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Scottish Parliament

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[The Presiding Officer opened the meeting at 11:40]

General Question Time

Scotland's Reputation

1. Gillian Martin (Aberdeenshire East) (SNP):

To ask the Scottish Government what it is doing to promote Scotland's reputation overseas as that of a welcoming and tolerant society. (S5O-02699)

The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop): The Scottish Government is committed to fostering Scotland's reputation for being a warm and open country. Our international framework is underpinned by a commitment to good global citizenship and we continue to promote our core values, including respect for international human rights standards, in all our international engagement.

Scotland is now is the new, collective approach for the Scottish Government and partner agencies to market Scotland to the world as a progressive and welcoming nation. Scotland is now reaches out internationally to encourage people to be part of Scotland's future—to live, work, study, visit and do business here.

Gillian Martin: I cannot be alone in having conversations with constituents who are concerned at the images of the far-right factions that have been appearing at European Union exit demonstrations in London. Those factions seem to be emboldened by political events and led by characters who are taking advantage of the situation to spread messages that one can only hope never become associated with the vast majority of us, in the eyes of those watching from overseas.

Can the cabinet secretary give an idea of what steps the Scottish Government has taken to engage with EU nationals and new Scots who are living in Scotland to reassure them that they are valued and respected, and that racism and xenophobia have no place in our society? What engagement has the Scottish Government had with the United Kingdom Government Home Office in putting forward the view that Scotland should continue to be a destination of choice for those who want to contribute to our society?

Fiona Hyslop: The member raises hugely important issues of our time. The only way to tackle racism and xenophobia is head on. That requires political leadership and everyone to step

up to the mark, which has sadly been lacking in certain parts of the United Kingdom.

The Scottish Government has been engaging with EU citizens to give reassurance for some time. This week, we announced our service to support them in relation to settled status. Yesterday, the Parliament agreed that the settled status fees should be abolished, because a price should not be put on the cultural and economic value of our EU citizens.

I cannot have been the only person to have looked at the white paper that was produced by the UK Home Office. I also spoke to Caroline Nokes, Minister of State for Immigration, only yesterday. To have a future governed by a Government that produces such a white paper is no way for Scotland to be. The white paper's proposal for a potential 85 per cent reduction in the number of European Economic Area citizens who are living in Scotland would be absolutely catastrophic for our economy, diversity and the distribution of communities across our remote and rural areas, let alone for our tourism, hospitality and other sectors.

However, even worse than the economic effect is the question of what this says about the country that the UK has become. Scotland cannot be part of a system that perpetuates that kind of attitude towards those who want to come here. Scotland wants to welcome people, because we value them. That is the message that this Government will continue to put out.

Equally Safe

2. **Linda Fabiani (East Kilbride) (SNP):** To ask the Scottish Government how it has evaluated the pilot in schools of its equally safe programme. (S5O-02700)

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): We are pleased to be working with Rape Crisis Scotland and Zero Tolerance to take forward the equally safe at school programme, which aims to promote a whole-school approach to tackling gender-based violence. Last year, it was delivered in two secondary schools, including St John Ogilvie and Calderglen, which is in the member's constituency. It has been delivered in a further two schools this year. The project is in the second year of a three-year pilot, and the University of Glasgow is currently undertaking a formative evaluation of it. Further work is on-going, with a view to a full-scale evaluation that will commence next year.

Linda Fabiani: The cabinet secretary is aware of the work that has been carried out by various young women's organisations, including young women lead, about sexual harassment in schools.

I am concerned that we do not have what is called intersectionality among public agencies when dealing with such things. Can the cabinet secretary confirm that discussion is taking place between agencies, schools, local Government, the Government, the police and the health service to ensure that we really can be equally safe in schools?

John Swinney: I want to give Linda Fabiani that reassurance. It is important that, in all areas of Government, we take seriously the issues raised by the young women lead committee's report—and all other reports on the question of sexual harassment in schools. I had the opportunity to provide evidence to the Parliament's Equality and Human Rights Committee last week, in relation to the young women lead committee's report, following evidence from representatives of that committee. Those young women produced a powerful and deeply uncomfortable testimony in the report and in their evidence to Parliament.

I am committed to ensuring that the message is being taken seriously in all aspects of the Government's work, whether that is in my core policy responsibilities in relation to education, where we have seen significant progress in the gender-based violence work being rolled out by the Emily Drouet campaign that is led by Fiona Drouet—that campaign has been embraced by our universities and colleges and the work is to ensure that it is replicated in schools, particularly in the work that we do on relationships, sexual health and parenthood education—or more widely in Government.

Quad Bikes

3. Claire Baker (Mid Scotland and Fife) (Lab): To ask the Scottish Government what action it is taking in response to the antisocial or illegal use of quad bikes or similar vehicles. (S5O-02701)

The Minister for Community Safety (Ash Denham): I am well aware of the risk to public safety caused by careless, inconsiderate and antisocial driving. That is why I fully support Police Scotland and its partners in dealing with the misuse of vehicles in an appropriate and proportionate way. Local policing teams are ideally placed to engage with members of the local community to identify where the misuse of vehicles is causing distress to the public. That ensures that those areas can be prioritised for proactive action to prevent future instances and identify and deal with those engaged in the misuse of vehicles.

Claire Baker: The minister may be aware that Fife, and the Levenmouth area in particular, continues to experience antisocial behaviour, despite the best efforts of local police, which presents the risk of there being a serious, or even

fatal, accident. The local police inspector has called for more powers to tackle that menace and I back that call. Will the minister agree to meet me in the new year to discuss how we can support our local police and ensure that they have the appropriate powers to take the necessary action?

Ash Denham: I am aware of the issue and I would be happy to meet with the member to discuss it. The Antisocial Behaviour etc (Scotland) Act 2004 provides a wide range of measures for dealing with all forms of antisocial behaviour. Our national strategy is based on prevention, early intervention and diversionary activities. The Scottish Government is working with a group of local authorities to use their expertise and knowledge to reform, refresh and update all our guidance documents on tackling antisocial behaviour.

Youth Unemployment (North Ayrshire)

4. Kenneth Gibson (Cunninghame North) (SNP): To ask the Scottish Government what progress it is making in reducing youth unemployment in North Ayrshire. (S5O-02702)

The Minister for Business, Fair Work and Skills (Jamie Hepburn): Youth unemployment for 16 to 24-year-olds in North Ayrshire in the October 2016 to September 2017 period was down 13.8 per cent from its peak in the post-economic downturn in the October 2011 to September 2012 period.

