

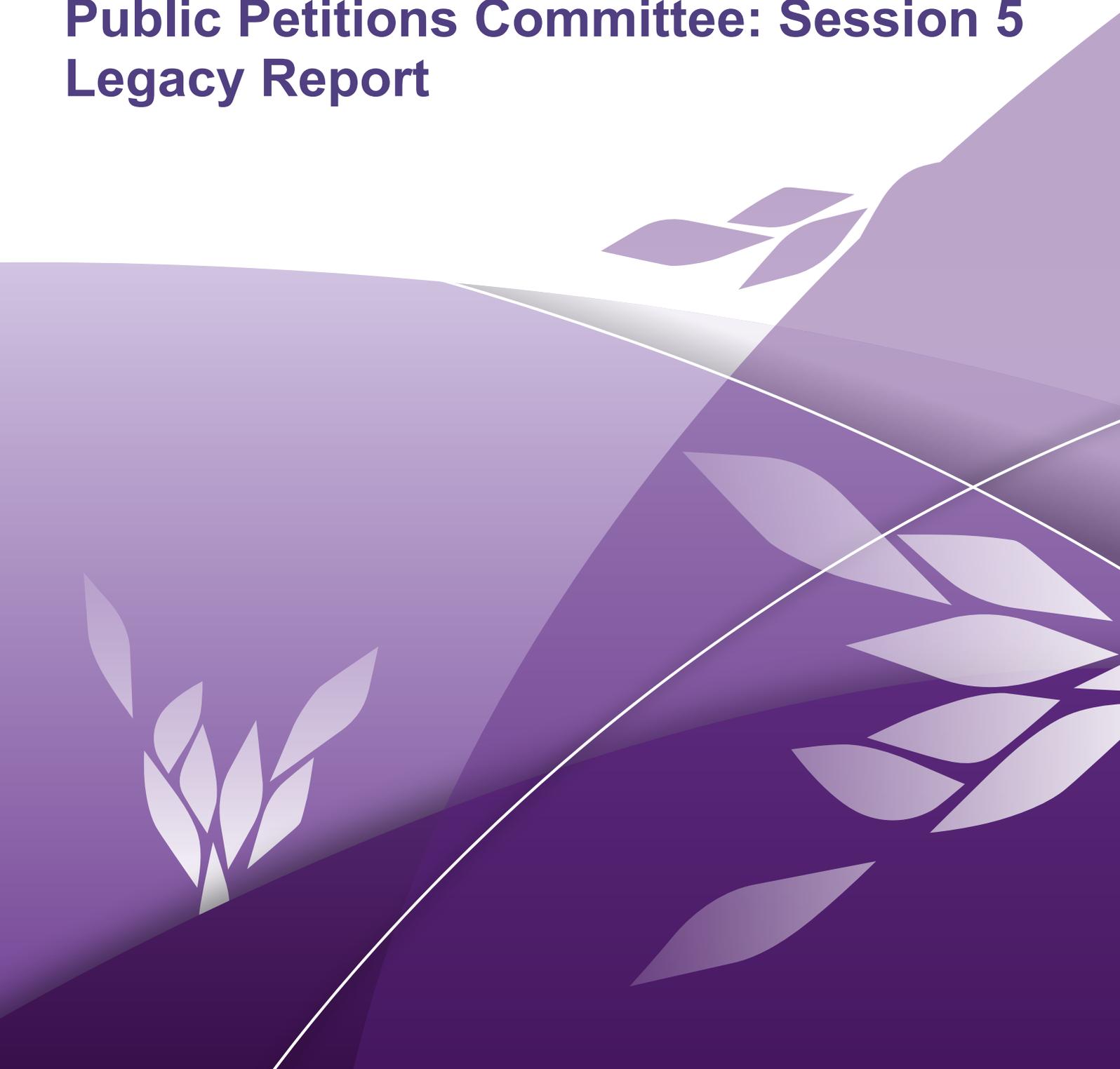


The Scottish Parliament  
Pàrlamaid na h-Alba

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2nd report, 2021 (Session 5)

## **Public Petitions Committee Comataidh nan Athchuingean Poblach**

# **Public Petitions Committee: Session 5 Legacy Report**



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# Public Petitions Committee

Remit: To consider public petitions addressed to the Parliament in accordance with these Rules (and any additional matter added under Rule 6.1.5A) and, in particular, to—

- (a) decide in a case of dispute whether a petition is admissible;
- (b) decide what action should be taken upon an admissible public petition; and
- (c) keep under review the operation of the petitions system.



