



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Meeting of the Parliament

**Wednesday 11 December 2019**

**Session 5**



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# Scottish Parliament

Wednesday 11 December 2019

*[The Presiding Officer opened the meeting at 13:00]*

## Portfolio Question Time

### Justice and the Law Officers

**The Deputy Presiding Officer (Christine Grahame):** The first item of business is portfolio question time, and the first portfolio is justice and the law officers. I remind members that questions 4 and 7 are grouped. The second portfolio is Government business and constitutional relations, in which questions 1 and 3 are grouped. The third portfolio is culture, tourism and external affairs; none of those questions are grouped. I hope that members have written that all down or memorised it.

#### Prison Estate

**1. Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** To ask the Scottish Government how it is addressing concerns that delays in redeveloping parts of the prison estate are presenting significant risks. (S5O-03883)

**The Cabinet Secretary for Justice (Humza Yousaf):** The Scottish Government remains committed to modernising and improving Scotland's prison estate, with current infrastructure priorities being the development of the female estate and replacements for HMP Barlinnie and HMP Highland. In that respect, we have increased the Scottish Prison Service's capital budget by £31.3 million this year to help it deliver progressive plans for the development of our new female custodial estate, including a new national female prison to replace Cornton Vale.

Compared with 2010-2011, the cumulative real-terms reduction in capital grant funding for Scotland over the past decade is £5 billion.

**Rachael Hamilton:** The process to replace Barlinnie in Glasgow has taken 10 years to date, and there have been reports that no such replacement will be available for a further five years. The prison's age means that it is expensive to maintain and there is a high risk of failure in some parts of the building, including the drainage and sewerage systems. If those were to fail, what is the contingency plan for accommodating the prisoners whom Barlinnie currently holds?

**Humza Yousaf:** Rachael Hamilton raises some important issues. I am aware of the condition of Barlinnie and have some concerns, and I have of

course visited the prison and spoken to Her Majesty's Inspectorate of Prisons for Scotland about it. Given my concerns, I have asked the chief executive of the SPS to provide me with the details of interim measures that we could fund.

Rachael Hamilton is absolutely right: with the best will in the world, it will take a number of years to purchase a site—which is being done—and construct a replacement prison for Barlinnie. We will put interim measures in place. I give her an assurance that we ask questions about and plan for scenarios such as the one that she mentioned, so we have contingency plans available. She will forgive me for not speaking publicly about where we would potentially transfer prisoners to, for obvious reasons, such as that Barlinnie has a number of serious organised crime nominals. However, I am happy to say that that work is part of the SPS's remit and I am satisfied that we have contingency plans in place.

#### Domestic and Emotional Abuse (Prosecutions and Convictions)

**2. Richard Lyle (Uddingston and Bellshill) (SNP):** To ask the Scottish Government how many prosecutions and convictions there have been for domestic and emotional abuse since 1 April 2019. (S5O-03884)

**The Solicitor General (Alison Di Rollo):** From 1 April to 30 November this year, the Crown Office and Procurator Fiscal Service prosecuted 16,513 charges of domestic abuse, covering the full spectrum of offending, including physical, psychological and emotional abuse. Although most of the prosecutions are still going through the courts, 4,206 charges have resulted in conviction.

The figures include 539 charges that were prosecuted under the new Domestic Abuse (Scotland) Act 2018, with 101 of those charges resulting in conviction. That ground-breaking legislation enables the Crown to prosecute perpetrators of harmful coercive and controlling behaviours, making the true nature and extent of victims' experiences of domestic abuse visible to the courts.

**Richard Lyle:** The recently published Scotland's Domestic Abuse and Forced Marriage Helpline 2018-19 annual report makes for grim reading. There has been a 25 per cent increase in the volume of calls to the helpline, which dealt with 3,191 contacts in 2018-19. Ninety-five per cent of the calls were from women who were seeking support for themselves and their children, who witnessed the abuse. What steps are we taking to ensure that the courts listen with compassion to abused women and their children?

**The Solicitor General:** Richard Lyle raised a crucially important point. In what is undoubtedly a

gendered crime, the lives of women and their children are blighted by domestic abuse. For too long, that has been hidden. The 2018 act is helping to change that.

I will say two things in response to the question. First, as Richard Lyle will have seen from the report that he referred to, most callers experience more than one form of domestic abuse; in fact, most contacts reported emotional abuse. The 2018 act has closed the gap in the law in relation to coercive and controlling behaviours that were not previously criminal. As such, our charges can now include emotional and psychological abuse that is designed to isolate, control, regulate, restrict freedom, punish, degrade and humiliate. That is the first, very important step towards ensuring that the courts listen to the whole real and unvarnished truth of the lived experience of victims of domestic abuse.