Kenneth Gibson: Scottish Enterprise has recently announced funding of £10 million to invest in infrastructure at Hunterston in my constituency. Can the minister advise Parliament how many jobs that will help to create and how many apprenticeships it will secure for young people in North Ayrshire?

Jamie Hepburn: I am aware of the investment that has been provided to support the transformation of Scotland's energy sector as well as to provide significant opportunities for the North Ayrshire economy. Skills Development Scotland has been working closely with Scottish Enterprise and Peel Ports. They will be undertaking work to explore the potential job opportunities and skills demands that will be required. I understand that there will be about 40 apprenticeship opportunities and we will be delighted to support those opportunities for North Ayrshire's young people through Skills Development Scotland.

Jamie Greene (West Scotland) (Con): A report published earlier this month by the Health Foundation examined some of the challenges facing young people across the United Kingdom. North Ayrshire was one of the locations that it chose to consider. I looked through the feedback from some of the young people who responded

and some of them commented that their perception was that opportunities in North Ayrshire were scarce and that they may have to move elsewhere.

Notwithstanding the good work that is going on, what does the minister think that we can do to help promote some of those excellent opportunities?

Jamie Hepburn: When I go round the country—North Ayrshire will be no different—one of the big challenges that we have is that although a range of opportunities are available on young people's doorsteps, they are not always aware of those opportunities. A critical element of our developing the young workforce strategy is to make young people aware of those opportunities. I urge every member, including Mr Greene, to make sure that young people are aware of the developing the young workforce initiative.

Ruth Maguire (Cunninghame South) (SNP): With hundreds of jobs and £350 million-worth of investment at stake, does the minister agree that it is time for the United Kingdom Government to stop dragging its heels on the Ayrshire growth deal and join the Scottish Government and local authorities in signing a heads of terms agreement on 25 January, to bring those much-needed jobs and investment to Ayrshire?

Jamie Hepburn: We are committed to supporting the Ayrshire economy through a growth deal. The Ayrshire local authorities have indicated that they want to sign a heads of terms agreement on a deal on 25 January. The Cabinet Secretary for Transport, Infrastructure and Connectivity has said that he is willing to do so, and he has written to the Secretary of State for Scotland to urge the UK Government to agree to the proposed timescale. Thus far, we await a reply.

Lipoedema Support

5. Monica Lennon (Central Scotland) (Lab): To ask the Scottish Government what action it is taking to improve support for women who have lipoedema. (S5O-02703)

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): The Scottish Government recognises that lipoedema can be a distressing and painful condition. As with all long-term conditions, we want people who are living with lipoedema to be able to access the best possible care and support.

Lipoedema services are mainly provided by therapists, including the nurses and allied health professionals who are based within the lymphoedema services that are available in every health board in Scotland. Over the past three years, we have worked to improve lymphoedema services via the national lymphoedema care in Scotland working group.

Monica Lennon: Anne Henry, with whom I have been working for more than a year, went public about how difficult it is to get a diagnosis for lipoedema on the national health service. Following a private diagnosis, Anne has faced a battle to get NHS treatment. There is only one surgeon in the NHS in Scotland who can perform the surgery that she needs. Anne was due to have surgery in Ninewells hospital next month, but she has been told to expect a delay because of staff capacity issues.

The minister might recall that, last month, he told me:

“there is no demand for a second surgeon”.—[*Written Answers*, 21 November 2018; S5W-19857.]

However, the Scottish Parliament information centre advises that more than a quarter of a million women in Scotland have lipoedema. Can the minister explain why one surgeon is sufficient? Will he look at the capacity issues again? Will he meet me in the new year to discuss ways to improve lipoedema healthcare?

Joe FitzPatrick: I am pleased to hear that the member's constituent has an appointment, and I hope that that takes place in a timely manner.

Liposuction is not necessarily the best and most appropriate treatment for everyone with lipoedema. Although, as the member suggested, a significant number of women have lipoedema, liposuction will not necessarily be the best treatment for all those people. Clearly, what the best treatment would be is a matter for discussion between the clinician and the patient.

Dr Alex Munnoch is the leading surgeon who provides that specialist treatment in Dundee. If we had more surgeons performing that form of surgery, there is a real danger that they would not be able to maintain their skills set, given the level of demand for the service. It would set alarm bells ringing for me if we had a number of surgeons who were not managing to keep their skills sets up to date. However, I would be happy to meet Monica Lennon to discuss those matters in the new year.

Rail Freight

6. John Finnie (Highlands and Islands) (Green): To ask the Scottish Government what proportion of freight is conveyed by rail. (S5O-02704)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): Network Rail advises that there are currently around 45 freight trains a day in Scotland. The latest available figures showing the proportion of freight conveyed by rail relate to 2012-13, when the figure was 4.3 per cent. We do

not have a more up-to-date figure because, although Transport Scotland continues to request the information, one large freight operator will not release its volume data for commercial reasons. We are seeking to have that matter resolved.

John Finnie: The cabinet secretary will be aware of the frustrations that exist in connection with any attempted improvements in the conveyance of freight by rail, including those that relate to Highland Spring, and he will be aware that we support the devolution of Network Rail. The reopening of the Levenmouth link and the dualling of the Highland main line would dramatically increase the potential for freight to be moved from road to rail. Will the cabinet secretary progress those projects in the 2019 to 2024 control period?

Michael Matheson: The member referred to a number of projects, in particular the one at Highland Spring Ltd. He will be aware that work has started on providing a link at Highland Spring, to allow it to move from road to rail, which will support his party's ambitions for freight investment. The member will also be interested in the work that has been undertaken on the far north line, which is about helping to provide greater access for freight, along with greater resilience for passenger services. In the next control period, we will be giving greater focus to further enhancements to the infrastructure of Scotland's rail network, including greater provision to enable a high level of freight on Scotland's rails.