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# Committee Membership



**Convener**  
**Johann Lamont**  
Scottish Labour



**Deputy Convener**  
**Gail Ross**  
Scottish National Party



**Maurice Corry**  
Scottish Conservative  
and Unionist Party



**Tom Mason**  
Scottish Conservative  
and Unionist Party



**David Torrance**  
Scottish National Party

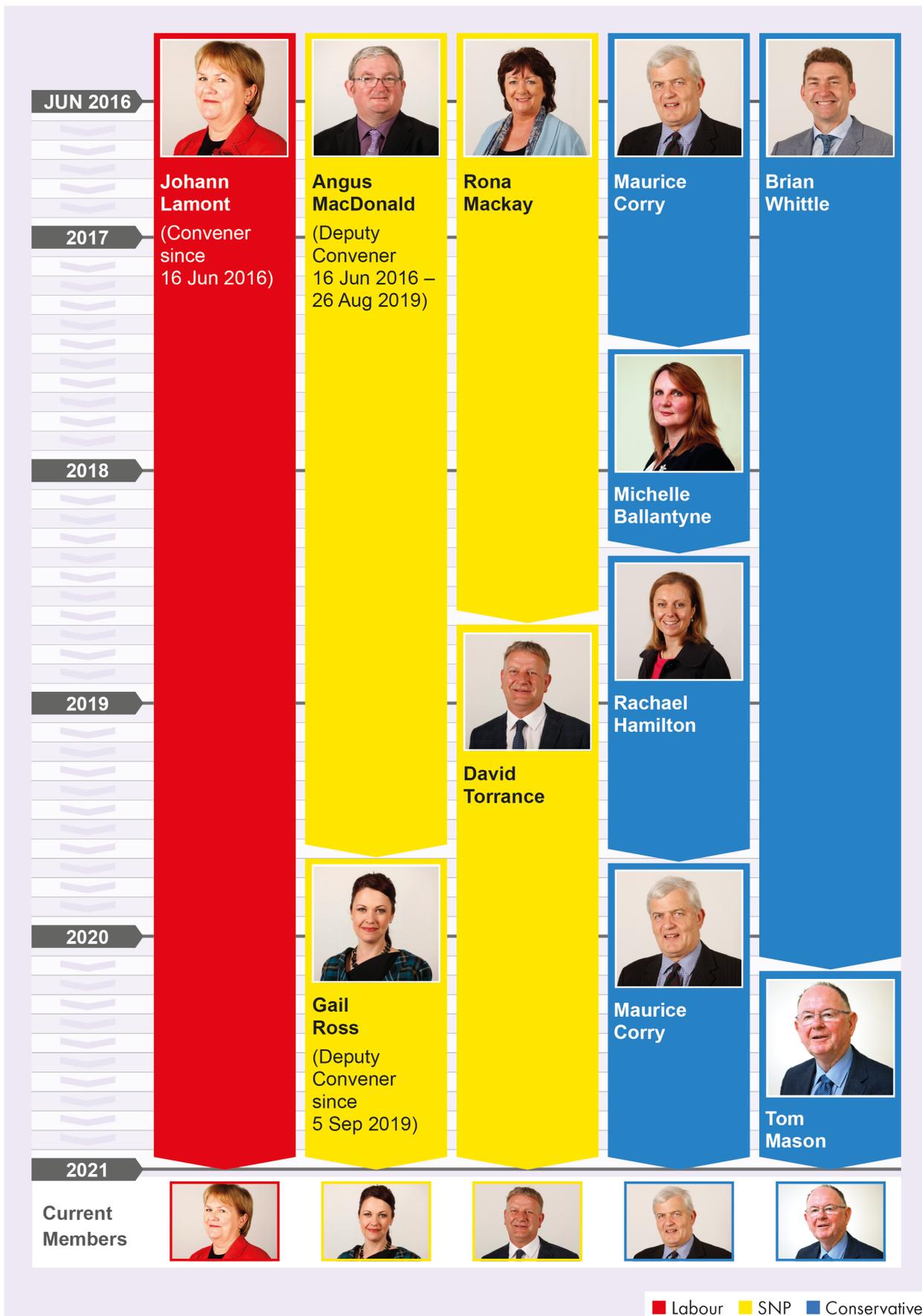
# Introduction

1. It has become established practice for committees to publish a “legacy paper” at the end of each Session. This provides an opportunity to reflect on the experiences of the Committee across the Session and to make some recommendations to successor committees to ensure that those experiences can inform the further development of the roles of the Committee.
2. The legacy paper also provides an opportunity to make recommendations to carry over work into the new Session. As petitions that have not been closed do not fall at the end of a Session this is particularly important for the Public Petitions Committee.

## Membership

3. Changes in the Committee’s membership over the course of the Session are presented below.

## Committee membership through Session 5

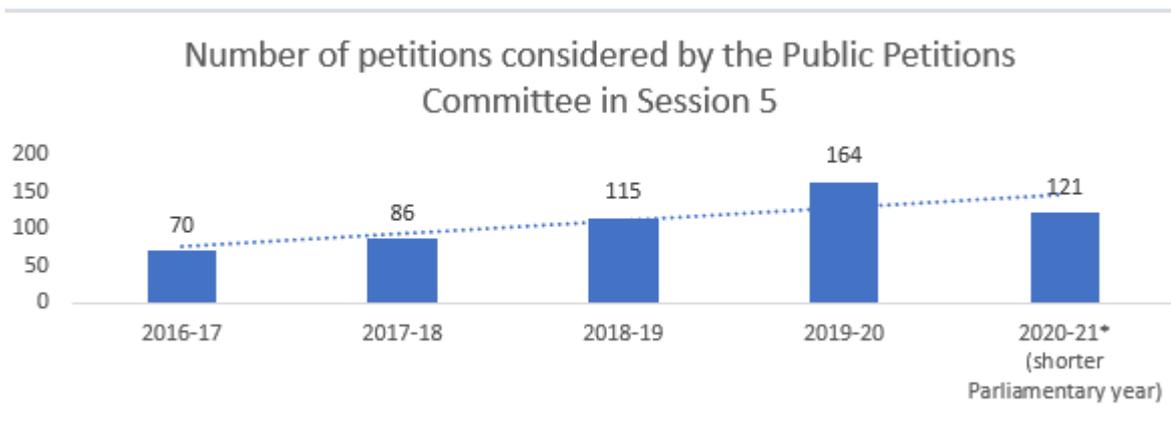


4. The Committee considers that continuity of membership is important in enabling consistent scrutiny of petitions over a sometimes lengthy period, and that this should be taken into account in Session 6.
5. The Committee recommends that its successor committee is composed of 5 members. If this is not possible, careful consideration should be given to how far this could be increased without compromising committee consideration of petitions.
6. The Committee recognises there are some issues it will be unlikely to unite over, and that the Committee is not the best forum for these discussions. The Committee recommends the Session 6 Committee seeks to build consensus on the issues put before it.
7. The Committee should continue to operate on a fortnightly basis, due to the volume of work involved in preparing for Committee meetings.

# The Committee's work in Session 5

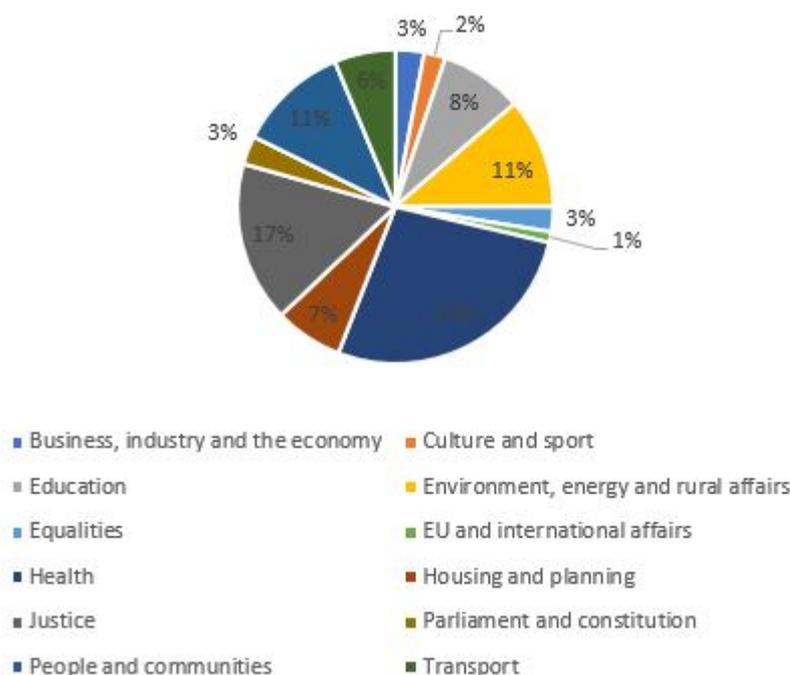
## Increasing number of petitions

8. The demand for petitioning the Scottish Parliament continues to grow, with increasing numbers of petitions being submitted and considered by the Committee each year. Whilst this is a positive development, it places a significant strain on the Committee's work programme.



9. The Committee continues to see petitions submitted which relate to all policy areas. The majority of petitions over the past session however, have related to health and education policy areas.

