not be helpful to keep it open until the next session of Parliament, and a fresh petition that brings the narrative up to date would be better.

In some instances, we have been exploring areas of evidence that remain unresolved, and we would look to potentially keep those petitions open for the new committee to look at. When I say that a handful will be kept open, I mean that, of the 120 petitions that were open at the start of the year, between six and 10 will be kept open. It is a very small list that we can bequeath to the subsequent Parliament that will be elected.

Our first item today—indeed, it is our entire business today—is the consideration of continued petitions.

Unborn Victims of Violence (PE1887)

The Convener: The first continued petition is PE1887, which was lodged by Nicola Murray. It calls on the Scottish Parliament to urge the Scottish Government to create an unborn victims of violence act with a specific offence so that courts are enabled to hand down longer sentences for perpetrators of domestic violence that causes miscarriage. We last considered the petition on 3 May 2023, when we agreed to seek a chamber debate on the issues raised in the petition, and that debate was held on 2 May 2024.

Before we begin consideration of the petition, I point out that, as members of the committee and those following the petition might be aware, since we last considered the petition and since that committee debate, the petitioner has been convicted of offences following a court case. That being said, the ask of the petition remains important, and this morning the committee will decide what action it wishes to take in relation to the action that is called for in the petition.

Since the committee debate, the Cabinet Secretary for Justice and Home Affairs has provided two written submissions to the committee. The first of those, which was in July 2024, states that she has asked officials to progress discussions with justice partners to develop policy for how a statutory aggravator for causing miscarriage through acts of domestic abuse could operate. The submission also notes that the Scottish Sentencing Council is considering the issues that are raised in the petition in so far as they relate to sentencing and in the context of the new draft guidelines that are being developed.

The second written submission from the cabinet secretary states that discussions have taken place with a focus on the potential to develop a statutory aggravator for causing miscarriage through acts of domestic abuse and how it could operate in practice.

There has been progress on the aims of the petition, about which we heard some fairly disturbing evidence early in the lifetime of this session. Do colleagues have any suggestions as to what we might now do?

David Torrance (Kirkcaldy) (SNP): In the light of the evidence before us and the Scottish Government's commitment, I wonder whether we should consider closing the petition under rule 15.7 of standing orders, on the basis that Scottish Government officials have been progressing discussions with justice partners on the potential development of a statutory aggravator for causing miscarriage through acts of domestic abuse and how such an aggravator could operate in practice. I note to the petitioner that, if new guidance is not introduced, a new petition could be lodged in the next parliamentary session.

The Convener: Are colleagues content to close the petition?

Members *indicated agreement*.

Paediatric Cancer Diagnostics (PE2193)

The Convener: In order to facilitate a number of people in the public gallery, I will reorder the petitions for consideration.

PE2193, on addressing dangerous delays in paediatric cancer diagnostics, was lodged by Avril Arnott. It 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—we heard some difficult evidence on that—and undertake a formal review of paediatric diagnostic delays in Scotland in order to identify systemic failures and implement change.

We previously considered the petition on 21 January, when we agreed to write to the Scottish Government and the Royal College of Paediatrics and Child Health. We asked for views specifically on the second point of the petition: a requirement for clear accountability and follow-up when a paediatric cancer referral is downgraded or delayed.

As colleagues will remember, the petition was prompted by the tragic passing of Isla Sneddon after she was repeatedly referred and downgraded in her medical assessments on account of her young age.

In its response, the Royal College of Paediatrics and Child Health argues that missed opportunities for early intervention, which can lead to irreversible harm,

"are not only a service challenge but a clear children's rights issue.

It states that the United Nations Convention on the Rights of the Child makes timely, appropriate and accessible healthcare an obligation, not just an option.

We received a comprehensive response from the Cabinet Secretary for Health and Social Care after he held a meeting with Isla's parents. The response highlights that

"the Centre for Sustainable Delivery is currently reviewing supporting guidance for the Scottish Referral Guidelines (SRG) for Suspected Cancer."

The guidance clarifies that,

"if a referral is regraded, then a communication should be sent to the referring clinician with explicit reasons for this and considerations for next steps in care."

Colleagues will be aware of the introduction in NHS England of Jess's rule, which encourages primary care clinicians to rethink a diagnosis if an individual presents three times with the same symptoms or concerns. The cabinet secretary tells us that he has instructed his officials to liaise with the United Kingdom Department of Health and Social Care to explore how the rule is implemented in England and how a similar rule could be introduced in Scotland.

The cabinet secretary's response reminds us of actions that the Scottish Government has taken on some of the other issues that the petition raises, and we were quite content to hear about them when we last considered the petition. The actions include updating the SRG for children and young people last summer and providing a primary care cancer education platform for primary care clinicians. As we heard previously, the Scottish Government expects the managed service network for children and young people with cancer to initiate local board escalation procedures in cases of systemic issues. The cabinet secretary also confirmed that the clinically led review of the current cancer waiting time standards will specifically include paediatric and teenage and young adult cancers.

That means that we have advanced matters considerably in so far as we are able to in this parliamentary session.

Jackie Baillie, who has an interest in the petition, is with us this morning. Jackie, is there anything that you would like to add?

Jackie Baillie (Dumbarton) (Lab): I will add just a couple of things. I, too, note that members of Isla's family have joined us in the public gallery. You are correct to say that they met the Cabinet Secretary for Health and Social Care. It is fair to say that considerable progress has been made, and I pay tribute to Isla's family for pursuing the matter, but the work is not quite yet complete.

I know that the committee is keen to close petitions, but I feel the need to put on the record that we are talking about a number of on-going reviews and that we do not yet have final changes to practice across Scotland in relation to the diagnosis of cancer among children and young people.

It may well be that the family choose to bring back their petition in the new session of Parliament, depending on what happens on 7 May, to make sure that this is finally concluded, but I acknowledge the progress that has been made because of their campaigning and their interest in this issue. Thank you, convener.

The Convener: Thank you. You have summed up the horns of the dilemma on which the

committee rests. Is this a case of a petition that we should keep open or a petition that should be closed now but brought back in the new session of Parliament to monitor the actions that are allegedly being taken forward and anything else that remains outstanding? I defer to colleagues.

Maurice Golden (North East Scotland) (Con): It is a dilemma for the committee because the process has not concluded. All we have to offer the petitioner from the Scottish Government is potential, in the form of a series of reviews and considerations, which may or may not yield the results that the petitioner wants. It is difficult to see how we can adequately conclude on the basis of that.

Nevertheless, I think that the best outcome for the petitioner is to close the petition under rule 15.7 of standing orders and then allow the petitioner—if, heaven forbid, these reviews do not yield the results—to come back with a petition that is specifically targeted at the remaining asks. That is probably the best way forward because—we would hope—there should be some movement in terms of the various reviews and considerations that are going on.

The Convener: Thank you. Do any colleagues have anything further to add?

Fergus Ewing (Inverness and Nairn) (Ind): I think that the family, ably assisted by Jackie Baillie and others throughout, have done a great thing in the circumstances, which are absolutely tragic in respect of their daughter. The health secretary met the family and provided a written submission as recently as 6 February, which is not only very detailed but indicates that progress has been made in dialogue with the UK about introducing something similar to Jess's rule, where someone presenting three times should be recognised and treated and not downgraded in the way that tragically happened in their daughter's case. Secondly, six rapid cancer diagnostic services are being established. I wonder whether that progress would have happened had it not been for the work of the petitioner and the deliberations of this committee.

That progress means that, if the family or others wished to pursue a new petition, the aim would be slightly different—it would not be to start climbing the hill but to get to the summit, where they nearly are now, if you see what I mean. Therefore, the reframing of a petition in the new session of Parliament could focus on and acknowledge the progress that has been made, rather than fight that part of the battle that has already been won.

Although I think that Mr Golden is correct in saying that the petition can be closed today, it can be closed with honour, having had considerable success, and within sight of the summit, in metaphorical terms. It would be simple for the family to submit a new petition, assisted by Ms Baillie, assuming for the moment that she is back with us in the next session of Parliament.