Secondly—and briefly—the act provides for a statutory aggravation where a child has been caught up in and affected by domestic abuse, and it places a duty on all courts to consider non-harassment orders in relation to victims and their children. Those provisions are intended to ensure that the court hears about the harm that is caused to children by domestic abuse and can reflect that when sentencing the perpetrator.

### Police Officers (Health)

**3. Jeremy Balfour (Lothian) (Con):** To ask the Scottish Government what its response is to reports that a large number of police officers are going to work while physically and mentally unwell. (S5O-03885)

**The Cabinet Secretary for Justice (Humza Yousaf):** Police officers and police staff do an excellent job in often very difficult circumstances. It is only right that they have access to appropriate support, and I know that the police take that extremely seriously.

While the welfare and wellbeing of Police Scotland officers and staff are the responsibility of the chief constable, I very much support initiatives that are being undertaken by Police Scotland to create a safe, positive and healthy working environment.

**Jeremy Balfour:** We all agree that the police on our streets do a great job. However, the fact is that, against a backdrop of cuts, there have been rising levels of sick leave, with almost half of officers suffering from exhaustion and one in five experiencing insomnia. Will the cabinet secretary guarantee that police officers will be given the vital resources and support that they need?

**Humza Yousaf:** I am astounded by Jeremy Balfour's brass neck in talking about "a backdrop of cuts" in policing. Over the decade, his party has

cut 20,000 officers. Even the promise of increasing police officer numbers by 20,000 is simply about getting policing back to the standard that it was at before his party made those cuts. If the Conservatives followed Scotland's lead, they would have to increase their police officer numbers by 27,000. I will not take a lecture on "a backdrop of cuts" when Jeremy Balfour's party has cut this Government's budget over the past decade.

On the substance of the question, Police Scotland takes issues of physical and mental wellbeing extraordinarily seriously—I am satisfied that it does so, as I have said previously. On whether there is more that can be done, I look forward to receiving the research from the Scottish Police Federation, to which I think Jeremy Balfour alluded. Once I have that research, I will, of course, be more than happy to work with the chief constable and Police Scotland. The Scottish Police Federation, the Scottish Police Authority, Police Scotland, and, indeed, the Government have a shared endeavour to ensure that our officers are supported in what is an extremely difficult job. We will continue to support them by investing in our police service and by ensuring that revenue is protected and—as has been done over the past financial year—that the capital budget is increased.

### Ex-prisoners (Employment)

**4. Alison Harris (Central Scotland) (Con):** To ask the Scottish Government how the Scottish Prison Service encourages businesses to give prisoners the opportunity of employment on release. (S5O-03886)

**The Cabinet Secretary for Justice (Humza Yousaf):** I am fully aware of the barriers and complex challenges that people with convictions often have in relation to employment. This Government is working hard to address those issues.

The Procurement Reform (Scotland) Act 2014 obliges the Scottish Prison Service to seek community benefits from the contracts that it awards. A recent success, for example, was with GeoAmey, which delivers the Scottish courts custody and prisoner escorting service. The community benefits of the contract include employment opportunities in other parts of its business, namely, the construction industry.

HMP Perth has a partnership with Balfour Beatty, which provides work trials to individuals who are on release from custody, following a successful interview. On a recent visit to HMP Perth, I spoke with the building contractor and I saw at first hand the work that is involved in supporting those in custody to engage with that opportunity.

There are also numerous initiatives in establishments, and training and employment opportunities are regularly explored with local partners. The SPS works collaboratively with the Scottish Government, Skills Development Scotland and a range of third sector agencies in the area.

**Alison Harris:** I understand that many businesses have an excellent reputation for giving ex-offenders a chance. As we know, secure jobs help to reduce reoffending and support families. Employability skills are vital in doing that. However, the Justice Committee's recent pre-budget report highlighted the need for better co-ordination between the Scottish Government's justice division and its employability and skills division. What will the Scottish Government do to improve those links?

**Humza Yousaf:** I take what the Justice Committee says extraordinarily seriously, and we will look at how we can improve multi-agency working, because there is absolutely more that we can do.

It is hugely important that we know that short prison sentences will have a really negative impact on people's employment. A presumption against short sentences of 12 months or less is designed to effectively punish people if the court deems that to be appropriate but to do so in a way that will not necessarily—it is hoped—disrupt their employment. We know the effect that there can be. A period in custody, even if it is short, can disrupt employment and have an effect on a person's rehabilitation or, indeed, their chances of reconviction.