% of petitions considered by subject in Session 5



## Petition process

10. To respond to the increased demand in petitioning, the Session 5 Committee made

a number of changes to make the petitions process more efficient and avoid the duplication of parliamentary scrutiny, wherever possible.

## **Determination on the Proper Form of Petitions**

11. The determination was previously agreed and published by the Session 4 Public Petitions Committee in June 2015. No further changes to the determination had been made since its publication.
12. To help expedite the processing of proposed petitions, the Committee agreed changes to the Determination on the Proper Form of Petitions (see Annexe B) in June 2019.
13. Over recent years, there has been a significant increase in the number of petitions submitted by post or e mail that include a large volume of supplementary information such as correspondence, legal information, photographs, or copies of Freedom of Information requests. Generally, this provides detailed background information to support the petition which goes beyond what is required to set out its purpose in clear and succinct terms.
14. The determination was updated to clarify that a petition will only be considered by the Parliament if it is submitted in the standard petition format.
15. A further area that often slowed down the progression of a proposed petition is the time involved in providing advice to petitioners who have not complied with key requirements on how to petition the Scottish Parliament. For example, advice was often provided about—
  - The type of previous action a petitioner needs to take before their petition can be considered admissible by the Parliament, which should include contacting an MSP or the Scottish Government; and
  - The information that cannot be included in a petition such as people's names or defamatory (or potentially defamatory) information or material.
16. The determination was updated to clarify the information that is required to petition the Parliament. By having this information articulated in the determination, the clerks are able to quickly refer petitioners to the determination if they do not comply with these key requirements.
17. Finally, the Committee agreed it was important to ensure that items of Committee business are a good use of Parliamentary time. The determination was therefore updated to advise that any petition submitted to the Parliament that is on the same (or substantially similar) issue that has previously been considered by the Committee and closed at its first consideration on three consecutive occasions not be considered an admissible petition.
18. These changes have enabled the Petitions Committee clerks to respond to petitioners more quickly about the admissibility of petitions, supported by clear advice articulated in the strengthened determination and ensured petitions were brought before the Committee quickly for consideration.

19. The Committee recommends the Session 6 committee undertakes a review of the determination during the Parliamentary session, to ensure it continues to be fit for purpose.

## Vision statement

20. The Committee published a Vision Statement in May 2020 (see Annexe C) which aims to ensure the petitions process is open and accessible, avoids the duplication of parliamentary scrutiny and focuses on issues—
  - which may not otherwise receive attention
  - are not being considered elsewhere in the Scottish Parliament; and
  - where the Committee believes its involvement can make the most difference.
21. The Vision Statement also states the Committee will seek to:

"Regularly review who is, and who is not, petitioning the Scottish Parliament and explore the potential reasons why".

22. The Committee notes its Vision Statement covered the period of 2020-2021. It recommends its successor Committee publishes its own Vision Statement to outline the issues it may wish to focus on.
23. The Committee also recommends the Session 6 Committee may wish to consider undertaking research into who is and is not petitioning the Scottish Parliament and the potential reasons why.

## Standing Order changes

24. In Session 5, the Committee sought changes to the Rules in Standing Orders. These changes were agreed by Parliament on 17 March 2021 and provide for the following:
  - A petition that is substantially the same as a petition already under consideration by the Parliament is inadmissible; and
  - A petitioner can only have two petitions under consideration by the Parliament at any one time.
  - A petition relating to a Bill currently under consideration by the Parliament or to primary legislation passed by the Parliament within the period of twelve months preceding the lodging of the petition is inadmissible.
25. These changes were requested by the Committee to ensure equity of access to the petitions system and to reduce duplication of work.

26. There was previously nothing in the Standing Orders to prevent any member of the public submitting a new petition on a topic which was substantially similar to one already under consideration by the Committee.
27. This meant Members may have had to consider a number of very similar petitions in parallel, leading to a duplication of effort and placing additional pressure on already stretched resources. This also impacted upon the clerking team, who are required to consider each petition individually.
28. There was also nothing to stop a petitioner having multiple petitions 'live' at the same time. Whilst the Scottish Parliament's petitions system has deliberately been designed to be open and accessible, this could sometimes lead to the Committee devoting extensive resources and time to pursuing several issues on behalf of one individual.
29. In order to ensure equity of access, the Committee agreed to limit the number of petitions that can be considered by the same petitioner to two at any given time.
30. Previously there was no restriction on a petitioner bringing forward a petition on a topic for which the Scottish Government has recently legislated. Considering such a petition would likely lead to the Public Petitions Committee carrying out post-legislative scrutiny when the new legislation may not even have been commenced.
31. This also ran contrary to the aims of the petitioning process, which seeks to raise awareness of issues where there is scope to bring about positive policy change. Given that new legislation is unlikely to be subject to review for some time, the chances of influencing change were therefore minimal.
32. Equally, there was nothing to stop a petitioner bringing forward a petition which related to legislation that was under consideration by the Scottish Parliament. In that scenario, the petitioner's aims would have been better served by ensuring they could input into legislative processes.

## **New petitions system**

33. Work has also been ongoing in Session 5 to procure a new petitions system. The new system will make some changes to petitions, including:
  - Streamlining the signature collection period to four weeks;
  - Applying word limits to a petition to ensure petitions are focused and avoid duplication; and
  - Requiring more information in the 'previous action' section of a petition to determine the outcome of any correspondence with an MSP, Scottish Government department or other change-maker.
34. The new system will also remove the option to provide comments on a petition, while ensuring there is still a mechanism for written views to be submitted to the Committee. The new petitions system will go live at the beginning of the next parliamentary Session.

## Consideration of petitions

35. Petition consideration usually follows the ‘mini-inquiry’ model of asking questions of the Scottish Government and other organisations through written or oral evidence and, where appropriate, making recommendations for action that should be taken.

### Scottish Government position

36. As part of the Committee’s work to explore ways to speed up the process for gathering information on a petition, alongside the challenges presented by Covid-19, the Committee agreed in June 2020 to seek the Scottish Government’s views on all new petitions in advance of their first consideration. This arrangement has been working well to date.
37. The Committee is also of the view that it should be clear in what capacity the author of a written submission received from the Scottish Government is writing to the Committee in, if it is not in the name of the relevant Cabinet Secretary or Minister. This will provide the Committee with some level of assurance that the author has the authority to respond to the issues being raised in a petition.

38. The Committee recommends its successor committee continues to seek the Scottish Government’s views on all new petitions in advance of their first consideration.