The Convener: I would not bet against it.

Fergus Ewing: I would not bet a penny against it either.

For all those reasons, I think that closing the petition is not a defeat—it is a victory for the family, because they have achieved great things. I hope that they can understand that, with a couple of weeks to go, we are not practically going to be able to do anything else. However, this has been a success by them, for which Scotland should be grateful.

The Convener: Thank you Mr Ewing; I think that the whole committee can agree with that. While there is still life in the current parliamentary session, we might have wanted to see a little more progress, but we would probably have come to the same result. I therefore thank the petitioners and echo everything that Fergus Ewing has just said. Progress has been made, and we can be pleased that that is the case. That is entirely down to the pressure that has been brought, not just through the raising of the petition but by all the work associated in promoting its aims and the meeting with the cabinet secretary.

I take it that colleagues therefore agree that we will close the petition at this point, in the expectation that focus on the issue will not be lost and it will come back to us in the new parliamentary session, reframed to ensure that the aims are met. Are colleagues content to close the petition on that basis?

Members *indicated agreement*.

Fatal Accident Inquiries (Deaths Abroad) (PE2085)

09:45

The Convener: I am going to change the order again and bring us to PE2085, which was lodged by David Cornock, and calls on the Scottish Parliament to urge the Scottish Government to introduce a statutory definition of residency for fatal accident inquiries into deaths abroad. We last considered the petition on 12 November 2025, when we agreed to write to the Cabinet Secretary for Justice and Home Affairs, the Lord Advocate and the chief constable of Police Scotland.

The Lord Advocate's response confirms that she has met the petitioner and, as a result, a number of improvements have been made to communication with relatives who are affected by deaths abroad. The Lord Advocate states that she does not consider that the lack of a formal

definition adversely affects the Crown's decision making. Her submission also states that whether the person was ordinarily resident in Scotland will be clear from the initial information that was provided and that, for example, when a person has been living and working abroad outwith Scotland for many years, it is likely that they would not be considered to have been ordinarily resident. If there is uncertainty about the residency status of the person who has died, the Crown Office will instruct further inquiries to obtain information that will allow a determination to be made.

The Lord Advocate also notes that a minute of agreement was finalised with the death certification review service and Police Scotland that updated the process for reporting and investigating deaths abroad. The minute includes detailed guidance on the facts to be considered when assessing whether a person was ordinarily resident in Scotland at the time of their death, with reference to relevant case law.

The cabinet secretary's response to the committee reiterates the Scottish Government's position that creating a legal definition of "ordinarily resident" would not resolve the underlying challenges or improve outcomes for families. The cabinet secretary also states that she is aware of comparisons with the coroner system in England and Wales, but that it is important to note that the inquest system of England and Wales operates under a different framework. While the processes differ, both jurisdictions face similar practical obstacles in investigating deaths abroad.

The deputy chief constable's submission states that the assessment of residency status is always important and that when Police Scotland is instructed to undertake further inquiries, it will seek to explore the case fully with the family to provide sufficient information to assist the determination. He also reiterates that Police Scotland's view is that the current definition of "ordinarily resident" is sufficient.

The petitioner has provided a written submission that argues that the recent responses are ill-informed and dismissive to the 1,000 families who are affected and he reiterates his concern that no FAIs into deaths abroad have taken place, which, he believes, proves that the bar is impossibly high.

We have also received written submissions from members of the Scottish Parliament Jackie Baillie and Michael Marra, who have previously addressed the committee on the petition. Ms Baillie's submission states that it is unthinkable that a parent should be left without options to establish why their child died in unexplained circumstances, even while abroad, when they are a UK citizen. Ms Baillie believes that the system in Scotland appears to lag behind that of England and Wales, and Michael Marra's submission asks the committee to keep the petition open and highlights the petitioner's tireless campaigning on the issue.

The committee has received unsolicited written submissions from two individuals, Mr Billy Milligan and Mr Dave Scott. Mr Milligan's submission states that the absence of a statutory definition has produced uncertainty, inconsistency and injustice. He asserts that such uncertainty is not an academic quibble because it affects workers and families in Scotland's globally enlarged economy.

Mr Scott, who is an offshore energy industry representative, expresses disappointment that this area of legislation regularly fails the Scottish people.

Finally, the committee has received an unsolicited written submission from Victim Support Scotland, which states that the support that it can offer bereaved families relies entirely on strict referral processes and requires criminality to be confirmed by the relevant authority. This means that deaths occurring either in Scotland or abroad where no criminality has been found, and which are unexplained or suspicious, or involve suicide or a road traffic accident, do not form part of its remit or funding agreement. The submission states that it would appear that there is a gap in support. Therefore, the onus is on families to investigate, challenge, query and understand complex international legislation, all at their own financial and time cost, while grappling with grief and trauma.

Jackie Baillie, would you like to add anything to what you set out in your written submission?

Jackie Baillie: Thank you for giving me permission to speak, convener. I would like to add a couple of things.

You will know that the issue has been raised not only in the Scottish Parliament but in the United Kingdom Parliament, by Dave Doogan MP and now Douglas McAllister MP. There has truly been a cross-party effort on the petition, and Mr Cornock has met the Lord Advocate, as you said, and the First Minister.

Although you are right to say that the process has been helpful and has led to changes, including the minute and guidance that you mentioned, the solution requires more than guidance. If the solution does not involve legislative change, I am yet to hear from the Government what change will consistently deliver the result that people want.

As you acknowledged, the reality is that, since 2007, there have been no FAIs in Scotland for unexplained deaths abroad, while, in England, there have been 1,700. That is not right. There is a gap in the law.

I would argue, given the thousands of Scots who work abroad, that this process is not over and that the petition needs to carry on. It is a matter for the committee whether you continue it, but I would urge you to do so, because the reality is that loved ones need clarity, truth and justice in the event of an unexplained death abroad.

The committee has taken the trouble to make sure that the petition is heard. I hope that you will continue to keep it open but, if you decide not to, please take this as notice that the petitioners will bring the issue back to Parliament, because it is unfinished business.

The Convener: The petitioners had the opportunity to meet the Lord Advocate, but the committee has not—we have only seen written evidence from her.

One of the things that became apparent to the committee as we investigated the issue is that the systems in England, Wales and Scotland are wholly different to each other, and it is not possible to compare them at any stage along the line. They have different aims and purposes: one relates to post-mortems and another does not, for example. They are not similar.

I think that the committee has probably taken the residency issue as far as we can, with regard to the Crown Office, Police Scotland and others. However, I come back to the point that the petitioner makes, which is that nothing has ever happened on behalf of anybody. That issue has continued to trouble the committee.

Mr Ewing, do you have any thoughts on the matter?

Fergus Ewing: I can see that the circumstances are tragic for the petitioner—

The Convener: Who, I should say, is in the public gallery.

Fergus Ewing: —and that the shroud of mystery surrounding the death of his son will linger for ever.

Obviously, the petitioner's desire is for there to have been a proper, thorough inquiry and investigation into the situation, conducted by an independent judicial authority in Scotland. It need not be said again—I do not need to lecture the petitioner about this, because he has heard this on many occasions—but there are extreme evidential hurdles in any such work concerning something that happens in another jurisdiction. I understand from the evidence that, normally, for there to be an investigation here, there needs to be the agreement of the host jurisdiction where the death occurred. I understand that Lord Cullen enabled the conduct of FAIs here, but said—to the extreme anger of the petitioner, frankly—that those "might be exercised rarely". I think that the petitioner's view was that the word "might" was doing an awful lot of heavy lifting.

I think that the petitioner might now wish us no longer to focus on the definition of "ordinary residence". The responses that we have had from the cabinet secretary, the Lord Advocate and the police have been clear that the issue is reasonably well understood and settled; it is rather that the petitioner wants there to be the capability of having investigations. It may be that that is not hampered so much by the definition of "ordinary residence" but by the fact that the processes in Scotland are so different.