I hope that Alison Harris will reflect on that and on the progressive justice measures that we hope to bring forward. I hope that those measures will keep people out of prison.

### Prisoners (Upskilling)

**7. Clare Adamson (Motherwell and Wishaw) (SNP):** To ask the Scottish Government what action it is taking to promote upskilling for prisoners prior to release. (S5O-03889)

**The Cabinet Secretary for Justice (Humza Yousaf):** The Scottish Prison Service works intensively with people in its care to reduce the chances of their returning to custody after their release by seeking to help individuals to develop positive aspirations and to turn those into real and sustainable life plans for the future.

Prison establishments provide a wide range of upskilling opportunities to better prepare individuals for release. The skills involved include parenting skills, financial management skills, health and wellbeing skills and other social and interpersonal skills. Establishments also provide a

range of education and training opportunities, and prisoners who are approved for community access can benefit from supervised work.

Recently at a visit to HMP Perth, I visited the Bike Shed, which works in partnership with the Bike Station, which is a local enterprise. That collaboration trains people in custody for industry-recognised qualifications. That is an excellent example of a co-production partnership in action. Such partnerships operate every day in our prisons, and they should be commended for their contribution in helping those who are in custody to pay back to their communities and, crucially, for enhancing their skills and preparing them for a positive future outside custody.

**Clare Adamson:** What liaison is there across portfolios to assess skills shortages, particularly in the digital area, in order to maximise the economic opportunities for prisoners who are due for release and for the country as a whole? Is the cabinet secretary aware of any particular training areas in the digital sector?

**Humza Yousaf:** I will explore that question more closely with the Scottish Prison Service. Clare Adamson makes an important point. We can effectively kill two birds with one stone. We can fill the shortages in the digital sector or other sectors and help people out of custody into positive future destinations.

The Scottish Prison Service launched its learning and skills strategy for 2016 to 2021 in May 2016. That strategy commits to very flexible learning opportunities. However, I will take away what Clare Adamson has said and explore the issue with the Scottish Prison Service to see whether there can be a better tie-up with the digital sector.

### Prison Staff (Stress)

**5. Peter Chapman (North East Scotland) (Con):** To ask the Scottish Government what action it is taking in response to reports of rising levels of stress-related sickness among prison staff. (S5O-03887)

**The Cabinet Secretary for Justice (Humza Yousaf):** The Scottish Government recognises the importance of providing a safe environment for people who live and work in our prisons. I am sure that all members across the chamber will want to thank prison officers for the good work that they do in very challenging and intensive environments.

The Scottish Prison Service provides a range of measures and interventions to those who require them. Those measures and interventions include occupational health support and access to counselling services.

Absence at the SPS increased month on month for over two years, but there are now positive signs that that trend may be reversing, with consecutive reductions at the end of August, September, October and November.

Scotland's prisons are stable, safe and well run. That is very much to the credit of prison officers and staff, and I am very grateful for their unwavering dedication and commitment. I was pleased that agreement was reached on the Scottish Prison Service pay agreement for 2019 to 2022, which reflects the important contribution that is made by all staff in our prisons. In stark contrast to the pay award that is worth 2.2 per cent for prison staff in England and Wales, our prison officers received a 6 per cent pay increase. Furthermore, prison officers in Scotland have been provided with certainty over future pay rises through a three-year deal that will lead to their salaries increasing by up to 15 per cent over that period.

**Peter Chapman:** The recent Justice Committee report showed that sickness absence rates among staff are high and are rising, with the average number of days lost to sickness now standing at 17. Many existing staff are working increased hours to maintain the current system. Given that prison staff are the backbone of the system, surely the cabinet secretary agrees that urgent action must be taken to stop those rising levels of sickness absence. What plans are in place?

**Humza Yousaf:** There are a few. As I said, over the past few months, there have been positive signs that the trend that Peter Chapman mentioned is reversing. The number of days that have been lost to sickness has reduced for four consecutive months, which is good and positive. We will not be complacent, but that says to me that the measures that the Scottish Prison Service has put in place are starting to work and pay off. I have given some detail on the number of interventions that are available to help with the mental health issues that prison officers suffer from.

We should not forget the physical impacts of what is a very challenging job. For example, 15,000 days per annum are lost due to musculoskeletal conditions. That is not helped by the fact that the United Kingdom Government has continued to maintain the pension age for our prison officers at 68, despite there having been reforms for other civil servants. I have continued to write to the UK Government to ask it to look again at the issue, because prison officers should not be forced to work until they are 68. Such powers very much lie in the hands of the Westminster Government, and I hope that Peter Chapman will join me in asking whoever ends up forming the

next UK Government to pursue a different approach for our prison officers.