### Additional petitions consideration

39. In Session 5, the Committee undertook more detailed work as a result of some petitions. For example, it carried out an inquiry into mental health support for young people in Scotland following its consideration of petition PE1627: Consent for mental health treatment for people under 18 years of age.
40. During 2019-20, the Committee embarked on a series of external engagement events to support its inquiry, with the aim of understanding how young people feeling low and/or anxious can get the advice and support they need at the right time. Details of these external engagements can be found in the engagement section of this report.
41. Information gathered during these events helped to inform the final stages of the Committee’s inquiry work.
42. The Committee published its final [report](#) on 24 July 2020 and held a chamber [debate](#) on the conclusions and recommendations of the report on 1 December 2020.
43. The Committee also published a report on a petition or held debates in the chamber as follows—
- [Report on petition PE1463: Effective thyroid and adrenal testing, diagnosis and treatment](#), published on 29 March 2018 and debated on [4 December 2018](#);

- [PE1630: Ensuring greater scrutiny, guidance and consultation on armed forces visits to Schools in Scotland](#), published on 4 June 2018;
- [PE1517: Polypropylene Mesh Medical Devices](#), published on 21 August 2018 and debated on [5 December 2017](#); and
- [PE1319: Improving youth football in Scotland](#), published on 22 June 2020 and debated on [26 September 2017](#) and [19 November 2020](#).

**Deputy Convener, Gail Ross MSP, gave the opening statement of the debate on PE1319 on behalf of the Committee via video link**



44. Whilst these more substantive items of petitions work were worthwhile it is worth noting they did place additional work on Members.
45. As well as inquiries, reports and chamber debates, the successor committee may wish to consider other alternative forms of action. For example, should Members consider that a petition raises significant issues that it believes should be brought forward in legislation, the Committee has the option to raise a Committee Bill.
46. The Committee recommends to its successor committee that different approaches to the consideration of petitions should be continued where appropriate.

## Referral and closure of petitions

47. The Committee has sought to identify synergies between petitions and wider Parliamentary business which has resulted in the referral of some petitions. For example, PE1694: Free Instrumental Music Services was referred to the Education

and Skills Committee as part of its music tuition in school's inquiry.

48. This approach has increased the capacity for the Committee to scrutinise and raise the profile of issues that receive less attention. One example of this is the Committee's consideration of PE1517: Polypropylene Mesh Medical Devices, which provided an opportunity for members of the public to highlight significant safety concerns regarding the use of Polypropylene Transvaginal Mesh procedures. The petitions process enabled the petitioners, and others with lived experience, to respond and indeed refute, evidence received from stakeholders including the Scottish Government.
49. The Committee notes that despite the Public Petitions Committee being a mandatory committee, it has concerns that it is not always afforded the same respect as other Parliamentary committees by both the Parliament and the Scottish Government.
50. The Committee is aware that when petitions are referred to other Committees, they are not always given equal status compared to other items on a committee's work programme. It is important for all committees to appreciate the critical role the public petitions process plays and afford it equal value in the parliamentary process.
51. It is imperative that engagement with public petitions is taken seriously and is a collective responsibility across the Parliament, focused on achieving high quality outcomes for the people of Scotland. It should be understood that the referral of a petition to a committee is not taken lightly and there should be an expectation that any such referred petition is given serious consideration.
52. A key feature of the work of the Committee is that it is not driven by defined timescales, unlike the scrutiny of legislation. This means that the Committee is largely in control of its own work programme. There is therefore a responsibility amongst all Members to strike an appropriate balance between continuing to scrutinise an issue and agreeing when it believes work on a petition should conclude. This allows new petitions to be heard more timeously.
53. During Session 5, the Committee has also identified petitions that have been closed based on the evidence received, but that it believes may benefit from more detailed scrutiny in Session 6, should a new petition be submitted to it. These include:
  - PE1545: Residential care provision for the severely learning disabled. The Committee is of the view that the issues raised in this petition could be investigated further by the Health and Sport Committee;
  - PE1757: Reduce actuarial reductions to the Scottish Local Government Pension Scheme. The Committee is of the view that the issues raised in this petition could be explored as an equalities and human rights issue and possibly considered by the Equalities and Human Rights Committee;
  - PE1759: Equal school hours for all children in Scotland. The Committee is of the view that the issues raised in this petition could be investigated further by the Education and Skills Committee;
  - PE1822: More NHS money for hospital beds. The Committee is of the view that is of the view that the issues raised in this petition could be investigated further by the Health and Sport Committee;

- PE1834: Urgent funding for Citizens Advice Bureaux. The Committee is of the view that the issues raised in this petition could be investigated further by the Local Government and Communities Committee and the Social Security Committee; and
  - PE1835: Criminalise the submission of misleading or false information in child protection cases. The Committee is of the view that the issues raised in this petition could be investigated further by the Education and Skills Committee.
54. Common themes have also emerged across a range of petitions over Session 5. For example, the disparity between Scottish Government evidence outlining action or guidance that is in place to address a petition and the lived experience of people directly affected by the issues raised in a petition. In addition, the Committee has received a number of petitions during Session 5 highlighting concerns about service provision and the sustainability of communities in rural and remote locations.
55. The Committee recommends its successor Committee continues to work with other Committees to ensure referred petitions are given serious consideration.
56. Given the common themes that have emerged, the Committee suggests a particular focus for the Session 6 committee could be on petitions which focus on the areas that have been highlighted.

## Engagement

57. Whilst demand for public petitioning, and therefore public participation in the work of the Parliament is increasing and is to be welcomed, it undoubtedly places a significant strain on the Public Petitions Committee's work programme.
58. Engagement with the public and indeed taking evidence from petitioners are important aspects of the petitions process. It is worth highlighting however that this can also place a significant amount of pressure on the Committee's work programme.
59. Throughout Session 5, the Committee has tried to be as inclusive as possible in every piece of work it does. The Committee used a variety of methods to gather information including evidence sessions, written submissions and external visits. This helped the Committee hear from a wide variety of petitioners and stakeholders.
60. The Committee undertook a range of engagement activities during Session 5 including:
- A fact-finding visit to Dumfries and Galloway in September 2017 which allowed members the opportunity to gather views in relation to two petitions in a more informal setting. In the course of the visit the Committee was able to meet parents and children with diabetes, and clinicians, to understand the impact of treatments such as continuous glucose monitors and insulin pumps in connection with PE1619: Access to Continuous Glucose Monitoring. During this visit, the Committee also met businesses and individuals campaigning for

improvements to trunk road infrastructure in the area in connection with PE1610: Upgrade the A75 and PE1657: A77 upgrade.

- A range of fact-finding visits to football academies around Scotland as part of its scrutiny of PE1319: Improving youth football.
- Meetings with petitioners out with the Scottish Parliament when it is considered appropriate to do so. For example, for PE1770: Improving Water Safety, the Convener met with the petitioners at their home, as they were unable to attend a meeting at the Scottish Parliament.
- Engaging with stakeholders during the Committee's inquiry into mental health support for young people in Scotland. This included meeting with representatives from the Deep End GP group, a session delivered by the Scottish Youth Parliament at its annual sitting, a focus group with young people supported by Barnardo's, a visit to Galashiels Academy to meet with teachers and pupils, discussions with school nurses and wellbeing teachers from NHS Greater Glasgow and Clyde and a meeting with the Parent Network Scotland. The Committee also used the digital tool, dialogue.