I would be interested to hear whether Ms Baillie thinks that that is a fair point—I am trying to pursue the matter fairly and rationally, to the benefit of the petitioner.

However, it may well be that the petition could be reframed to focus on the desire to have a similar process to the post-mortem procedure in England, which, although different, may have offered a relief and remedy, had it been applicable in Scotland. That issue has not been fully examined and explored.

In short, this is a case, as with the previous petition, where the petitioner has achieved clarity and focus of the sort that just would not have happened otherwise. There is not a shadow of a doubt about that. This clarity has resulted only because of the persistence, determination and guts of the petitioner, who has been assisted ably by Ms Baillie.

I do not know why it is that Ms Baillie seems to get all the most tragic cases, but there we are. That may be a curious psephological fact.

Jackie Baillie: In fairness, he was not assisted entirely by me. The petitioner has moved, with great judgment, from Dundee to Dumbarton, so he is now my constituent. Other people have been involved, and the assistance has been cross-party.

Fergus Ewing: In conclusion, the petition has been successful in many ways in achieving clarity, where previously there had been a lack of consideration, rather than a lack of clarity, by the Parliament and the Government.

I do not think that, in our closing the petition, it is a defeat, but it is not yet a victory. However, it could be, it should be, and it may be, if the petition is brought back in the next session of Parliament. I hope that whoever is on the successor committee takes it on, and, who knows—I would quite like to be here if the people say so. The knowledge and the corpus of work that has been done is a legacy of sorts. Whether or not the petition is closed is not really relevant; it exists because it is there for

future members of the next committee in the next session of Parliament.

I am sorry that I have taken a bit of time, but it is an extremely important matter. I recommend that the petition is closed, but that the petitioner should be thanked again for his work in bringing to Parliament a matter of grave importance to all.

The Convener: Thank you. Colleagues, do we agree with Mr Ewing's suggestion that that is the best course of action to pursue?

Members *indicated agreement*.

The Convener: We thank the petitioner and look to the petition being reframed and, I hope, coming back in the next session of Parliament. I note in passing Mr Ewing's constitutional innovation of directly elected committee members by the wider public—

Fergus Ewing: Why not?

The Convener: —which would secure him his return.

Detainees in Custody (Access to Medication) (PE1900)

The Convener: PE1900, which was lodged by Kevin John Lawson, calls on the Scottish Parliament to urge the Scottish Government to ensure that all detainees in police custody can access their prescribed medication, including methadone, in line with existing relevant operational procedures and guidance.

We last considered the petition on 14 January 2026, when we agreed to write to the Minister for Drugs and Alcohol Policy and Sport. The minister's response to the committee confirmed that, in November, the Scottish Government sent a survey to health boards. The survey gathered information on controlled drug licences for custody suites and when licences are renewed; whether policies ensure that detainees can access all prescribed medication; whether adverse events, complaints and feedback are constantly recorded; where gaps exist; and what plans and timescales are in place to achieve full compliance.

The vast majority of boards hold the required controlled drug licences for police custody suites and have stable governance arrangements in place. Three health boards reported delays in licence renewals due to Home Office processing times. However, continuation letters or formal acknowledgements ensured that services could continue safely in the meantime.

The Government's submission states that NHS Grampian patients on a methadone prescription that can be confirmed by their pharmacy and community prescriber will be administered methadone within the first 48 hours following clinical assessment and decision making. Currently, methadone can be administered only at Kittybrewster custody suite. NHS Grampian has been able to identify further community pharmacies in Grampian that will support the delivery of schedule 2 medicines to allow opioid replacement therapy for patients. A working group is progressing that work, and it is expected that progress to roll that out across Elgin and Fraserburgh will now happen at pace. Any patient for whom a prescription cannot be confirmed and who is actively in withdrawal while in police custody will be assessed and given dihydrocodeine to alleviate withdrawal symptoms.

10:00

To ensure robust and consistent monitoring, the Scottish Government will request an update from all health boards each November as part of an annual review process. The Scottish Government will also seek updates to confirm the completion of the roll-out of the opioid replacement therapy pathway across NHS Grampian.

The petitioner's written submission states that

"detainees are not allowed the legal requirement of informed consent",

which he states is

"a legal right and not a privilege."

He notes his on-going concern that NHS Grampian has been providing dihydrocodeine to detainees in police custody without their explicit informed consent.

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

David Torrance: In light of the Government's actions, we should consider closing the petition under rule 15.7 of standing orders, on the basis that the committee has progressed the issue that is raised in the petition as far as it reasonably can in this parliamentary session; that the Scottish Government conducted a rapid review, with the majority of health boards taking appropriate action to meet the required standards; that the Scottish Government completed a survey of all health boards in 2025 to gather information on the administration of prescribed medication; and that the Scottish Government will review annually health boards' compliance with the requirements to provide prescribed medication to detainees in police custody.

The Convener: Colleagues, are we content?

Members *indicated agreement*.

The Convener: Good progress has been made on the petition during this session of Parliament. I

recall that specific changes have been made to the way in which drugs are issued in police custody.

Fergus Ewing: There has been substantial progress, although I remain disappointed that NHS Grampian has not engaged more actively with the committee. The petitioner has made that view known quite frequently and fairly.

The Convener: Okay, but we are agreed to close the petition.

Child Protection (Public Bodies) (PE1979)

The Convener: PE1979 was lodged by Neil McLennan, Christine Scott, Alison Dickie and Bill Cook. It calls on the Scottish Parliament to urge the Scottish Government to launch an independent inquiry to examine concerns that allegations about child protection, child abuse safeguarding and children's rights have been mishandled by public bodies, including local authorities and the General Teaching Council for Scotland; to examine gaps in the Scottish child abuse inquiry; and to establish an independent national whistleblowing officer for education and children's services in Scotland to handle such inquiries in future.

We considered the petition on 8 October 2025, when we agreed to write to the Scottish Government. The Scottish Government reiterates its position that processes and bodies are already in place in Scotland, including the Care Inspectorate and the Scottish Public Services Ombudsman, to provide independent inspections and investigations into specific incidents. The response also restates that the Government is progressing work to understand complaints and whistleblowing processes more widely, including via the national public protection leadership group and the education and childcare assurance board.

Members might recall that the Professional Standards Authority has reviewed the General Teaching Council for Scotland's fitness-to-teach process and made a number of recommendations. The GTCS has now published an action plan to implement those recommendations over the short, medium and long term. The Scottish Government states that, when new concerns regarding individual cases emerge, those must be reported to the appropriate authorities, particularly Police Scotland, so that they are properly investigated.

We have received an additional submission from the petitioners, who continue to highlight concerns that the national child protection guidance is only advisory and that power is placed in the hands of local authorities. The petitioners feel that the improvements that the Government cites do not go far enough to address the issues that have been raised.

I remind members that the minister previously indicated that the Government would engage with the recommendations of the Scottish child abuse inquiry once that is concluded, and that it will keep under review the statutory requirement for mandatory reporting. We also heard previously that, so long as local authorities provide education services and employ teachers in Scotland, a local authority-led process will always be required when investigating concerns.

Colleagues, the Scottish Government insists that a number of established processes and bodies such as the Care Inspectorate and the Scottish Public Services Ombudsman already carry out independent inspections and investigations. The GTCS has published its action plan to implement the recommendations of the PSA report. The Scottish Government continues to look at how existing whistleblowing arrangements are working and various pieces of work are in progress that will inform further reviews of child safeguarding processes. The Scottish Government has urged that new concerns regarding individual safeguarding cases should be reported to the appropriate authorities, including Police Scotland.

Notwithstanding all that, this is a live issue of immense public interest. I am minded to suggest that the committee leaves the petition open and offers it to our successor committee in our legacy report, in order that it can take these matters forward. The underpinning of the issues that have been raised remains current. Do any colleagues have any comments?