Integration Joint Boards (Spending)

7. Alex Rowley (Mid Scotland and Fife) (Lab): To ask the Scottish Government how many integration joint boards have projected an overspend for 2018-19. (S5O-02705)

The Cabinet Secretary for Health and Sport (Jeane Freeman): Before taking into account mitigating actions by the partnerships, the latest position indicates that 22 integration authorities are projecting an overspend. Management of that includes planned additional funding from partners, delivery of financial recovery plans and appropriate use of reserves. Taking those mitigating actions into account, I expect integration authorities to deliver a balanced financial outturn; in part, because—as a key comparison—last year at the end of December, integration authorities were forecasting a combined £71 million overspend, although by the end of the financial year, they reported a £39 million underspend in their combined final accounts.

Alex Rowley: If the cabinet secretary looks at the detail of that, she will see that many of the IJBs that projected overspends did overspend and the local authorities used balances to bail them out. The fact is that IJBs across Scotland are in

crisis. Two weeks ago, the Accounts Commission, in "Local government in Scotland: Financial overview 2017/18", stated:

"The majority of IJBs have underlying financial sustainability issues".

In Fife, I believe that the IJB was set up to fail, because it started its working life with a deficit. Will the cabinet secretary agree to start discussions with NHS Fife and Fife Council, and will she look into giving the health and social care partnership proper financial stability?

Jeane Freeman: At the end of March, our combined integration joint boards were sitting with £124.25 million of reserves, which are part of the mitigating actions that I am discussing. These are, of course, joint ventures between local authorities and health boards and, while Mr Rowley might be correct about the past financial year, local authorities have provided additional funds—as did health boards—much of which came from our overall health budget and the transfer to local government that is in both the settlement and the health settlement. That is the case in this year's draft budget.

We must be clear and careful in talking about the funding of our integration joint boards and how the money is managed. I am having a helpful discussion with Councillor Stuart Currie—my counterpart at the Convention of Scottish Local Authorities—and in January we will look at a number of matters around the funding and resourcing of the integration joint boards, not least of which is those reserves, which are not new and have increased on the year before.

Mr Rowley and I have already discussed the Fife IJB. The deficit that it started with came from both the local authority and the health board, and we do need to assist in that instance. That IJB started off on a poor footing and needs joint assistance from us in order to help it to move forward. Again, Councillor Currie and I have already had an initial discussion on that and we will continue that in the early part of next year.

Miles Briggs (Lothian) (Con): Edinburgh's integration joint board is said to be £10.3 million over budget and is looking to use £1.3 million of its reserve to reduce that deficit. It is clear that the integration joint boards need to have more financial accountability to this Parliament, so, in the new year, what will the cabinet secretary bring forward to ensure that we can achieve that accountability, just as we have in relation to health boards?

Jeane Freeman: If Miles Briggs is referring to the three-year funding plan that I announced for health boards, he will be aware that the IJBs have the capacity to hold reserves; indeed, I have just been talking about the amount of money that they

have. The Edinburgh board is sitting with just over £8 million.

Miles Briggs will also know that I have replied in detail to the Health and Sport Committee's detailed pre-budget scrutiny—I hope that he is now in receipt of my response, much of which talks about the financing and governance of IJBs. In January, I will have the pleasure of giving evidence to the committee to discuss the matters further, and I look forward to doing so.

Lockerbie Bombing (30th Anniversary)

The Presiding Officer (Ken Macintosh): Before we move to First Minister's question time, the First Minister would like to make a statement about the 30th anniversary of the Lockerbie tragedy.

12:00

The First Minister (Nicola Sturgeon): I am grateful for the opportunity to reflect briefly on the 30th anniversary of the Lockerbie bombing, which is tomorrow. Tomorrow, the Solicitor General will attend events in the United States, and the Lord Advocate will represent the Scottish Government at the memorial service in Lockerbie. I know that several local MSPs will also attend commemorations. However, I am sure that everyone in the chamber will reflect on the anniversary in some way.

First and foremost, we will remember those who died on 21 December 1988—270 people, from a total of 21 nations. We will think about all those who lost loved ones, and about everyone who has been affected by the tragedy—for example, people in our emergency services, who work so hard in such incredibly difficult and traumatic circumstances. Of course, we will think about the residents of Lockerbie.

In doing so, we will reflect on how an almost unimaginable tragedy brought out incredible reserves of solidarity, compassion and love. The bereaved showed immense dignity and resilience. People in Lockerbie and the surrounding area opened their hearts to those who had lost loved ones. Enduring ties and friendships have been created. For example, Syracuse University, which lost 35 of its students in the bombing, now accepts two scholarship students from Lockerbie academy every year. That is a powerful example of the way in which people have worked to remember the past in a way in that also builds hope for the future.

That hope is part of the legacy of Lockerbie, and it is something to hold in our hearts tomorrow, as we look back on the tragedy, as we think about all those who lost loved ones and as we remember and honour all those who died.

First Minister's Question Time

12:02

Rail Services (Performance)

1. Jackson Carlaw (Eastwood) (Con): I associate myself entirely with the remarks that the First Minister has made and with those that the Prime Minister made yesterday.

As I was preparing for Christmas that year, so were the Somerville family. Jack Somerville had been the retail vehicle sales manager in our family business for some 20 years before he retired. I remember him with great affection—yes, he had a sheepskin coat, like all the best used-car sales managers do, he was fond of a cigar and he was a big personality. He and his family were in the house on which the plane landed, and they were obliterated. Each year when the anniversary comes around, I, and many of his former colleagues, along with all those who lost relatives and friends, think fondly of those who died.

Punctuality in our train service has reached its worst point for 12 years. Hundreds of trains have been cancelled. There have been shortages of staff, because people are being trained to use the new class of trains—the introduction of which has also been delayed, causing another 100 services to be cut last month. Does the First Minister think that train passengers across Scotland are owed an apology?

The First Minister (Nicola Sturgeon): Yes, I do. ScotRail has made it clear that it regrets the cancellations and delays that have been caused. Let me be perfectly clear: the level of cancellations—this week, in particular—has been unacceptable.

Of course, the cancellations have been due to a combination of factors—not least train crew shortages, but also a number of other issues. Infrastructure issues, such as Monday's signals failure at Perth, have accounted for a significant number of cancellations.

However, the blame for the cancellations cannot simply be laid at the door of ScotRail. Tragically, we must recognise that understandable knock-on disruption followed the loss of life on the railways this week. I am sure that the sympathies of everyone in the chamber go to the families and loved ones of those who have died.