**Members of the Public Petitions Committee shown the finger pricking procedure for Type 1 diabetes on a visited to Castle Douglas and Kirkcudbright to hear evidence relating to petition PE1619**



## Johann Lamont MSP and Maurice Corry MSP striking a power pose with pupils and staff, from across the Scottish Borders, at Galashiels Academy



61. The Covid-19 pandemic has impacted on the Committee's ability to continue to engage in the wide range of ways it has done previously. The Committee has responded to the challenges presented by the pandemic and successfully taken evidence from a wide range of stakeholders virtually.

## PE1707: Public Access Defibrillators - virtual round table evidence session



62. The Committee recognises there is a strong possibility of continuing or future resumption of Covid-19 restrictions, which may mean that hearing from petitioners and other stakeholders virtually becomes more prevalent.
63. The Committee understands Covid-19 restrictions have had both a positive and negative impact on its ability to engage with stakeholders and communities. Whilst the move to virtual meetings has meant the Committee could meet with witnesses from further afield it has also stopped external engagements which are integral to the Committee's ability to gather information.
64. The Committee is of the view that taking evidence from petitioners and other stakeholders is an important part of the petitions process. This activity can however place a significant amount of pressure on the Committee's work programme, regardless of whether evidence is gathered virtually or in person. This work therefore needs to be carefully balanced.
65. The Committee recommends oral evidence continues to be gathered virtually, where appropriate, in Session 6 to ensure a wide range of stakeholders can engage with the petitions process, regardless of their location.
66. The Committee recognises the value of external engagement opportunities and would encourage its successor Committee to resume these visits when it is possible to do so.

## Equal opportunities/equalities

67. The Committee continues to mainstream equality consideration into its work to ensure the petition process is made accessible to the widest range of people.

68. The Committee continually considers ways in which the petitions process can be made more accessible and tries to achieve this through the diverse range of stakeholders it seeks to hear from in its work.
69. The Committee also strives to ensure there is diversity in the witnesses asked to give oral evidence. Figures relating to this have been collated since 2018. Since then, the Committee has taken evidence from 120 witnesses. There were 55 female witnesses (46%) and 65 male witnesses (54%).
70. Work has been undertaken to improve the accessibility and efficiency of the public petitions system during 2020/21. This includes the Committee updating its guidance on how to provide written submissions to the Committee.
71. The new petitions system will go live at the beginning of Session 6 and is being designed to improve the user experience and ensure the Scottish Parliament is inclusive and accessible to all. It will take cognisance of developments to accessibility standards, ensuring information is accessible on all devices.
72. The Committee receives petitions on a diverse range of equalities issues and the petitions process provides a platform for these to be considered. Examples from the past year include-
  - PE1796: Equality, Inclusion and the Gaelic language;
  - PE1813: Reform the national curriculum to include all African Scottish history; and
  - PE1837: Provide clear direction and investment for autism support.
73. As well as engaging with young people through its inquiry on mental health support for young people in Scotland, the Committee has engaged positively with young people in relation to other petitions. For example, on 20 December 2018, the Committee took evidence from a Member of the Scottish Youth Parliament (SYP) on petition PE1713: Ban the use of 'Mosquito Devices' in Scotland raised by the SYP.
74. On 7 March 2019, the Committee took evidence from young people in connection with PE1711: First Aid Training for All Primary School Children in Scotland. Along with representatives from St Andrew's First Aid, the Committee heard evidence from two primary school children and a college student. Prior to the evidence session, the Committee met informally with representatives, the young people and their families and took part in a demonstration carried out by the young people.



## **Petitions in Session 6**

75. Of the 272 petitions considered by the Committee in this Session, 25 remain open for consideration by the Session 6 Public Petitions Committee. In all instances these petitions remain open because, in the Committee's view, there is work still to be done. Annexe A to this report provides details of all the petitions that are carried forward, along with suggestions for next steps we would invite our successor committee to consider.
76. In addition, the Committee followed practice in previous Sessions and set a cut-off date after which it has not considered new petitions. As a result of this there are 15 petitions which have been or will be lodged but which have not yet been considered by the Committee.

# Annexe A: Petitions carried forward to Session 6

## **PE1319: Improving youth football in Scotland**

Petition by William Smith and Scott Robertson calling on on the Scottish Parliament to urge the Scottish Government to investigate the (1) legal status and appropriateness of professional SFA clubs entering into contracts with children under 16 years; (2) audit process and accountability of all public funds distributed by the Scottish Football Association to its member clubs; (3) social, educational and psychological affects and legality of SFA member clubs prohibiting such children from participating in extra curricular activity; and (4) appropriateness of 'compensation' payments between SFA member clubs for the transfer of young players under the age of 16 years; and to (5) increase the educational target from 2 hours curricular physical activity to four hours per week; and (6) develop a long-term plan to provide quality artificial surfaces for training and playing football at all ages across all regions.

The Committee agreed to close this petition on 27 January 2021. In closing, the Committee agreed to write to the Minister for Public Health, Sport and Wellbeing and the Scottish FA minister asking them to report back by the end of 2021 to ensure parliament has oversight of work that is ongoing in this area. We recommend that the Session 6 Committee keep a watching brief on this area to ensure this information is received.

## **PE1370: Justice for Megrahi**

Petition by Dr Jim Swire on behalf of Justice for Megrahi calling on the Scottish Parliament to urge the Scottish Government to open an independent inquiry into the 2001 Kamp van Zeist conviction of Abdelbaset Ali Mohmed al-Megrahi for the bombing of Pan Am flight 103 in December 1988.

This petition was referred to the Justice Committee in Session 5. That Committee agreed to keep the petition open as due to legal proceedings that were ongoing for much of session 5, it was unable to consider it fully. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

## **PE1458: Register of Interests for members of Scotland's Judiciary**

Petition by Peter Cherbi calling on the Scottish Parliament to urge the Scottish Government to create a Register of Pecuniary Interests of Judges Bill (as is currently being considered in New Zealand's Parliament) or amend present legislation to require all members of the Judiciary in Scotland to submit their interests & hospitality received to a publicly available Register of Interests.

This petition was referred to the Justice Committee in Session 5. That Committee agree to keep the petition open as due to pressures of competing work, it was unable to seek

further evidence on the issues raised by the petition, as had been planned. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1490: Control of wild goose numbers**

Petition by Patrick Krause on behalf of Scottish Crofting Federation calling on the Scottish Parliament to urge the Scottish Government to address the problems created by increasing populations of wild geese in the crofting areas as a matter of priority; reassess its decision to stop funding existing goose management programmes, and assign additional resources to Crop Protection and Adaptive Management programmes to ensure this threat to the future of crofting is averted.