Fergus Ewing: I agree with that. I note that the petition was lodged in October 2022, so it is three and a quarter years old. That has been ample time for the Scottish Government, as the main body concerned, to hold an independent inquiry and for an independent national whistleblowing officer to investigate concerns about the mishandling of child safeguarding inquiries.

On a wider note, in this parliamentary session, we have seen so many examples of whistleblowers being not just ignored but pursued, harassed and, in the case of the Queen Elizabeth hospital whistleblowers, even having their emails investigated. I know that that is not specifically the same thing as child safeguarding, but it is the same theme. A variety of MSPs, including Edward Mountain and Ash Regan, have also expressed concern. The issue is very much current, and it has not been dealt with.

The responses so far could be summarised by saying that the public sector is marking its own homework in Scotland. It is marking its own jotters. There is no use in referring to the ombudsman, because the ombudsman is a toothless tiger. By

its own admission, it has limited powers to remedy anything. It has some powers to award some financial recompense, but I am not aware that those powers have ever been exercised. Effectively, it is useless and almost a waste of time. That is no disrespect to the ombudsman; the statutory framework that makes it thus will leave any complainant who has a valid complaint feeling bitter and resentful and having completely wasted their time.

This is a very live issue and the Government has not dealt with it in any meaningful way. It must be dealt with, otherwise the Government and Parliament are failing people in Scotland. For those reasons, I support the petition remaining open and being rigorously pursued by our successor committee.

The Convener: As there are no other comments, are we content to add this to the shortlist of petitions that we will hold open for the next session of Parliament?

Members *indicated agreement*.

Concessionary Bus Travel Scheme (Asylum Seekers) (PE2028)

The Convener: PE2028 was lodged by Pinar Aksu, on behalf of Maryhill Integration Network, and Doaa Abuamer, on behalf of the VOICES network, both of whom joined us at earlier meetings. The petition calls on the Scottish Parliament to urge the Scottish Government to extend the current concessionary travel scheme to include all people who are seeking asylum in Scotland, regardless of age.

We last considered the petition on 12 November 2025, when we agreed to write to the Minister for Agriculture and Connectivity. The minister's response confirms that a non-statutory pilot commenced on 1 December 2025 and is expected to run until 31 March—or earlier, if funding is exhausted. The pilot offers free bus travel to people seeking asylum who are not eligible for the existing national concessionary travel schemes. The Scottish Government expects future decisions to be informed by an evaluation of the pilot, taking into account future affordability and value for money, and whether it has supported people seeking asylum to integrate into society.

Just a few weeks ago, our colleague Paul Sweeney MSP asked the Scottish Government whether the pilot scheme will be extended. The minister reiterated that it will run until the end of March and explained that, as the committee has seen previously, asylum seekers in Scotland can already access the statutory national concessionary travel schemes if they meet the eligibility criteria of being aged under 22 or 60 or over, or if they have an eligible disability. Again, progress has been made on the petition. Do colleagues have any suggestions on how we might proceed?

Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab): In light of the moves that the Scottish Government has made, I suggest that we close the petition under rule 15.7 of standing orders, on the basis that certain categories of asylum seekers are already eligible to access the statutory national concessionary travel scheme and the Scottish Government has suggested that any long-term actions to extend the scheme to all asylum seekers will depend on the evaluation of the pilot that is currently under way.

In closing the petition, the committee could write to the Minister for Agriculture and Connectivity to highlight our concerns regarding the lack of clarity on whether concessionary travel will be available to all asylum seekers beyond March 2026. The committee could also highlight the option for the petitioners to submit an updated petition in the next parliamentary session, should they consider that the Scottish Government's actions on the matter are not sufficient.

The Convener: Are colleagues minded to accept Mr Russell's recommendation to close the petition—again, with progress having been made by the committee during the course of this parliamentary session?

Members *indicated agreement.*

RAAC-affected Communities (PE2113)

The Convener: PE2113, which was lodged by Wilson and Hannah Chowdhry, calls on the Scottish Parliament to urge the Scottish Government to provide support to communities affected by reinforced autoclaved aerated concrete—commonly referred to as RAAC—by: setting up a national fund to assist struggling homeowners and tenants affected by RAAC; initiating a public inquiry to investigate the practices of councils and housing associations concerning RAAC, including investigation of how business related to RAAC was conducted, the handling of safety reports and property sales, disclosure of RAAC, and responses to homeowner concerns; and introducing or updating legislation, similar to the general product safety regulations, to ensure that developers, councils and housing associations are held accountable for using substandard property materials, to mandate risk disclosure and to make surveyors and solicitors liable for untraced defects. Legislation should also include provision for a comprehensive register of high-risk buildings in Scotland.

We last considered the petition on 24 September 2025 and at that time we agreed to write to the Secretary of State for Scotland and the

Cabinet Secretary for Housing. The position expressed by the Secretary of State for Scotland is that RAAC issues in Scotland are a devolved matter and that the problem should be tackled by using the overall funding settlement received by the Scottish Government.

The Cabinet Secretary for Housing indicates that the Scottish Government has repeatedly engaged with the UK Government to stress the need for UK Government-led financial arrangements for RAAC remediation on a cross-UK basis but that such calls have so far been unsuccessful—as appears to be the case given the Secretary of State for Scotland's response. However, the Scottish Government's position continues to be that it is a UK Government responsibility, as many of the properties were sold under UK right-to-buy legislation and the solution engages with several reserved issues, including insurance, tax and consumer protection. Additionally, the Scottish Government argues that only the UK Government has sufficient financial flexibility to meet the costs of RAAC remediation.

The cabinet secretary points to a number of initiatives and actions to engage with local authorities and communities on the issue and to monitor local authorities' own engagement and interaction with affected residents. The Scottish Government also asked for guidance to be produced in relation to the presence of RAAC in roof construction in residential properties. Last month, the Institution of Structural Engineers published updated guidance, which aims to support the appraisal, assessment and remediation of RAAC roofs in Scottish residential properties.

In providing evidence to the Local Government, Housing and Planning Committee, the cabinet secretary explained that the Scottish Government agreed to a request made by Aberdeen City Council to repurpose some of its unspent funds, available through the housing infrastructure fund, to support RAAC remediation. The cabinet secretary stressed that that was neither a Government offer nor additional Government money, but she expressed the Government's openness to consider similar proposals from other local authorities.

Finally, members will recall that organisations such as the Royal Institution of Chartered Surveyors, the Royal Incorporation of Architects in Scotland and the Built Environment Forum Scotland have previously suggested that they were not supportive of a public inquiry. They argued that it would be time and resource intensive, would divert from an immediate response and might simply confirm what, in fact, is already widely known. Do members have any comments or suggestions for action?

10:15

David Torrance: In the light of the evidence that we have received, I do not think that we can take the petition any further, so I suggest that we close it under rule 15.7 of standing orders, on the basis that the Scottish Government insists that it does not have the financial flexibility to set up a central remediation fund for RAAC and that it should be for the UK Government to introduce a UK-wide fund; the Scottish Government has indicated that it will consider plans and proposals for flexible use of budgets by local authorities to support residents who are affected by RAAC; and the Scottish Government has supported the development of the RAAC Scottish residential property guidance, which was published earlier this year. In addition, stakeholders have highlighted that a public inquiry could be problematic or unnecessary.

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

Members *indicated agreement*.

The Convener: Although the petition deals with issues of substance for those who are affected by RAAC, unfortunately, for the reasons that Mr Torrance has set out, we are not able to take it any further. It will be interesting to see what progress is made and, in the light of that, whether there are fresh issues that could be pursued in the next session of Parliament.

Flood Risk Management (PE2118)

The Convener: The next petition, PE2118, which was lodged by Tobias Christie on behalf of Speymouth Environmental Partnership, calls on the Scottish Parliament to urge the Scottish Government to review the Flood Risk Management (Scotland) Act 2009 and to improve flood alleviation and management processes by appointing an independent panel of engineers, economists and geomorphologists to support the design of flood risk management plans.