That said, I want to be clear that we have seen a significant and unacceptable number of delays that are clearly ScotRail's responsibility. I can report to Parliament that the number of cancellations of that type has fallen as the week has progressed, from approximately 144 on

Monday to an estimated 40 today. Progress is being made but it is not good enough. We expect—indeed, we demand—better from the rail operator, and the transport secretary continues to work closely with it to ensure that we will continue to see improvements in the days to come.

Jackson Carlaw: That is interesting, because we have new official figures that show that, since 2011, there have been more than 35,000 cancellations or part cancellations caused entirely by ScotRail. That amounts to 5,000 a year.

People want to know why the Scottish National Party Government is failing to deliver. Let us examine its record. Two years ago, which was the last time we had problems on the tracks, the then transport minister, Humza Yousaf, played the big man and hauled in ScotRail, threatening it with “serious consequences”. He fumed:

“they were left with no uncertain terms that I expect improvement”.

What has happened since? The level of punctuality has fallen. Instead of serious consequences, Mr Yousaf has done a ministerial bunk to the justice department, where he is now clearing up the mess left by Mr Matheson, while Mr Matheson has swapped seats to clear up the mess left by Mr Yousaf. Talking tough, playing cabinet musical chairs, failing to deliver improvements and then giving in—is that not the record of this Government on our rail network?

The First Minister: I am not sure that the Tories are on particularly safe ground here, but I will leave that to one side for the moment.

When Humza Yousaf, the then transport minister, took that action with ScotRail, we saw improvements. However, I am not standing here and saying that ScotRail's performance is good enough, because it is not. Its performance on punctuality is usually better than the performance of other large train operators elsewhere in the UK.

Our responsibility is to continue to work with ScotRail to deliver improvements. In the past few weeks, there have been issues with shortages of train crews and, as ScotRail has set out, that is largely down to two issues. The introduction of the new timetable has been affected by the late delivery of the Hitachi trains. There is not quite the number of Hitachi trains in service that was expected. There was also industrial action, which, I am glad to say, is now resolved.

ScotRail is working hard to resolve those issues, as I have said. Again, I am not saying that this is good enough and I recognise the frustration of the travelling public, but during this week, the number of cancellations has been reduced and I expect to see that number continue to reduce and continued improvement during the next few days, particularly

as we go into the holiday period and then the new year.

The transport secretary discusses those issues with ScotRail regularly. He spoke to the managing directors of ScotRail and Abellio earlier this week and made clear the urgent need for improvement.

Jackson Carlaw: Right. Let us recall something else from two years ago, when the transport minister handed out £3 million of discounted fares following the disruptions. That, he said, was

“to thank passengers for their patience”.

Two years on, it is not passengers who are getting a break; it is the train operator. The current transport minister has decided to waive the sanctions that the train operator was facing for missing targets. Why? Because it would have breached the franchise agreement had the targets been kept in place. There was support for passengers in one year and a bail-out for the train operator in the next. Who is getting the better deal here—Scotland’s hard-pressed commuters or the owners of the rail franchise?

The First Minister: Tough sanctions for failure to deliver are in place, and it is right and proper that that is the case. Of course, passengers contribute to the cost of running the railway through rail fares, and again, I absolutely understand the frustration of passengers who are paying rail fares and not getting the performance that they deserve.

However, it is important to stress that the Scottish Government meets the majority of the cost of rail passenger services in Scotland. We have taken action to minimise the impact on passengers by capping increases for regulated ScotRail peak fares at the level of the retail price index. Regulated off-peak fare increases are capped at 1 per cent lower than the rate of inflation, which means that, in Scotland, average rail fare increases are lower than they are in England and Wales.

We will continue to do what we can to keep rail fares as reasonable as possible, and we will continue our work to invest in our railways, to improve the number and quality of services, and to ensure that ScotRail is taking the action that it needs to take to resolve the difficulties that have been experienced in recent weeks.

Jackson Carlaw: That was so downbeat that I do not think that it will be going faster than the slowest train. I am afraid that it is classic SNP. One minute, the SNP is talking tough, telling everyone that it is going to sort things out, and two years down the line, when things have actually got worse, it is all somebody else’s fault—all while passengers are still waiting, trains are late and millions of pounds are lost to the Scottish

economy. Ministers have a role to play: to hold management to account and to stand up for hard-pressed passengers. As well as having—I hope—a very merry Christmas, what will the First Minister and her ministers do to ensure that in 2019 we have a railway network in Scotland that is fit for purpose?

The First Minister: We will do the hard work to ensure that those issues are resolved and that ScotRail continues to perform better than other train operators elsewhere in the United Kingdom. We will continue to take forward work to allow a public sector bid for the next rail franchise, and we will do what I would expect the architects of privatisation on the Tory benches to oppose tooth and nail: continue to argue for full devolution of all powers over the railways, so that we are responsible for Network Rail as well as ScotRail and so that this Parliament has the opportunity to nationalise our railways and to undo the damage of privatisation caused by the Tories.

Education

2. Richard Leonard (Central Scotland) (Lab):

I associate my party with the remarks made by the First Minister about the Lockerbie tragedy. I recently visited the Dryfesdale cemetery and garden of remembrance to pay my respects and I found it a very moving experience.

I turn to a question that I think is topical, because today our schools are getting ready to break up for the Christmas holidays. I remind the chamber that, back in October, the First Minister encouraged Scotland’s teachers to write to her with any concerns that they had about Scotland’s schools. Here is a comment addressed directly to the First Minister just last week by a schoolteacher in North Lanarkshire. She wrote:

“despite what you have said yourself on many occasions, it is becoming clear that education is not a priority for this government.”

Is that teacher wrong?

The First Minister (Nicola Sturgeon): It is my job to demonstrate to that teacher that that is not the case. Education is a priority for this Government. That is why we are continuing to ensure that there is investment in our schools. For the past couple of years, as we have narrated in the chamber before, investment in our schools has increased and the Scottish Government has taken action through the pupil equity fund to get more resources directly to headteachers. We see in the statistics that were published last week the rising number of teachers in our schools. We are also seeing evidence that the attainment gap in our schools is starting to close, as is the attainment gap in terms of access to universities, and of course standards in our schools generally are continuing to improve. We will do the hard work to

continue that progress and to persuade that teacher and all the other teachers across the whole country that we value what they do and that we consider education to be the top priority that it rightly is.