This petition was referred to the Environment, Climate Change and Land Reform Committee in Session 5. That Committee agreed to keep the petition open so its successor committee can take evidence from the Scottish Government about its review and about how it plans to resource goose management in the next session. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1517: Polypropylene Mesh Medical Devices**

Petition by Elaine Holmes and Olive McIlroy on behalf of Scottish Mesh Survivors - "Hear Our Voice" calling on the Scottish Parliament to urge the Scottish Government to:

1. Suspend use of polypropylene Transvaginal Mesh (TVM) procedures;
2. Initiate a Public Inquiry and/or comprehensive independent research to evaluate the safety of mesh devices using all evidence available, including that from across the world;
3. Introduce mandatory reporting of all adverse incidents by health professionals;
4. Set up a Scottish Transvaginal Mesh implant register with view to linking this up with national and international registers;
5. Introduce fully Informed Consent with uniformity throughout Scotland's Health Boards; and
6. Write to the MHRA and ask that they reclassify TVM devices to heightened alert status to reflect ongoing concerns worldwide.

We invite the Session 6 Committee to consider this petition further with a suggestion to refer the petition to the Health and Sport Committee.

### **PE1548: National Guidance on Restraint and Seclusion in Schools**

Petition by Beth Morrison calling on the Scottish Parliament to urge the Scottish Government to

1. Introduce National Guidance on the use of restraint and seclusion in all schools; this guidance should support the principles of:

- Last resort - where it is deemed necessary, restraint should be the minimum required to deal with the agreed risk, for the minimum amount of time
- Appropriate supervision of the child at all times, including during “time out” or seclusion.
- Reducing the use of solitary exclusion and limiting the time it is used for (e.g. maximum time limits)
- No use of restraints that are cruel, humiliating, painful and unnecessary or not in line with trained techniques.
- Accountability of teaching and support staff for their actions; this should include recording every incident leading to the use of seclusion or restraint and monitoring of this by the local authority.
- Regular training for staff in how to avoid the use of restraint
- Where restraint is unavoidable training in appropriate restraint techniques by British Institute of Learning Disability accredited providers and no use of restraint by untrained staff.

2. Appoint a specific agency (either Education Scotland or possibly the Care Inspectorate) to monitor the support and care given in non-educational areas including the evaluation of the use of restraint and seclusion of children with special needs in local authority, voluntary sector or private special schools

This petition was referred to the Education and Skills Committee in Session 5. That Committee agreed to keep the petition open and to write to the Cabinet Secretary for Education and Skills for an update. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1610: Upgrade the A75**

Petition by Matt Halliday calling on the Scottish Parliament to urge the Scottish Government to upgrade the A75 Euro-route to dual carriageway for its entirety as soon as possible.

We invite the Session 6 Committee to consider this petition further with a suggestion to seek updates from the Cabinet Secretary for Transport, Infrastructure and Connectivity on the Strategic Transport Projects Review 2, and the First Minister on when a response will be received to the Convener's letter of 19 December 2019. This petition was considered jointly with PE1657 in Session 5. We suggest the successor committee continues to consider these petitions together.

### **PE1657: A77 upgrade**

Petition by Donald McHarrie on behalf of A77 Action Group calling on the Scottish

Parliament to urge the Scottish Government to dual the A77 from Ayr Whitlett's Roundabout south to the two ferry ports located at Cairnryan, including the point at which the A77 connects with the A75.

We invite the Session 6 Committee to consider this petition further with a suggestion to seek updates from the Cabinet Secretary for Transport, Infrastructure and Connectivity on the Strategic Transport Projects Review 2, and the First Minister on when a response will be received to the Convener's letter of 19 December 2019. This petition was considered jointly with PE1657 in Session 5. We suggest the successor committee continues to consider these petitions together.

### **PE1662: Improve Treatment for Patients with Lyme Disease and Associated Tick-borne Diseases**

Petition by Janey Cringean and Lorraine Murray on behalf of Tick-borne Illness Campaign Scotland calling on the Scottish Parliament to urge the Scottish Government to improve testing and treatment for Lyme Disease and associated tick-borne diseases by ensuring that medical professionals in Scotland are fully equipped to deal with the complexity of tick-borne infections, addressing the lack of reliability of tests, the full variety of species in Scotland, the presence of 'persister' bacteria which are difficult to eradicate, and the complexities caused by the presence of possibly multiple co-infections, and to complement this with a public awareness campaign.

We invite the Session 6 Committee to consider this petition further with a suggestion to seek an update from the Scottish Government on any progress made to address the issues raised during the evidence session on 24 February 2021.

### **PE1668: Improving literacy standards in schools through research-informed reading instruction**

Petition by Anne Glennie calling on the Scottish Parliament to urge the Scottish Government to i) provide national guidance, support, and professional learning for teachers in research-informed reading instruction, specifically systematic synthetic phonics; ii) ensure teacher training institutions train new teachers in research-informed reading instruction, specifically systematic synthetic phonics.

This petition was referred to the Education and Skills Committee in Session 5. That Committee agreed to keep the petition open pending a future work programme discussion. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1676: The Land Registration etc. (Scotland) Act 2012**

Petition by Tony Rosser calling on the Scottish Parliament to urge the Scottish Government to review the Land Registration etc. (Scotland) Act 2012, particularly with regard to i) the cadastral map and ii) the provision of supporting materials such as death certificates.

This petition was referred to the Public Audit and Post-legislative Scrutiny Committee in Session 5. That Committee agreed to keep the petition open and noted the importance of the legislation. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1692: Inquiry into the human rights impact of GIRFEC policy and data processing**

Petition by Lesley Scott and Alison Preuss on behalf of Tymes Trust and Scottish Home Education calling on the Scottish Parliament to urge the Scottish Government to initiate an independent public inquiry into the impact on human rights of the routine gathering and sharing of citizens' personal information on which its Getting It Right For Every Child (GIRFEC) policy relies.

This petition was referred to the Education and Skills Committee in Session 5. That Committee agreed to keep the petition open and to write to the Cabinet Secretary for Education and Skills for an update. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1723: Essential tremor treatment in Scotland**

Petition by Mary Ramsay calling on the Scottish Parliament to urge the Scottish Government to raise awareness of essential tremor and to support the introduction and use of a focus ultrasound scanner for treating people in Scotland who have this condition.

We invite the Session 6 Committee to consider this petition further with a suggestion to seek an update from the Cabinet Secretary for Health and Sport on the Scottish Government's plans to make an application to the National Specialist Services Committee for a MRgFUS service.

### **PE1743: Amend the law to protect the rights of pre-1989 Scottish Secure Tenants**

Petition by John Foster on behalf of Govan Community Council and others calling on the Scottish Parliament to urge the Scottish Government to amend the Rent (Scotland) Act 1984 to prevent disproportionate rent increases being set for Scottish Secure Tenants.