We last considered the petition on 24 September 2025, when we agreed to write to the Cabinet Secretary for Climate Action and Energy and the Scottish Environment Protection Agency. We have received substantial responses from the cabinet secretary and SEPA that cover the various monitoring and engagement mechanisms that are used and include a breakdown of the specific engagement that has taken place between SEPA and the petitioner over several years. SEPA has also provided a detailed response to the petitioner's concerns regarding its role in a number of flood prevention actions, the accuracy of its flood maps, its engagement with communities and its approach to future flood risk in Scotland.

The Scottish Government and SEPA have reiterated that it is the responsibility of local

authorities to develop and build flood protection schemes. Colleagues may remember from previous evidence that the Scottish Government's national flood resilience strategy indicates that a flood advisory service will be established to provide the framework and process for flood protection schemes and for supporting communities.

As members will have seen in the cabinet secretary's response, every six years, SEPA develops flood risk management strategies and plans for implementation by local authorities. The Scottish ministers review, approve and monitor those plans. SEPA is currently consulting on flooding issues and priorities in "potentially vulnerable areas"—that is a formal term—to inform the development of the 2028 to 2034 flood risk management plans. That consultation will close on 26 April.

Wearing my constituency hat, I point out that the flood maps that SEPA currently uses for its forecasting use a different matrix from that which is used by any other agency elsewhere in the world. According to that matrix, this Parliament—believe it or not—is one of the few buildings that SEPA does not think will be under water in early course. I have heard from constituents who have found it difficult to get domestic insurance, because insurance companies look at SEPA's flood risk plans, albeit that SEPA has advised me that it specifically states that the plans should not be used for that purpose.

That little vignette notwithstanding, do colleagues have any suggestions on how we might proceed?

Maurice Golden: It feels as though the committee has not got to the bottom of the issue, but the central point is to do with the number of different responsibilities that are split across different agencies and different parts of Government. For example, we have SEPA, the Scottish Government's national flood resilience strategy and local authorities, of which there could be several along a riparian basin. The nub of the petition is that the petitioner would like there to be someone who holds responsibility and accountability for flood risk management, but that is not the approach that is taken in Scotland. That is a potential problem. In the north-east, I have seen that communities want support, but everyone blames someone else.

Nonetheless, although I am loth to close the petition, I struggle to think of anything that the committee could reasonably do, given the substance of the ask and the Scottish Government's comprehensive responses. Unfortunately, the petitioner might have to go back to review the position and resubmit the petition. The committee has no choice but to close the petition under rule 15.7 of standing orders.

The Convener: Thank you, Mr Golden. I thought that you were about to put on a face mask and snorkel.

Maurice Golden: I was reminiscing about working for the Murray-Darling Basin Authority 20 years ago. That is another story.

The Convener: Notwithstanding that, I call Mr Russell.

Davy Russell: It is quite a complex matter. As well as Scottish Water and the Scottish Environment Protection Agency, other agencies, such as planning authorities, are involved. I was quite involved with the issue when I worked in Glasgow, because it overlaps with other issues. Brock burn and the River Cart originate in the hills of East Renfrewshire, which is where the convener's constituency is.

The Convener: The water will be much purer because of that.

Davy Russell: Reasonable flood risk management plans are in place there, but they are a bit out of date because there has been much more rain in recent years. That is the real crux of the matter. The plans were probably just about fit for purpose, but the weather has slightly changed now. Previously, there would be a flood once in 100 years; now, there is about one in 30 years—perhaps it is even more frequent than that in some areas. It is quite a big exercise, but the approach needs to be focused rather than broad.

The Convener: Thank you for raising my constituency, Mr Russell, because my domestic property borders the River Cart. Although I was not a resident at the time, the river used to regularly flood 50 per cent of the garden, until the Eastwood local authority—it was at that time magnificently led by the Conservatives—introduced flood mitigations, which mean that it has never flooded since then, regardless of the weather.

Davy Russell: That is because of the £10 million that I spent on upgrading the lower downstream.

The Convener: We can discuss these matters further over a game of Monopoly.

You normally have something to contribute on such matters, Mr Ewing.

Fergus Ewing: I do not want to be left out of this particular party. In my constituency, I have had nothing but woe in dealing with SEPA. When there was an attempt to establish a development of more than 20 affordable homes on a site that is on higher ground than existing housing that has never

been flooded, SEPA said that there was a flood risk.

The Convener: I have definitely found that to be an issue.

Fergus Ewing: I think that SEPA produces maps at such a precautionary level of risk that the whole of Scotland might as well be shown as a flood risk, apart from perhaps Ben Nevis, where the affordable housing opportunities are somewhat limited.

Developing the houses in my constituency took about 10 years of heart-rending struggle by a local builder, who could have built luxury houses, sold them off and made a big profit. He had received permission for such luxury houses in exactly the same area, but he was then denied permission for affordable housing later. It was only because of his persistence and a favourable decision from Mr Ivan McKee that those affordable houses were built. In rural Scotland, it is very hard to find anywhere to build affordable houses.

The Convener: I recommend that all members of the Parliament consult the SEPA flood risk projections for their constituencies, because they will be shocked when they see them—they are really dramatic.

As Mr Ewing identified—the situation is the same in my constituency—there are sites on quite elevated plains where developments are finding it difficult to proceed because of the long-term forecasts that, as I said at the start, appear to be based on criteria that no other country has sought to adopt. A lot of members could be unaware of that, but I think that they will become increasingly aware in the next parliamentary session.

Fergus Ewing: It is very hard to prise SEPA people from their offices. Most of the work is done on the desktop. When you ask them to please come and meet a constituent and see the site, more often than not there is either a refusal or a truculent agreement. It is a plain lack of leadership from the chief executive and the chair, both of whom are extremely well remunerated. It would be nice to see whether they could have a new policy of coming out of their offices from time to time to meet the people who pay their wages.

The Convener: Notwithstanding the extracurricular discussion that we have managed to introduce, we have a recommendation to close the petition that is before us from Mr Golden, while being mindful that there are issues that will need to be explored before long. Are colleagues content to close the petition?

Members *indicated agreement*.

Horses' Tail Hair Removal (Ban) (PE2130)

The Convener: PE2130, which was lodged by James Mackie, calls on the Parliament to urge the Scottish Government to introduce a ban on the removal of all hair from a horse's tail to leave a bare stump, other than for medical reasons.

The petition was last considered on 25 November 2025, when we agreed to write to the Minister for Agriculture and Connectivity. The minister informs us that, following discussions with stakeholders, it has been agreed that the existing equine code will be replaced with equine guidance, which does not require parliamentary approval and is therefore easier to keep updated. The aim is for that guidance to be published by March. The minister states that the practice of removing the hair from a horse's tail will be addressed in the guidance, but he confirms that the Government has no plans to legislate to prohibit the practice.

In an additional submission, the petitioner expresses concerns that the draft guidance has not yet been published and that it remains unclear what protection the Scottish Government intends to provide for horses. Do members have any comments or suggestions for action?

David Torrance: I wonder whether we could consider closing the petition under rule 15.7 of standing orders, on the basis that the Government has no plans to legislate for the ban that the petition asks for and that it intends to replace the equine code with equine guidance by March this year. If that guidance has not been brought forward by then, the petitioner can consider lodging a new petition in the next session of Parliament.

The Convener: The proof of the pudding will be in the eating, and we will be eating it very soon. We will be able to see whether that happens. If it does not, I would recommend that a fresh petition be lodged when Parliament reassembles. Are we content to close the petition?

Members *indicated agreement*.

Scottish Public Services Ombudsman (Neurodivergent People) (PE2161)

The Convener: PE2161, which was lodged by Ivor Roderick Bisset, calls on the Scottish Parliament to urge the Scottish Government to amend the Scottish Public Services Ombudsman Act 2002 to allow for a two-year complaints period for people with cognitive disabilities.