### Jury Service (Compensation)

6. **Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** To ask the Scottish Government whether it will review the compensation scheme for people serving on juries. (S5O-03888)

**The Minister for Community Safety (Ash Denham):** There are no current plans to review the compensation scheme for people who serve on juries. I appreciate that the rate of allowances will not always address some jurors' financial loss. Jury service is, of course, a public duty that most people in Scotland may be called on to perform, and I am very grateful to those who perform that important civic duty. Our allowances are comparable with those in the rest of the United Kingdom, except in relation to trials of more than five days, with the Scottish allowance being more generous.

**Willie Coffey:** A number of my constituents have approached me to say how inconsistent the system seems to be in relation to providing evidence of loss of earnings for people on zero-hours contracts, people on varying shift patterns, sole contractors and so on. Some of those people get only partial compensation or no compensation at all from their employers. What can the minister do to tidy up that aspect of the system and to encourage employers to be flexible and compensate people fully for loss of earnings when they carry out jury duty?

**The Deputy Presiding Officer:** I ask the minister to be brief so that I can get in question 8.

**Ash Denham:** The decision whether to continue paying wages when an employee is called for jury service is entirely at the discretion of the employer. However, if an employer chooses not to pay the employee's wage while they are serving as a juror, the employee is entitled to claim for loss of earnings, subject to stated limits. I thank Willie Coffey for raising the issue of zero-hours contracts, and I invite him to seek a meeting with me so that we can discuss the matter further.

**The Deputy Presiding Officer:** Thank you very much.

### Violence in Sexual Relationships

8. **Claire Baker (Mid Scotland and Fife) (Lab):** To ask the Scottish Government whether current law protects women against violence within sexual relationships. (S5O-03890)

**The Cabinet Secretary for Justice (Humza Yousaf):** Sexual activity of any kind without consent or a reasonable belief as to consent—which is defined in law as "free agreement"—is



criminal. Moreover, the courts have held that a person cannot consent to be assaulted where the accused intends to cause them injury, so it is not a defence to crimes of assault, culpable homicide or murder that the victim “consented” to being injured. We keep the criminal law under review, and we will carefully consider any proposals to reform the law in this area.

**Claire Baker:** The cabinet secretary will be aware of the BBC research that found that a third of women had experienced unwanted violence during consensual sex. In addition to the answer to my first question, I ask for clarification on the use of the defence of consent in cases of violence against women, which is commonly known as the rough sex defence, and whether data is collected on that. Finally, is any data collected on women’s reports to the police of violence during consensual sex?

**Humza Yousaf:** In the interest of brevity, I will write to the member with more detail, but I reiterate what I said in my opening answer: there cannot be consent to being injured, assaulted or murdered. I briefly met Fiona Mackenzie, who runs the We Can’t Consent To This campaign, and I have offered her another meeting, which Claire Baker can come to if she wishes. I would be happy to look at any specific proposals on data collection or the law that can send a clear message that women—or indeed anybody else—simply cannot consent to being injured, assaulted or murdered.

## Government Business and Constitutional Relations

### Post-Brexit Trade Policy

1. **Angus MacDonald (Falkirk East) (SNP):** To ask the Scottish Government what discussions it has had with the United Kingdom Government regarding the development of future trade policy post-Brexit. (S50-03891)

**The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell):** The Scottish Government continues to press the UK Government to take Scotland’s needs into account and to seek our agreement when considering the desirability of any new trade deals when negotiating mandates are agreed or changed and when agreements or other arrangements are ratified and signed. We were deeply concerned by recent leaked documents that suggest that the national health service is on the table in the trade negotiations with the United States. That demonstrates exactly why the Scottish Government needs to have a clear role in any future trade agreements, to ensure that the priorities of Scottish public services, such as the NHS, are acted on.

**Angus MacDonald:** Among the many threats from trade deals to Scotland’s food and drink industry, there are serious concerns about geographical indications—GIs—which have also been put on the table as part of potential trade negotiations with the United States. That move would clearly undermine the sector and be a disaster for Scotland’s world-class produce, including Stornoway black pudding, whisky, Arbroath smokies, Scottish farmed salmon, Shetland lamb and Orkney beef and lamb. What discussions has the cabinet secretary had with the UK Government to ensure that GIs are protected and measures are put in place to prevent bogus imitations?