Richard Leonard: The letter that I quoted was from a teacher called Esther and it was published in the *Scottish Educational Journal*. Esther is not only a lifelong Scottish National Party voter but an SNP member and a local activist, but her concern about workload and the pressure on Scotland's teachers is now so grave that she writes of

"a crisis where schools are understaffed",

asking,

"How can we close the attainment gap when our schools do not have enough teachers?"

She is not alone. Dean, another teacher and another SNP member, wrote in the same journal:

"I hear the rhetoric that education is at the forefront of the Scottish Government's priorities but see little evidence of this."

When we raise concerns about education on behalf of teachers and parents, the First Minister chooses not to listen. Will she at least listen now to the grave concerns that are being openly expressed by members of her own party?

The First Minister: I listen very carefully every time Richard Leonard rises to his feet in the chamber. Of course we listen carefully to the views of teachers and parents and young people across the country.

If we take teacher numbers in particular, just last week we saw the number of teachers in our schools rise by almost 500. That follows a rise the year before and the year before that. Since I became First Minister, I think that teacher numbers have increased by more than 1,000. The number of teachers who are working in our primary schools right now is at its highest level since I was at primary school in 1980. The investment that we are ensuring in our schools is delivering those numbers of teachers and it is delivering resources for headteachers to target the attainment gap and to start to narrow the attainment gap.

We will continue to support teachers as best we can. Of course, we have an on-going negotiation about a revised pay offer to teachers. I note in passing that, last week, Labour councillors at the Convention of Scottish Local Authorities voted against making a revised offer to teachers. We want to support teachers by having resources in the classroom, by having the right number of teachers in the classroom and by making sure that they are fairly and properly rewarded for the excellent job that they do. As we go into the new year, we will continue to get on with that job.

Richard Leonard: All I am asking the First Minister to do is to listen to members of her own party. There are 3,000 fewer teachers in our classrooms than there were when the SNP came to power. No progress has been made in closing the attainment gap and Scotland is facing its first teachers' strike since Margaret Thatcher was in Downing Street. The First Minister told us again this morning that education is her top priority, but parents do not believe that, teachers do not believe that and now even her own party members do not believe that. Can the First Minister tell us why anybody in Scotland should believe that education is her top priority?

The First Minister: As I have just said, teacher numbers are rising. Richard Leonard cannot deny that, because the numbers speak clearly for themselves. As I said a moment ago, the number of teachers in our primary schools is at its highest level since 1980. I think that the number of teachers overall is at its highest level since around 2010, so teacher numbers are rising.

We are seeing the attainment gap start to close. It is not true for Richard Leonard to say that that is not the case.

Richard Leonard commented on the prospect of industrial action in our schools. I do not want to see that happen and I will work as hard as I can to avoid it. That is why, thanks to SNP councillors and others at COSLA on Friday, a revised offer on pay has been made to teachers. I say again—and I ask Richard Leonard to reflect on this very carefully—Labour councillors at COSLA voted against making a revised offer. If it had been down to Labour councillors at COSLA last week there would be no revised offer to teachers on the table and, as a result, industrial action would be closer. Perhaps Richard Leonard needs to reflect on the actions of his own party, just as I will continue to listen to members of my party and to teachers across the country.

Police Scotland (Deaths in Custody)

Claire Baker (Mid Scotland and Fife) (Lab): Many people will have been shocked by the content of the BBC documentary on the death of Sheku Bayoh in police custody. The programme highlighted concerns over the police response, the Police Investigations and Review Commissioner investigation and how the family was treated. I appreciate that it is a live case and that the First Minister may feel restricted in her response, but does she recognise that the BBC programme shone a light on serious concerns over deaths in custody in Scotland that the Government must deal with. Will she today commit to holding a comprehensive inquiry into deaths in custody in Scotland?

The First Minister (Nicola Sturgeon): I thank Claire Baker for raising an extremely important issue and I thank her for recognising that what I can say in response is restricted by the fact that this is an on-going live case. I recognise the concerns that have been raised by the BBC documentary, although I cannot go into the detail of those concerns.

In relation to the Sheku Bayoh case, I will say a couple of things, which I think I have said before in the chamber. First, I am sure that I speak for everybody in the chamber when I say that my thoughts are very much with the family and friends of Mr Bayoh at what will be an extremely difficult time for them as we approach Christmas.

The Government has absolutely not ruled out holding a public inquiry into the Sheku Bayoh case and the more general issues that it raises. However, as Claire Baker is aware, the process to decide whether there will be a criminal prosecution, which is governed by the Lord Advocate completely independently of ministers, has not yet concluded. When it has concluded, the Government will consider the next steps carefully at that point. As I have said before, one of the options open to the Government is a full public inquiry, which has certainly not been ruled out by the Government.

Richard Irvin Energy Solutions

Tom Mason (North East Scotland) (Con): I am sure that the First Minister will be aware of the reports this morning that the mechanical project services firm Richard Irvin Energy Solutions, which is based in Aberdeen, has gone into administration, with the expected loss of 110 jobs. This is clearly a distressing time for all involved. What assistance can the Scottish Government provide so that staff are not struggling when Christmas is just around the corner?

The First Minister (Nicola Sturgeon): I thank Tom Mason for raising the issue. This will be an extremely difficult and stressful time for the employees of the company. In such circumstances, as the member will be aware, the Government's partnership action for continuing employment—PACE—initiative offers employees assistance with looking for alternative employment.

However, before that or, often, simultaneously with it, the Government is always keen to talk to companies to see whether there is any action that we can take to help to avoid redundancy situations. I will ask the economy secretary to correspond with Tom Mason about the actions that the Government has taken. We will do everything that we can, not just in the run-up to Christmas but after that, to provide all possible assistance to those affected.

Cystic Fibrosis Medicines

Jackie Baillie (Dumbarton) (Lab): The First Minister will be aware of the decision by Vertex Pharmaceuticals to resubmit Orkambi to the Scottish Medicines Consortium and to submit Symkevi for the first time. She will also be aware of the very welcome agreement with the Scottish Government about access to Orkambi now for individual patients as part of the peer-approved clinical system tier 2—PACS2—process.

I place on record my thanks to the Cabinet Secretary for Health and Sport and her officials, the cross-party group of MSPs, including Alex Neil, Anas Sarwar and Miles Briggs, and the *Daily Record* for their tireless support. I know that the Gallachers and all the families are delighted and regard this as a wonderful Christmas present. Will the First Minister ensure that PACS2 requests are considered quickly and that there is no delay within health boards in people with cystic fibrosis accessing the drug?