We last considered the petition on 10 September 2025, when we agreed to write to the Scottish Public Services Ombudsman. The SPSO's response explains that the complaints form asks complainants when the problem

happened and the reason for any delay in submitting the complaint. If a decision is made not to grant an extension, an internal review can be requested. The response also notes that detailed guidance about the application of the time limit is available for complaint reviewers and is reviewed regularly. At the time of writing, the SPSO was piloting a revised version of the time bar guidance and tool.

The SPSO's response also states that it does not keep a log of how many times it has allowed an extension to the time limit. Its view is that a single discretionary test for a specific group of users would create a two-tier system and that it might result in a new requirement for complainants to provide evidence or divulge a specific diagnosis to meet the criteria.

Rhoda Grant MSP provided a written submission to record her disappointment with the SPSO's response. She states that, despite statutory obligations, the SPSO's office appears to maintain a pattern of inflexibility that in effect discriminates against neurodivergent individuals. Ms Grant also points out that the SPSO's own missed deadlines carry no penalty, while service users are excluded by rigid timelines.

As Ms Grant is standing down at the end of the parliamentary session, I thank her for her contributions to the committee's work. She has been an assiduous supporter of many petitions during the lifetime of this Parliament.

The petitioner has provided a submission in which he questions whether the extension policy is real, measurable and accessible or merely theoretical. He states that the SPSO's response does not provide evidence that is capable of answering that question. He argues that a policy that never results in accommodation is not a reasonable adjustment. He points out that the SPSO's response relies on broad assurances but that it provides no verifiable data to support its claims. The petitioner also states that the absence of data prevents parliamentary scrutiny and that the internal nature of the review process means that appeals lack meaningful independence.

I am spectacularly unsatisfied with all of this.

10:30

David Torrance: Although I usually recommend shutting petitions down, I recommend to the committee that we keep this petition open, as there are several areas that the new committee would be justified in exploring in the new parliamentary session. Can we keep the petition open and put it in our legacy report, so that whoever is on the next committee in the next session can take it forward and explore the issues?

The Convener: We are looking to keep the petition open in this instance. Are we content with that?

Fergus Ewing: I concur with what the convener and Mr Torrance said. I find the bureaucratic approach almost comical in its absurd complexity. There has been a complete failure to exercise any discretion in favour of people who plainly merit it, even when, as Rhoda Grant points out, extensions have been supported by a citizens advice bureau, specialist autism advocates and formal medical certification. The lack of the exercise of discretion seems to be quite perverse, and it is just everything that is wrong about bureaucracy.

I do not know whether the SPSO has any regard to anything that is said here, but this is just not right. The ombudsman is paid for by the public; it needs to serve the public and it needs to be sympathetic to the public. That is what it is there for. That is what it was set up for—not to engage in endless navel gazing about exploring possible means of possibly reporting a statistical outcome to the Parliament. What pettifogging nonsense. Why does the chief executive not get a grip of that organisation and start to serve the public better? I hope that that is fairly clear.

The Convener: I understood it, and I think that colleagues are in agreement with the sentiment that has been expressed. Mr Torrance has proposed that this be one of the petitions that we add to our shortlist of petitions that the future committee can consider. Are we agreed?

Members *indicated agreement*.

Functional Neurological Disorder (PE2165)

The Convener: PE2165, which was lodged by Michelle Moir, calls on the Scottish Parliament to urge the Scottish Government to help to improve awareness of functional neurological disorder by providing funding for training and educational resources for medical professionals, general practitioners, paramedics, call handlers, employers and wider society on the symptoms and impacts of FND.

We last considered the petition on 24 September last year, when we agreed to write to the Minister for Public Health and Women's Health. The minister's response methodically answers the additional questions posed by the petitioner. She reiterates that a number of projects are under way that are relevant to the petition's ask, including the FND care pathway, which some colleagues welcomed when we last considered the petition. The minister explains that, ultimately, it is the responsibility of national health service boards to plan and deliver services at a local level, including those for FND, and that boards have a

statutory duty to involve people and communities in such decisions.

On disseminating information, the minister explains that, despite statutory obligations, the ombudsman appears to maintain a pattern of inflexibility that in effect discriminates against neurodivergent individuals. I think that I have got my notes mixed up. I apologise and I will start again.

The minister explains that the responsibility to refer people with FND to the appropriate resources falls on clinicians.

The petitioner came back with further additional questions for the minister. Although those questions are perfectly reasonable, I tentatively suggest that, in this case, there might not be much else that the committee can pursue in relation to the substantive ask of the petition. Given that the FND care pathway has been set up, is there any action that colleagues think that we could take?

David Torrance: I think that progress has been made on the petition. Given the limited time that is left in the parliamentary session, I invite the committee to consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government has funded the FND care pathway and has suggested that several other measures have been, or are being, taken to improve awareness of FND; that NHS boards are responsible for planning and delivering local services and have a duty to involve communities in decisions regarding service delivery; and that individual clinicians are responsible for referring people with FND to appropriate resources.

The Convener: Although the pathway has been set up, it is still to be established and understood whether it is adequate and is being effectively resourced and implemented. In the light of whatever the practice proves to be, there might well be merit in a fresh petition being lodged in the next session of Parliament on the basis of future experience. We could write to the petitioner—who might be with us—to advocate that they look to see whether the pathway has addressed the issue and, if it has not, to consider asking for the matter to be re-examined in the next session of Parliament.

As the current petition asks for something that any new committee might feel that it could not advance in the immediate term, it might close the petition. That would bar any further discussion of the matter for a full year, which might not be desirable. Are colleagues therefore content with Mr Torrance's recommendation?

Members *indicated agreement*.

General Teaching Council for Scotland (Abolition) (PE2170)

The Convener: PE2170, which was lodged by Paul Blaker on behalf of Accountability Scotland, calls on the Scottish Parliament to urge the Scottish Government to abolish the General Teaching Council for Scotland and replace it with a Government agency.

We last considered the petition on 8 October, when we agreed to write to the Scottish Government. The Scottish Government maintains that, as far as the regulatory role of the GTCS is concerned, it believes the council to be effective. It therefore reiterates that it has no plans whatsoever to abolish it, as that would be neither desirable nor proportionate.

With regard to the petitioner's concerns about the co-ordination between the Government and the GTCS, the Government's position is that policy officials maintain regular contact with the GTCS as part of their on-going responsibilities, to ensure that any responses are informed and accurate.

Members will remember that the GTCS previously commissioned the Professional Standards Authority for Health and Social Care to undertake an independent review of the performance and efficiency of its fitness-to-teach process. The GTCS has now published an action plan for implementing the PSA's recommendations. The planned actions range from short to long-term measures. Over the next two years, updated fitness-to-teach rules will be developed, with a view to those being published by spring 2028. The Scottish Government has indicated that, although it will stay in close communication with the GTCS during the implementation of the PSA's recommendations, ultimately, it is for the organisation to take forward the required improvement work.

The petitioner remains concerned that the Scottish Government's position does not provide sufficient clarity and reassurance, and that it does not address the wider questions regarding systemic failure.

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

David Torrance: In the light of the evidence that the committee has received, I suggest that we consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government's position is that abolishing the GTCS is neither desirable nor proportionate; the GTCS has published its action plan for implementing the recommendations of the PSA's report, which include a range of short, medium and long-term measures; and the GTCS expects to consult on

updated fitness-to-teach rules, with a view to publishing those in spring 2028.

The Convener: Do colleagues have any comments? Are we content to accept Mr Torrance's recommendation?

Members *indicated agreement*.

School Meals (Ultra-processed Food Ban) (PE2173)

The Convener: PE2173, which was lodged by Lauren Houstoun, calls on the Scottish Parliament to urge the Scottish Government to ban the use of ultra-processed food in school meals across Scotland in order to give our children healthier options.

We last considered the petition on 8 October 2025, when we agreed to write to the Scottish Government and relevant school meal providers.