This petition was referred to the Local Government and Communities Committee in Session 5. That Committee agreed to keep the petition open as the Scottish Government has committed to examine further the extent of the issues raised in the petition and the implications of changing the law for both tenants and landlords. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1747: Adequate funding to support children with additional support needs in all Scottish Schools**

Petition by Alison Thomson calling on the Scottish Parliament to urge the Scottish Government to provide adequate funding to support children with additional support needs

in all Scottish Schools (Primary, Secondary and Special).

This petition was referred to the Education and Skills Committee in Session 5. That Committee agreed to keep the petition open given upcoming work on additional support needs and pending a future work programme discussions. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1750: Independent Monitoring of Satellite tags fitted to raptors**

Petition by Alex Hogg on behalf of Scottish Gamekeepers Association calling on the Scottish Parliament to urge the Scottish Government to introduce independent monitoring of satellite tags fitted to raptor species, to assist the police and courts in potential wildlife crime cases and to provide data transparency.

This petition was referred to the Environment, Climate Change and Land Reform Committee in Session 5. That Committee agreed to keep the petition open so its successor committee can monitor any progress made in respect of the issues raised in the petition. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1758: End greyhound racing in Scotland**

Petition by Gill Docherty on behalf of Scotland Against Greyhound Exploitation calling on the Scottish Parliament to urge the Scottish Government to put an end to greyhound racing in Scotland.

This petition was referred to the Environment, Climate Change and Land Reform Committee in Session 5. That Committee agreed to keep the petition open to allow the petitioners to give evidence to its successor committee. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1778: Review the Scottish Landlords Register scheme**

Petition by David Findleton calling on the Scottish Parliament to urge the Scottish Government to review the effectiveness of the Scottish Landlords Register scheme.

This petition was referred to the Local Government and Communities Committee in Session 5. That Committee agreed to keep the petition open as the Scottish Government intends to return to work it undertook as part of the Private Landlord registration (Information) (Scotland) Regulations 2019 to assess the effectiveness of the current statutory guidance and update it. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1787: The use of Makaton sign language in the legal system**

Petition by Sandra Docherty calling on the Scottish Parliament to urge the Scottish Government to ensure that all parts of the legal system use Makaton sign language.

This petition was referred to the Equalities and Human Rights Committee in Session 5. That Committee noted how the issues raised in the petition, specifically around accessibility and inclusive communication, have come up in the course of its work during the latter part of this parliamentary session. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

#### **PE1804: Halt Highlands & Islands Airports Ltd's Air Traffic Management Strategy**

Petition by Alasdair MacEachen, John Doig and Peter Henderson on behalf of Benbecula Community Council calling on the Scottish Parliament to urge the Scottish Government to halt Highlands & Islands Airports Ltd's Air Traffic Management Strategy Project to conduct an independent assessment of the decisions and decision-making process of the ATMS project.

We invite the Session 6 Committee to consider this petition further with a suggestion to seek an update from the Scottish Government on any progress made to address the issues of concern raised during the evidence session on 24 February 2021.

#### **PE1812: Protect Scotland's remaining ancient, native and semi-native woodlands and woodland floors**

Petition by Audrey Baird and Fiona Baker on behalf of Help Trees Help Us calling on the Scottish Parliament to urge the Scottish Government to deliver world-leading legislation giving Scotland's remaining fragments of ancient, native and semi-native woodlands and woodland floors full legal protection before COP 26 (UN Climate Change Conference of the Parties) in Glasgow in November 2021.

We invite the Session 6 Committee to consider this petition further with a suggestion to seek an update from the Scottish Government on its response to the independent Deer Working Group, any progress that has been made to develop its new biodiversity strategy and further information on any legislation it intends to bring forward relevant to the issues raised by the petition.

#### **PE1815: Translocate protected beavers to reduce licensed killing**

Petition by Steve Micklewright on behalf of Trees for Life calling on the Scottish Parliament to urge the Scottish Government to initiate a programme to translocate protected beavers to suitable habitat outside existing beaver range, to minimise the need to kill animals adversely impacting arable farmland.

This petition was referred to the Environment, Climate Change and Land Reform Committee in Session 5. That Committee agreed to keep the petition open as due to pressures of competing work, it was unable to seek further evidence on the issues raised by the petition, as had been planned. We would suggest that future action on this

petition could include referring it to the relevant subject committee in Session 6.

### **PE1817: End Conversion Therapy**

Petition by Tristan Gray, Ely Kearney, Erin Lux, Benjamin Butler, Sophie Duncan calling on the Scottish Parliament to urge the Scottish Government to ban the provision or promotion of LGBT+ conversion therapy in Scotland.

This petition was referred to the Equalities and Human Rights Committee in Session 5.. That Committee was clear in its views on the importance of the issues raised in the petition. We would suggest that future action on this petition could include referring it to the relevant subject committee in Session 6.

### **PE1837: Provide clear direction and investment for autism support**

Petition by Stephen Leighton calling on the Scottish Parliament to urge the Scottish Government to:

- clarify how autistic people, who do not have a learning disability and/or mental disorder, can access support and;
- allocate investment for autism support teams in every local authority or health and social care partnership in Scotland.

We invite the Session 6 Committee to consider this petition further and suggest taking evidence from the Cabinet Secretary for Health and Sport on the various concerns raised in written submissions received on the petition.

### **PE1838: Regulation of non-statutory child advocacy services**

Petition by Martin Baker and Katherine Bailey calling on the Scottish Parliament to urge the Scottish Government to ensure that non-statutory child advocacy services are properly regulated to ensure competence, transparency and accountability.

We invite the Session 6 Committee to consider this petition further and suggest writing to the relevant Minister to ask whether they will undertake the work necessary to introduce legislation to regulate non-statutory child advocacy services.

### **PE1845: Agency to advocate for the healthcare needs of rural Scotland**

Petition by Gordon Baird on behalf of Galloway Community Hospital Action Group calling on the Scottish Parliament to urge the Scottish Government to create an agency to ensure that health boards offer 'fair' and 'reasonable' management of rural and remote healthcare issues.

We invite the Session 6 Committee to consider this petition further and suggest seeking

views from the Remote and Rural General Practice Short Life Working Group, chaired by Sir Lewis Ritchie, and rural NHS boards, and to write to the Scottish Government to request an update on the National Centre for Rural Health.

