



The Scottish Parliament
Pàrlamaid na h-Alba

RURAL AFFAIRS, CLIMATE CHANGE AND ENVIRONMENT COMMITTEE

John Pentland MSP
Convener
Public Petitions Committee

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Dear John

PETITION PE1542 on Human Rights for Dairy Farmers

Thank you for your letter of 19 May 2015, seeking the Rural Affairs, Climate Change and Environment Committee's views on the above petition, which we considered at our meeting¹ yesterday

As you are aware we recently undertook an inquiry into the current crisis faced by the dairy industry in Scotland which led to our recommendations being included in the Scottish Government's Dairy Action Plan. Our inquiry focused on recent problems faced by some Scottish dairy farmers; the issues at First Milk specifically; the more general situation regarding pricing, from farm, to processor to retailer; the Scottish, UK and EU policy and regulation frameworks; and what opportunities there are in the future to address the current problems and grow the dairy industry in Scotland. The Committee held a debate in the Chamber on 31 March 2015 where its inquiry and the Action Plan were discussed by the Parliament. We took further evidence from First Milk at our meeting on 28 May 2015, however this was on a specific issue and our inquiry has now concluded.

¹ Scottish Parliament Rural Affairs, Climate Change and Environment Committee, *Official Report* 3 June 2015. Available at: (from Monday 8 June 2015)
<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/29878.aspx>

We considered the issues raised by the petition, your letter and the extract of the Official Report of your meeting on 13 May 2015 and noted that you have previously received advice from the Scottish Human Rights Commission that only a court could rule on whether or not human rights have been breached. We also understand that the original decision to keep the ring fence for the Kintyre area was a democratic decision, implemented after a vote of all the dairy farmers in the area, and believe that a judicial review would be required if the decision was to be challenged.

While the Committee has some sympathy with the Petitioner's situation it is firmly of the view that, as the petition appears to be ultimately asking the Parliament to adjudicate on a matter which is one of a personal and commercial interest, and should therefore be determined by a court, it should be closed.

On this basis the Committee would not be willing to consider the issue as part of any future work it undertakes.

Yours sincerely

Rob Gibson MSP
Convener