The Scottish Government's response to the petition states that although there is no universally agreed definition of "ultra-processed foods", they can broadly be defined as foods containing many ingredients used in the industrial production process and, although the term "ultra-processed" may include products commonly high in fat, salt and sugar, such as sweet and savoury pre-packaged snacks and soft drinks, it also includes products that are fortified with vitamins and minerals and have nutritionally beneficial components such as fibre, including bread and yoghurts.

The Scottish Government states that it does not use a single definition of "fresh", as this will depend on the context; nor does it collect data on "fresh" provision. Instead, the Nutritional Requirements for Food and Drink in Schools (Scotland) Regulations 2020 focus on the nutritional value of school food, drink and meals to support the healthy growth and development of children.

For example, some local authorities cook the main component of a meal at a central location, freeze and transport it for reheating at several local school locations and serve it alongside fruit, vegetables and salad prepared at each site—that sounds lovely. As such, although the meal as a whole delivers the desired amount of energy and key nutrients, it would be difficult to determine whether that meal would be deemed "fresh".

The Scottish Government adds that, for other local authorities, although the whole meal might be cooked on site daily, it could include frozen vegetables, which deliver high nutritional value but may or may not be considered as "fresh"—well, they are not, they are frozen—as vegetables that have been cooked hours before and kept warm until service. Compliance with food regulations is monitored by His Majesty's Inspectorate of Education health and nutrition inspectors as part of the annual school inspection programme.

It all seems to have become more complicated than those terms once used to be. Mr Golden, as the committee member with the most recent experience of being in school—[*Laughter*.]—do you have any comments?

Maurice Golden: I think that the Scottish Government's response is deeply inadequate, if I am honest. I think that the Scottish Government has determined that there is a series of definitions that it is seeking to make around fresh produce and ultra-processed food. However, ultimately, the petitioner's aim is to provide our children with healthier options at school and I honestly think that the Scottish Government has missed the point.

That said, I also feel that there should be consideration of local authorities and those who provide school meals and data should be gathered. However, I struggle to see how it is possible for us to do that. Perhaps more worryingly, were we to keep the petition open, given the aim of the petition to ban ultra-processed foods in school meals, we might end up with those who provide the meals—whether it is food service providers or local authorities—mimicking the Scottish Government and going down the definition route, rather than ultimately trying to help our children to have the healthiest possible start that they can have during school time.

Therefore, unfortunately, I think that the petitioner's aims would be best served by closing the petition under rule 15.7 of standing orders and for the petitioner to look at the issue again, perhaps with a petition that is more focused on healthier options and not focused on terms such as "ultra-processed", in order to let the new committee in the new session of Parliament look into the issue in some detail.

The Convener: I think that the Government response is almost a road map of what to avoid saying and what to say instead. If the petitioner lodges a fresh petition, they could navigate around what I thought was a jobsworth's response as to how you define whether something is fresh or frozen. For me, it has never been in doubt that, if I eat something that is frozen, it is not fresh; it is frozen. That response seems nuts to me. Well, maybe not nuts—we do not want to introduce another term that the Government jobsworths might find difficult to accommodate.

My view is that, if we close the petition, there is still a big issue here and a new petition would need some careful drafting to allow the substantive issue to be addressed without this playing-at-games response, which we all find deeply unsatisfactory.

David Torrance: I wonder whether the committee should consider passing the matter on to the Health, Social Care and Sport Committee, which is currently working on food standards.

10:45

The Convener: I genuinely think that it would be better to have a fresh petition, but the trouble is that the Government has diminished the terms that are used here. If you want to be pedantic, you can ignore the substance of the petition by hanging around the definition of a particular word. I would love to cater for whoever submitted the response to us—I would give them a wholly frozen meal and tell them that it was fresh.

Do we agree to close the petition?

Members *indicated agreement*.

Latex Labelling for Food Products (PE2178)

The Convener: The next continued petition, PE2178, was lodged by Hazel Margaret McIvor. It calls on the Scottish Parliament to urge the Scottish Government to introduce mandatory latex labelling on food products that are sold in Scotland if there is a chance of contamination. I was unaware of the issue until we considered the petition on 12 November 2025, when we agreed to write to the Scottish Government. The response states that Food Standards Scotland intends to explore what scope there might be to include statements or warnings about non-food allergens on packaging under general consumer protection law. Officials at Food Standards Scotland will discuss options for packaging-based consumer protection measures with their counterparts in the UK Government and highlight the points that are raised in the petition.

The Scottish Government seems to have taken the issue more seriously in response to what we have said. Do colleagues have any suggestions as to how we should proceed?

David Torrance: In the light of the evidence before us and the Government taking on board the petition, I wonder whether we can close the petition on the basis that Food Standards Scotland's advice—now I am on the wrong petition; I apologise. Food Standards Scotland intends to explore what scope there might be to include statements or warnings about non-food allergens on packaging and will discuss options for packaging-based consumer protection measures with its counterparts in the UK Government, highlighting the points that are raised in the petition. I say to the petitioner that, if that does not happen or if there is no progress, they could lodge a new petition with the petitions committee in the new parliamentary session.

The Convener: Were it not for the stage that the Parliament is at, we would have held the petition open a little longer to see whether some of that progress was made. It is one of the shortest periods for a petition to be recognised and action initiated. We first considered the issue only in November. The Government is taking the issue seriously and is taking it forward; it is certainly something that I had not previously been aware of.

For those reasons, we should close the petition, but, again, the proof of the pudding will be in the eating. Something is supposed to be happening, and either it will or will not happen. If it does not happen, the next Parliament will have the opportunity to take the issue more seriously over a longer period of time.

Fergus Ewing: I agree—the petition should be closed. There has been quite a swift response to the petition, in comparison with others, which is to be welcomed.

The response was that Food Standards Scotland will discuss options for packaging-based consumer protection measures, which is reserved to the UK Government. Obviously, the petitioner can quite legitimately write to the chief executive of Food Standards Scotland at any time and ask what the outcome of the discussions has been. If that does not lead anywhere and the petitioner remains dissatisfied, she can point to what was supposed to happen, according to the Scottish Government, and the fact that it has not led anywhere. That is an obvious route for the petitioner to pursue ad interim if she is so inclined and wishes to do so.

I thank her for bringing the issue to the committee, because it affects between 1 and 6 per cent of the population. There is a latex allergy in my family, so I know that it is quite a serious thing for those people who have it. It has not registered much on the radar up until now, so it is good that the petitioner has enabled focus to be brought to the issue.

The Convener: Do members agree to close the petition?

Members *indicated agreement*.

The Convener: We will see what happens with it.

Use of Digital Material in Court Proceedings (PE2185)

The Convener: PE2185, which was lodged by Christopher Simpson, calls on the Scottish Parliament to urge the Scottish Government to amend the Criminal Procedure (Scotland) Act 1995 to ensure that any digital material that is presented in court, such as photos or screenshots, is verifiably sourced, time stamped and able to be

independently authenticated before being considered admissible, unless both parties agree otherwise.

We previously considered the petition on 26 November 2025, when we agreed to write to the Lord Advocate and the chief constable of Police Scotland. The Lord Advocate's response explains that prosecutors must be satisfied that any evidence, whether digital or otherwise, is both credible and reliable. The Lord Advocate reiterates that the provenance of any evidence must be established and that the authenticity and accuracy of evidence can be challenged by any party. In addition, the chief constable's response states that, where concerns regarding the authenticity of digital evidence are raised in the course of a police investigation into a reported crime, those allegations would be treated seriously and investigated appropriately by Police Scotland.

The petitioner refers to his experience to highlight that, in practice, things do not always work as the other submissions suggest that they should. He expresses on-going concerns regarding current frameworks assuming that digital evidence is authentic at the point at which it is presented, and regarding the lack of a mechanism to address the harm that is caused to a person who is reported to the police on the basis of fabricated digital evidence.

Some of the issues struck me as being of real interest when we first considered the matter. We have had some response but, if I was in the position of the petitioner, I do not know how terribly reassured I would be. I am unclear about what to do with this one.