### **PE1850: Natural flood prevention on grouse moors**

Petition by Les Wallace calling on the Scottish Parliament to urge the Scottish Government to make the use of natural flood prevention methods a condition for obtaining a grouse moor licence.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

### **PE1851: Justice for the public in the legal system**

Petition by Melanie Collins and William Tait calling on the Scottish Parliament to urge the Scottish Government to to urgently review and reform the Scottish legal system, including an update of the systems and practices to ensure bodies, authorities and institutions are fit for purpose.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

### **PE1852: Increase planning protection for Scottish battlefields**

Petition by George Kempik on behalf of Group to Stop the development at Culloden calling on the Scottish Parliament to urge the Scottish Government to designate historic battlefields with a heritage status and implement a stricter planning framework to protect them.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

### **PE1853: Introduce a lifeline ferry service from Campbeltown to Ardrossan**

Petition by Councillor Donald Kelly & Councillor Douglas Philand calling on the Scottish Parliament to urge the Scottish Government to provide an all year round freight and passenger ferry service from Campbeltown and Ardrossan.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

**PE1854: Review the adult disability payment eligibility criteria for people with mobility needs**

Petition by Keith Park on behalf of MS Society calling on the Scottish Parliament to urge the Scottish Government to remove the 20 metre rule from the proposed adult disability payment eligibility criteria or identify an alternative form of support for people with mobility needs.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

**PE1855: Pardon and memorialise those convicted under the Witchcraft Act 1563**

Petition by Claire Mitchell QC calling on the Scottish Parliament to urge the Scottish Government to pardon, apologise and create a national monument to memorialise those people in Scotland accused and convicted as witches under the Witchcraft Act 1563.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

**PE1856: Support the taxi trade**

Petition by Pat Rafferty on behalf of Unite calling on the Scottish Parliament to urge the Scottish Government to protect the future of the taxi trade by:

- providing financial support to taxi drivers;
- setting up a national stakeholder group with trade union driver representatives; and
- reviewing low emission standards and implementation dates

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

**PE1857: Regulate the role of curator ad litem**

Petition by Stephen Leighton calling on the Scottish Parliament to urge the Scottish Government to regulate the curator ad litem and ensure historical claims of malpractice of curators as litem in Scotland are investigated.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

### **PE1858: Provide free face masks for everyone in Scotland**

Petition by Alex Wallace calling on the Scottish Parliament to urge the Scottish Government to provide free face masks for everyone in Scotland during the COVID-19 pandemic.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

### **PE1859: Retain falconers rights to practice upland falconry in Scotland**

Petition by Barry Blyther calling on the Scottish Parliament to urge the Scottish Government to amend the Animals and Wildlife Act 2020 to allow mountain hares to be hunted for the purposes of falconry.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

### **PE1860: New legislation for Prescription and Limitation Act**

Petition by Jennifer Morrison Holdham calling on the Scottish Parliament to urge the Scottish Government to amend the Prescription and Limitation Act to allow retrospective claims to be made.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

### **PE1861: Use teacher assessed grades to award national qualifications in 2021**

Petition by Oliver Smith calling on the Scottish Parliament to urge the Scottish Government to use teacher assessed grades rather than exam like assessments in awarding national qualifications in 2021.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

**PE1862: Introduce community representation on boards of public organisations delivering lifeline services to island communities**

Petition by Rona MacKay, Angus Campbell & Naomi Bremner on behalf of Uist Economic Task calling on the Scottish Parliament to urge the Scottish Government to introduce community representation on boards of public organisations delivering lifeline services to island communities, in keeping with the Islands (Scotland) Act 2018.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

**PE1863: Mandatory annual cancer blood test from the age of 55**

Petition by Michael Campbell calling on the Scottish Parliament to urge the Scottish Government to provide mandatory annual blood tests from the age of 55 to detect cancer.

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take next.

**PE1864: Increase the ability of communities to influence planning decisions for onshore windfarms**

Petition by Aileen Jackson on behalf of Scotland Against Spin calling on the Scottish Parliament to urge the Scottish Government to increase the ability of communities to influence planning decisions for onshore windfarms by—

- adopting English planning legislation for the determination of onshore wind farm developments;
- empowering local authorities to ensure local communities are given sufficient professional help to engage in the planning process; and
- appointing an independent advocate to ensure that local participants are not bullied and intimidated during public inquiries

This petition was received after the cut-off point for consideration by the Session 5 Committee ahead of dissolution. We invite the Session 6 Committee to consider the submission from the Scottish Government and consider what steps it wishes to take

next.

# Annexe B: Determination on the Proper Form of Petitions

Public Petitions Committee Determination on the proper form of petitions.

To be read alongside the Parliament's rules on public petitions, the Public Petitions Committee has made the following determination under Rule 15.4.3 on proper form of petitions.

- Petitions should be submitted using the Scottish Parliament's online petitions site. All sections should be completed.
- If an individual has no access to or difficulty in using the online petitions site, or if the site is unavailable, a petition may be submitted in paper form using the word template.
- A petition may be brought in any language. Where a language other than English is used, the Parliament will provide a translation.
- Petitions should be brief and state clearly what action is being sought.
- No supplementary information (such as correspondence, legal information, photographs, or copies of Freedom of Information requests) will be accepted as part of a petition.
- Petitions must relate to national policy or practice as opposed to a local or individual matter.
- Petition titles should be a short factual description that explains what is sought but not a slogan or campaign name. For example, "changes to the law about fatal accident inquiries" would be an appropriate title. "Betty's Law" or "Justice for Betty" would not be.
- Previous action taken on a petition must include raising the issue with a relevant decision maker such as the Scottish Government (or other relevant public body) or an elected representative such as an MSP.
- A petition will not be considered by the Public Petitions Committee if the same (or substantially similar) petition, submitted by the same petitioner, has previously been considered by the Committee and closed at its first consideration on three consecutive occasions.
- Petitions should not:
  - Name individuals or otherwise contain information that could lead to the identification of any individual. This excludes elected representatives and senior managers of public bodies.
  - Contain any false statements. It is the responsibility of the petitioner to ensure that statements are accurate.
  - Refer to any matter that is the subject of continuing court proceedings.

- Seek an adjudication or decision on an individual or commercial matter.
- Seek to involve the Public Petitions Committee in a decision that is more properly the domain of another body (for example complaints, court appeals, planning appeals, local authority expenditure decisions etc.)
- Include language or wording that is defamatory, offensive, or inappropriate, for example swear words, insults, sarcasm or other language that could reasonably be considered offensive by a reader.

# Annexe C: Vision Statement

## Vision Statement

*The Scottish Parliament's public petitions process provides an opportunity for members of the public to raise awareness of an issue or try to change something about the way things work in Scotland.*

The overriding aim of the Public Petitions Committee is to make the petitions process open and accessible to all.

### **The Committee will focus its efforts on issues:**

- Considering matters which otherwise may not receive attention. This includes issues which may affect a small number of people but have a significant impact on the quality of their lives.
- That are not being considered elsewhere in the Scottish Parliament.
- Where the Committee believes its involvement can make the most difference.

### **The Committee will:**

- Consider every petition which meets the Committee's guidelines, regardless of whether a petitioner has chosen to collect signatures.
- Seek feedback from petitioners about their experiences of petitioning the Scottish Parliament.
- Continue to seek ways to improve the way in which the public petitions system works.

### **In doing so, the Committee will seek to:**

- Remove any barriers that may prevent people creating a petition.
- Regularly review who is, and who is not, petitioning the Scottish Parliament and explore the potential reasons why.

**This vision statement covers the period 2020-21.**