The First Minister (Nicola Sturgeon): I am very pleased indeed to confirm to Parliament that Vertex Pharmaceuticals has agreed to make submissions for its cystic fibrosis medicines to the Scottish Medicines Consortium. That follows constructive discussions between the Scottish Government and the company to ensure that our new medicines appraisal process is as flexible as possible while ensuring rigour in its assessment. The company has also confirmed that each of its applications will be submitted with a patient access scheme to improve the cost effectiveness of the proposals. The decisions about whether the medicines will be made available are, of course, taken by the SMC independently of Government.

I, too, recognise the very hard work of the Cabinet Secretary for Health and Sport and Scottish Government officials to get us to this point, as well as all those, including Jackie Baillie, who have campaigned to make progress on the matter. It is important to say that, in the meantime, while the considerations are on-going after the submissions are made and when the medicines are prescribed through the new peer-approved clinical system for individual patient access to medicines, Vertex has agreed to make them available to the national health service at a discount. That process is available to clinicians and patients, and it is one that I expect all health boards to operate as quickly as possible. I hope that this good news will be welcomed across the chamber. I know that it will be welcomed by the many families that are affected by cystic fibrosis, in particular.

Ferguson Marine

Jamie Greene (West Scotland) (Con): The First Minister will be aware of the news today that

Ferguson Marine in Port Glasgow has posted a loss of £60 million for 2016. The yard blames “interference and disruption” from the Scottish Government for the loss. Does the First Minister recognise that assertion?

The First Minister (Nicola Sturgeon): Far from there being interference and disruption, the Scottish Government has—as has been debated in the chamber on many occasions—worked very hard to support Ferguson Marine to deliver and to diversify its business. When the shipyard was under its previous ownership, it was action by this Government that stopped it from closing. It is action by this Government in support of those who own, operate and run the shipyard that, I hope, will see it continue to have a very bright future.

Brexit (People’s Vote)

3. Willie Rennie (North East Fife) (LD): The Prime Minister is indulging in a form of psychological no-deal warfare in a desperate gamble to revive her dead deal. The Scottish National Party has been on a journey and is now giving whole-hearted support to a people’s vote—hallelujah!

The Conservative councillors in Perth backed a people’s vote this week, Amber Rudd indicated possible support yesterday, and Sarah Wollaston said that she would quit the Conservatives if they backed a no-deal Brexit. Momentum is with us—*[Interruption.]* What can the First Minister do to get the leadership of the Labour Party on board?

The First Minister (Nicola Sturgeon): I am sorry, Presiding Officer, but the noise in the chamber—I am not sure whether people were laughing with Willie Rennie or otherwise—obscured the end of his question, so I did not quite catch what he asked me. However, I think that I got the gist of the question.

I agree with Willie Rennie that momentum is building. I am not sure that it is building for the Liberal Democrats, but it is building in support of a second European Union referendum that would give people across the United Kingdom the opportunity to change their minds. Of course, people in Scotland do not need to change their minds, because we voted to remain the first time round. That vote has been ignored, and I hope that Willie Rennie agrees that, if there is another referendum, the vote of the people of Scotland should be recognised and respected.

I have to say that, right now, the biggest barrier to making decisive progress in that direction is the Labour Party at Westminster. It is inexplicable to me why it has not thus far supported the SNP, the Liberal Democrats, the Greens and Plaid Cymru in bringing a vote of no confidence in the

incompetent, sorry Tory Government. If such a motion were passed, we would get rid of that incompetent Government; if it were not passed, it would force Jeremy Corbyn to make a decision on a second EU referendum.

Perhaps, instead of constantly asking me about this, Willie Rennie—outside the chamber—could put a bit more pressure on the Labour Party, as I am doing, to try to get it off the fence into a supportive position. Perhaps then, in the new year, we will see the momentum towards a second referendum become unstoppable.

Willie Rennie: With great foresight, the First Minister has anticipated my next question. The Labour Party was once a beacon of hope in the world; now it is not even a beacon of hope for the Labour Party. Chuka Umunna, Kezia Dugdale, Daniel Johnson and Ian Murray all back a people’s vote, and 86 per cent of Labour members back a people’s vote. I am sure that the First Minister will be as frustrated as I am with a Labour leadership that does everything it possibly can to avoid backing a people’s vote.

How many Labour supporters have to lose their jobs before the Labour leadership understands that there is no such thing as a jobs-first Brexit? How chaotic does Brexit have to get before Jeremy Corbyn and Richard Leonard get off their backsides and stand up to stop it? What words can the First Minister find to encourage Labour to live up to its responsibilities?

The Presiding Officer (Ken Macintosh): First Minister, you may answer briefly, but I suggest to Willie Rennie that the First Minister is not responsible for answering questions on behalf of the Labour Party.

The First Minister: I am always happy to offer my services to the Labour Party if it is looking for some real leadership, which it desperately needs right now.

I think that I am getting to like this new-style Willie Rennie at First Minister’s questions—we will see if it continues into 2019.

I am slightly struggling to remember the days of Labour as a “beacon of hope”—it has certainly not been that within my lifetime—so I might have to pause on that.

Nevertheless, there is a serious issue here. This is advice to myself as much as it is to anybody else: I do not think that we should fall into the trap—as the House of Commons did yesterday, when it was faced with the biggest crisis that the UK has faced for a very long time—of becoming a pantomime. It is obvious to me that the Prime Minister’s tactic is to run down the clock so that it gets to the point at which it is either her deal or no

deal. That is a dreadful approach to take when there are alternatives.

However, it seems to me that it is also Jeremy Corbyn's tactic to run down the clock so that he does not have to make a decision on a second referendum. I know that he is not in this chamber, but I appeal to him to reflect, over the Christmas break, on the views of his party and of many of his members of Parliament as well as, above all else, the interests of people the length and breadth of the UK, and, when he comes back in the new year, to support a second EU referendum so that people across the UK can have the opportunity—at long last—to reverse Brexit and find a way out of this sorry mess. It would be good news for the new year if Jeremy Corbyn were to find it within himself to show such leadership.