David Torrance: In the light of the time that the committee has left, it would be beneficial for us to close the petition under rule 15.7 of standing orders. That would allow the petitioner to bring a fresh petition straight back to Parliament in the next session.

The Convener: Would that be on the basis that it would be updated to reflect the evidence that we have had so far, rather than having a repeating cycle in relation to that?

David Torrance: Yes.

Fergus Ewing: The whole issue of digital evidence is one where the legal system has fallen behind technological advancement. The petition's ask is that digital material should be capable of being independently authenticated. It is an eminently sensible and, I would have thought, necessary part of any evidence that it can be authenticated as genuine and not manufactured, or otherwise inaccurate or wrong. Therefore, the petitioner's ask is, in principle, correct, but in practice it perhaps requires the Lord President to introduce rules of court that analyse the role of digital evidence, in what circumstances it would normally be expected to be applicable, in what format it should be provided and how it can be authenticated, so that there is an open and clear set of rules, guidelines and regulations.

I think that the petitioner made a supplementary submission to us in the past couple of days. Although his original ask was perfectly sensible, if we close the petition, he might reflect on whether he wishes, in a further petition, as Mr Torrance talked about, to open up the issue a bit and extend it to a more comprehensive ask than the one that is set out in the current petition.

I am trying to set out a possible course of action, in case that is of interest to the petitioner, although I respect that he has gone through a nightmarish experience, including leading to his entertaining suicidal thoughts at one stage, as he said in his submission.

The Convener: We have the option of keeping the petition open, on the basis that the next committee could further explore the issues that it raises, but on the back of the responses that relate to part of the petition, we could instead recommend that a fresh petition be lodged that focuses on those areas—and potentially the wider issue of digital evidence—which might be of interest for a fresh committee to explore. I am between a rock and a hard place on the matter.

Davy Russell: As Fergus Ewing said, this is a much bigger issue. The amending of digital material is widespread. The BBC and other organisations that are supposed to be above reproach have altered digital material—the Donald Trump thing comes to mind. It is perhaps too big an issue for this committee can deal with. It requires a full review.

The Convener: What is the best course of action?

Fergus Ewing: Even the petitioner, in his submission of 10 February, has referred to the lack of a guarantee that concerns about digital evidence will be

"examined, addressed, or learned from".

He has gone beyond merely requesting authentication; he has asked for a more comprehensive set of rules and regulations to be developed by the Lord President—or it might be somebody else, if I have that procedurally wrong.

The petitioner has, in effect, asked in subsequent submissions to extend, amplify and expand his original ask. We are probably all a bit hesitant about asking petitioners to do more work if they have already done so much, but I get the impression that the petitioner is not afraid of

spending time on advancing his case given that he has been a frequent respondent since the petition was lodged. I imagine that the petitioner is happy to do that work and I certainly encourage him to do so. That would be better than just restricting him to the petition's original ask, because the new committee would have a much wider remit on the matter. This discussion has perhaps teased out that something pretty comprehensive is needed.

I have perhaps been unfair to the Scottish Courts and Tribunals Service, which was not my wish because I do not claim to be an expert on the matter. None of us on the committee is an expert but we are a voice for petitioners. The SCTS might have done work that I am unaware of, and I apologise to it if that is the case. On the other hand, it does not currently look that way, so I suggest that we thank the petitioner. He has brought focus to a very important area, because more and more cases will be determined by digital evidence as digital technology supersedes previous forms of communication and information gathering.

The Convener: The balanced conclusion is that we should close the petition for the reasons that Mr Torrance outlined. I think that the petitioner is in the gallery. In writing to him and closing the petition, we should highlight that it might be useful to lodge a fresh petition that includes the issues that we have discussed, which members could explore in a little more detail in the next parliamentary session. Do members agree with that?

Members *indicated agreement*.

National Entitlement Card Scheme (Ferry Travel) (PE2188)

The Convener: PE2188, which was lodged by Clare Sparrow, calls on the Scottish Government to extend the national entitlement card scheme to include ferry travel for people aged 60 and over. The petition was last considered on 26 November, when we agreed to write to the Cabinet Secretary for Transport.

The cabinet secretary's response states that the Scottish Government provides significant funding to keep ferry fares low for everyone, including over 60s. Islander fares and funding of local authority ferries are also designed to allow frequent travel at a lower cost for islanders' daily needs. The response highlights that eligible residents of Orkney's outlying islands receive 24 free journeys per year for travel to mainland Orkney, and that older and disabled Shetland residents receive free or discounted interisland ferry travel.

The cabinet secretary states that the Scottish Government looked closely at ferry fares as part of the fair fares review and the islands connectivity plan. On 2 May, the Scottish Government published its strategic approach document, which confirmed that concessionary ferry travel will be extended only to under-22-year-olds. The cabinet secretary states that she understands the calls to include over-60s, but that the Government is not currently able to expand concessions further within current budgets.

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

11:00

David Torrance: In light of the Government's pretty strong response, I wonder whether the committee would consider closing the petition under rule 15.7 of standing orders, on the basis that: the final islands connectivity plan strategic approach, which was published in May, did not include concessionary ferry travel for over-60s; the Scottish Government does not believe that it is affordable to expand ferry concessions to over-60s; and the Scottish Government has been clear that it does not plan to take forward any further action in that area.

The Convener: Thank you. Are members content to close the petition?

Members *indicated agreement*.

Early Sexual Offences (PE2196)

The Convener: The final petition for our consideration is PE2196, which was lodged by Leanne Kelly on behalf of the root the rot campaign. It calls on the Scottish Parliament to urge the Scottish Government to act on early sexual offending in young people and prevent future offending by: taking tougher action on gateway offences such as unsolicited sexual images and peer assaults; educating young people about consent and online harms at school; creating a culture of parental accountability; introducing a youth monitoring register for offences that are committed by young people; and providing real support for victims of all sexual offences.

We last considered the petition on 14 January 2026, when we agreed to write to the Scottish Government and the Lord Advocate. The Scottish Government's response highlights a number of programmes and sets out the evaluation and review of work in the area, such as the mentors in violence prevention programme, which undertakes an annual survey to assess its impact in schools. The submission also highlights a campaign to educate young people and adults about "sextortion". Crimestoppers produced a report that found that there had been very positive engagement with the campaign.

The Scottish Government's response notes that it is consulting on new offences that relate to the creation of deepfake intimate images. The Lord Advocate's response to the petition states that online sexual offences are already capable of prosecution under existing legislation. Her response notes that although the development of wider policy measures lies with the Scottish Government and the Parliament, the Crown Office and Procurator Fiscal Service will continue to contribute evidence and expertise to inform any future reforms.

The petitioner has provided a written submission that highlights that harmful sexual behaviour most commonly emerges in early to mid-adolescence—typically the age of 14. She argues that that represents a critical prevention window. The submission highlights the petitioner's personal experience with this issue and states that responses to non-contact sexual harm often minimise the event. The petitioner questions whether annual blocks of school education on relationships, sexual health and parenthood are sufficient. She argues that prevention requires clarity, consistency and repetition in proportion to the scale of the harm.

Do members have any suggestions for action?

David Torrance: I wonder whether the committee would consider closing the petition under rule 15.7 of standing orders, on the basis that the Scottish Government has highlighted a range of measures and programmes that are already in place that address the petition's main aims, and the limited time that is left in the current parliamentary session means that the committee is unable to pursue further meaningful action on the petition.

In closing the petition, the committee could highlight to the petitioner the option to submit a new petition in the next parliamentary session, should she consider that insufficient action is being taken on the matter.

The Convener: I think that that is the correct course of action. It is a big subject that requires much more exploration than we can give it. Are members content with that?

Members *indicated agreement*.

The Convener: That concludes our meeting. Our next meeting will take place on Wednesday 11 March. I thank the petitioners and all those who have followed our proceedings.

Meeting closed at 11:03.

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