Unaccompanied Child Refugees

Angela Constance (Almond Valley) (SNP): Currently, 22 child refugees—boys between the ages of 14 and 17, which is not much older than my son—who have been accepted under the Dubs scheme are stuck at Calais, waiting for local authority placements. The organisation Safe Passage UK is liaising with the Home Office, but there is a bottleneck in sourcing placements. It has reached out to Scotland and our local authorities, which have been generous in the past. I know that the Scottish Government has been in contact with both the Convention of Scottish Local Authorities and the Home Office but that our care system is currently at capacity. It is an impossible and heartbreaking situation, but it is also not one that we can accept. Therefore, I simply ask the First Minister what more can be done by her, by the Government and by all of us here today to get behind and galvanise efforts to find a solution for all our children this Christmas.

The First Minister (Nicola Sturgeon): I thank Angela Constance for raising that hugely important issue. She is absolutely right to identify it as a heartbreaking situation, and the Scottish Government is, of course, very aware of it. We have been clear—and will continue to be so—about the need to welcome unaccompanied children into the United Kingdom and to support their recovery from the trauma that they have endured.

As Ms Constance has indicated, the Scottish Government has already been in touch with both COSLA and the Home Office, and we appreciate the urgency of the situation. Although I gather that there are physically no placements in Scotland to offer these children at the present time, COSLA continues to work with the Home Office and Scottish local authorities to identify appropriate placements for unaccompanied children when they are available.

I give Angela Constance and the chamber my assurance that the Scottish Government will continue to do all that it possibly can and that we will work with COSLA and the Home Office to offer the practical support that these young people desperately need. We will continue to monitor the situation over the holiday period and will offer any help and support that we possibly can.

Air Departure Tax

James Kelly (Glasgow) (Lab): At the weekend, online blog *The Ferret* reported that Government ministers had held 14 meetings with representatives of the airline industry who were lobbying for a cut in the proposed air departure tax. Will the First Minister explain why, when trade unionists lobbied the Parliament last week, no Government minister was available to meet them yet ministers are falling over themselves to meet members of the airport executives who are lobbying for a cut that would take money from the Scottish Government's future budgets?

The First Minister (Nicola Sturgeon): Details of all ministers' engagements are published online, so there is no secrecy about those at all. Ministers meet people with a whole range of interests. I meet almost countless numbers of individuals and organisations over any given year. I hazard a guess that, if we were not doing that, James Kelly would be one of the first to get to his feet and criticise us for not getting out there and meeting people with different interests.

I meet trade union representatives regularly, as do all ministers. I also attend the biannual meeting with the Scottish Trades Union Congress. We have a very good relationship with the STUC and with individual trade unions although, at times, there is tension in those relationships, as is the case for all Governments, because of issues that we are trying to resolve.

This Government values and respects trade unions. We put fair work at the heart of our agenda, and we will continue to make sure that the views and values of trade unions run strongly through everything that this Government does. In doing that, I hope that we have the support of the Labour side of the chamber, although I am not sure that we have support from the Conservative side.

We will also meet businesses, those who run our airports and interests from every corner of the country, because that is what an open, accessible, listening and engaged Government does—and I am proud that that is exactly what this Government is.

Literacy

Liam Kerr (North East Scotland) (Con): A fortnight ago, I warned the Cabinet Secretary for Education and Skills that schools in the north-east are at breaking point. New Scottish Government statistics show that in the most deprived areas of Aberdeenshire four out of every five secondary 3 pupils are not reaching required levels of literacy. They are 14 years old and they cannot read or write to the expected level.

The First Minister is not giving our kids a chance. After more than a decade of Scottish National Party Government, will she apologise for failing so many Scottish children?

The First Minister (Nicola Sturgeon): There was a huge amount of misrepresentation in how that question was asked. The figures from last week show improvement in many areas of literacy and numeracy, and one source of evidence shows the beginning of narrowing of the attainment gap. That is because of the efforts and progress that have been made in initiatives that I spoke about in response to Richard Leonard's questions. We will continue to do the job in order to make progress and to support all those who work in our education system.

To be fair to Liam Kerr, he did not call for more money for education, although I am sure that he would, because it is what his colleagues do in the chamber all the time. Let us remember that the Tory party prioritises tax cuts for the richest people in society over investment in our public services. While that continues to be the case, not many people—if any—will take the Tories at all seriously.

European Council Summit

4. Joan McAlpine (South Scotland) (SNP): To ask the First Minister what the Scottish Government's response is to the outcome of the recent European Council summit. (S5F-02907)

The First Minister (Nicola Sturgeon): The entirely predictable reaction at last week's summit of the European Union 27 countries to the Prime Minister's position clearly demonstrates that the United Kingdom Government must now stop wasting time. We are now just over three months away from the date on which the UK is currently due to leave the EU and, as things stand, it seems to be clear that the Prime Minister's deal will be rejected by the House of Commons and will not be renegotiated by the EU.

The best outcome, in line with the views of the people of Scotland, is to retain EU membership. That is why we support another referendum, which I just talked about with Willie Rennie. It would be outrageous if the Prime Minister's plan is instead

to run down the clock to no deal. That simply must not be allowed to happen.

Joan McAlpine: Yesterday, the European Commission released a number of papers on the no-deal scenario, and said that, in the event of there being no deal, only "basic connectivity" would be maintained between Scotland's airports and airports on the continent. Does the First Minister agree that, in such circumstances, we should revoke article 50 in order to prevent a no-deal Brexit?

The First Minister: Joan McAlpine is absolutely right. My position, which I made clear to the Prime Minister yesterday in London, is that the Government should request an extension to article 50. An extension would have to be agreed by the EU 27, but the Government should do that in order to allow time for a second EU referendum. If—as I would hope—the result of that referendum not just in Scotland, but throughout the UK, were to be remain, article 50 could be revoked.

We know from the recent European Court of Justice judgment that it is possible for the UK to retain its EU membership on current terms, contrary to the false choice that has been offered by the Prime Minister. It seems to me that she has given up trying to make a positive case for her bad deal and is instead—extraordinarily for a Government leader—threatening to impose the disaster of a no-deal outcome on the people whom she is supposed to serve. Following the ECJ judgment, that is not a tenable or necessary position.

I call on the UK Government to start acting in the interests of the people whom it serves, to ask for the extension, to allow people to look at the matter again and, if the people change their minds, to revoke article 50 and end this sorry mess once and for all.

Draft Budget 2019-20 (Council Budgets)

5. Graham Simpson (Central Scotland) (Con): To ask the First Minister by how much councils' core budgets will change under the draft budget. (S5F-02895)

The First Minister (Nicola Sturgeon): In the context of a Scottish Government budget that has been cut in real terms throughout this decade by the Conservative Government at Westminster, this Government continues to treat local government fairly, with a total funding package of £11.1 billion. The local government settlement for the coming year provides an increase in local government day-to-day spending for revenue services of £197.5 million, which is a 2 per cent increase, and provides an increase in investment for capital spending of £207.6, which is a 23.7 per cent increase.

Local authorities also have the ability to raise an additional £80 million to support essential services, should they choose to use the power to increase council tax by 3 per cent. Taken together, the total funding settlement delivers an increase of £495 million in the overall resources to support local services, which is a real-terms increase of 2.7 per cent.

Graham Simpson: The First Minister has avoided answering the question, as usual. She will have seen the figures that we all saw from the Scottish Parliament information centre this week, which provide the answer that she should have given. Once ring-fenced money is stripped away, councils face a real-terms cut of £319 million—reductions of £43 million in Glasgow City Council, £22 million in the City of Edinburgh Council, £19.8 million in North Lanarkshire Council and £9.8 million in Dundee City Council. No council escapes. If the First Minister really believes that councils are getting a fair funding settlement, can she name a single one that will not have to increase council tax, cut services, or apply a combination of both?

The First Minister: What matters is the totality of the money that local government has to spend. Let me quote the SPICe report. It says:

“Once Revenue funding within other portfolios (but still from the Scottish Government to local authorities) is included, the total is ... a cash increase of 3.8% ... or 2% ... in real terms.”

That is the reality. It is for councils to set their own budgets.

I make the same offer to the Conservatives as I made to Labour last week. If the Conservatives want more money to go to local government in the budget, we will listen, but they need to come and tell us where in the budget they want the money to come from. They need to tell us how that would be possible when they are proposing to take half a billion pounds out of the budget for public services and to give it in tax cuts to higher-rate taxpayers.

The Tories have no credibility on the issue. We will wait with bated breath: the Tories are free to bring forward funded proposals. Over the next few weeks, let us see whether the Tories step up to the plate and do that.

NHS 24 (Capacity)

6. David Stewart (Highlands and Islands) (Lab): To ask the First Minister what assessment the Scottish Government has made of the capacity of NHS 24 to deal with demand over the Christmas period. (S5F-02898)

The First Minister (Nicola Sturgeon): All health boards, including NHS 24, submit winter plans to the Government, which are stringently reviewed to ensure that each board has the

capacity and the contingency measures in place to deal with the increased pressures that winter and the festive period bring. NHS 24 submitted its final winter plan on 31 October. It was assessed and signed off on 16 November.

David Stewart: Last Christmas saw unprecedented burdens on our hard-pressed front-line NHS staff. For many Scots who are elderly or who have chronic health problems or a disability and have little family support, the festive season is a time for anxiety and concern, not celebration. Will the First Minister reassure Parliament that vulnerable people will not have to wait hours for a response from NHS 24. Can they rely on a festive gift of timely support? They deserve nothing less.

The First Minister: I agree with that. It is important to note that NHS 24 continues to provide a highly effective and safe triage system. It answered almost 1.6 million calls in 2017-18. It is also important to stress that about 70 per cent of those calls are handled by NHS 24 without any requirement for a call back to the patient. Where a call back is required, clinical priority very much determines the timeframe in which that call back takes place.

We recognise that the demands on all health boards, particularly NHS 24, increase over the winter and the festive period. That is why we are ensuring that higher numbers of staff are working in NHS 24 over the peak festive period this year than were working last year; for example, 458 call handlers and nurses will be working on boxing day this year, compared to 397 last year and 373 the year before. We will continue to work with NHS 24 to ensure that it provides the service that people demand and expect.

Clare Adamson (Motherwell and Wishaw) (SNP): One pressure on accident and emergency departments at this time of year results from an increase in trips, slips and falls. How does the Scottish Government promote safety, particularly to older people, during snowy and icy conditions?

The First Minister: That is a good question. Obviously, we always advise people, particularly the elderly, to take extra care at this time of year. We encourage people to take sensible measures to prepare, and to look out for their neighbours, who might need an extra hand during periods of severe weather. The “Ready Scotland” website is a source of useful advice on what to do to prepare for icy weather conditions. We can all play our part in giving people the right advice and looking out for people who might need extra help over the winter period.

Festive Period Working

7. Edward Mountain (Highlands and Islands) (Con): To ask the First Minister whether the

Scottish Government will acknowledge the people from across the country who will be working over the festive period to keep Scotland going. (S5F-02899)

The First Minister (Nicola Sturgeon): I am happy not just to acknowledge them, but to take the opportunity to thank, on behalf of the Scottish Government and, I am sure, the Scottish people, all those who will be working over the festive period, including people in our emergency services, those who keep transport moving and those in the hospitality sector, to name just a few. We value very highly the contribution that they make throughout the year, but at this time of the year it is particularly important to recognise their efforts in keeping Scotland going. I am sure that all members will wish to join with me in saying a very big “Thank you” to everyone working over the festive period and, although they will be working, to wish them nonetheless a very happy Christmas. *[Applause.]*

Edward Mountain: I, too, pay tribute to people in the emergency services and public services who are working during the Christmas period, including in the national health service and the fire and police services. I mention in particular the voluntary groups that are working over the period, including mountain rescue services, Her Majesty’s coastguard, the Royal National Lifeboat Institution and Samaritans. I would be grateful if the First Minister would also acknowledge the extra work that they will put in over the festive period.

The First Minister: I am certainly very happy to do that. Volunteers the length and breadth of our country make a huge contribution all year round, but it is especially important at this time of year to recognise what they do. The organisations that Edward Mountain mentioned, including mountain rescue services and the coastguard, do an absolutely exemplary job. I thank everybody who will be working hard to keep the rest of us safe over the festive period.

As this might be my last answer today, Presiding Officer—although that is, of course, entirely up to you—I take the opportunity to wish you and everybody in the chamber a very happy Christmas.

The Presiding Officer: That cheery note concludes First Minister’s question time. I wish everyone a merry Christmas.

Meeting closed at 12:48.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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