**The Deputy Presiding Officer:** Thank you. I thought that I was listening to a shopping list.

**Michael Russell:** It would be a fine shopping list with great produce on it, Presiding Officer.

The Scottish Government is acutely aware of the importance of GIs for the range of Scottish products that have achieved that status. Leaving the single market and the customs union would be most damaging to Scotland’s food and drink industry. Food exports to the European Union were valued at approximately £1.1 billion in 2018. There is a new GI scheme being legislated for, but it is not guaranteed that it would be in place on day 1 should the UK leave the EU, which we still hope will not happen. It is vital that GIs are recognised and that European GIs continue to be a key part of the system.

### Post-Brexit Trade Deals (Public Services)

3. **Bill Kidd (Glasgow Anniesland) (SNP):** To ask the Scottish Government whether it has had any communication from the United Kingdom Government regarding legislative protection for public services, such as the national health service, in future trade deals post-Brexit. (S50-03893)

**The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell):** We have not had any communication about legislative protection for the NHS, despite what appear to be well-founded concerns that issues such as the price that the NHS pays for medicines will be on the table in the UK Government’s trade negotiations with the United States and other countries.

**Bill Kidd:** Last week, *The Independent* reported that US drug firms have said that they are

“confident it will be easier to ... hike the price of medicines”

in the UK following Brexit. Does the Scottish Government agree that the price of medicines should be protected and that the NHS should remain firmly in public hands?

**Michael Russell:** My answer to both those questions is yes. The anticipated increase in the price of drugs would be disastrous for the Scottish NHS. There is no necessity for it and it should not happen.

#### **United Kingdom Administration (Relations)**

**The Deputy Presiding Officer:** Question 2 is from Murdo Fraser.

**2. Murdo Fraser (Mid Scotland and Fife) (Con):** Thank you, Presiding Officer—I was starting to worry that you had fallen out of love with me.

**The Deputy Presiding Officer:** The issue, Mr Fraser, is that you should be in the chamber to hear the instructions at the beginning of portfolio question time. That is your problem, not mine. Anyway, on you go.

**Murdo Fraser:** I was here at the start.

To ask the Scottish Government whether it has made any preparations for working with a Labour-led United Kingdom Administration. (S5O-03892)

**The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell):** The Scottish Government will, of necessity, work with the next UK Administration, of whatever political complexion, in order to ensure that the interests of Scotland are protected.

**Murdo Fraser:** We all know, of course, that Jeremy Corbyn and Nicola Sturgeon are ready and waiting to do a deal on Friday in the unfortunate event that they get a chance, so can the cabinet secretary confirm that granting a section 30 order before 2021 will be a red line in any negotiations between the Scottish Government and a Labour-led UK Administration?

**Michael Russell:** I can confirm two things: one is that the right choice for Scotland tomorrow is to vote for the Scottish National Party and for no other party. The second thing that I can confirm is that we believe that the Scottish people have the right to decide their own future, a matter that distinguishes this party from all the other parties in the chamber.

**Colin Beattie (Midlothian North and Musselburgh) (SNP):** Does the cabinet secretary agree that, when it comes to the UK Administration, the greatest threat facing Scotland is a Boris Johnson-led Government, which would force us out of Europe and put our NHS at risk in a US trade deal?

**The Deputy Presiding Officer:** I am going to stop the member there. We are not on the stump. We seem to be in electioneering mode—I wonder why.

#### **Immigration Post-Brexit (Powers)**

**4. Rona Mackay (Strathkelvin and Bearsden) (SNP):** To ask the Scottish Government when it last met the United Kingdom Government to discuss the transfer of powers over immigration post-Brexit. (S5O-03894)

**The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell):** Ben Macpherson last met Caroline Nokes, the former immigration minister, on 23 July. They had a constructive relationship and regularly discussed concerns about UK immigration proposals and Scotland's specific needs. However, new UK ministers since that time have chosen not to resume those meetings to engage on migration solutions for Scotland. I, too, have argued for a differentiated approach at joint ministerial committee meetings. The Scottish Government has a clear vision for future immigration policy. Our 2018 paper shows how a tailored migration policy for Scotland could work, and we will publish a new paper early next year setting out further details.

**Rona Mackay:** Aala Hamza is a 23-year-old student living in my constituency and studying biomedicine at the University of Strathclyde. The Home Office is threatening to deport her back to Sudan, where her life would be in severe danger. Does the cabinet secretary agree that an independent Scotland would treat people who live and work here with dignity and respect and never put them under such intolerable stress?

**Michael Russell:** I very much sympathise with the member and with her constituent. I am very conscious of the fact that, as a constituency MSP, I regularly meet individuals, EU citizens in particular, who are terrified by the attitude of the current UK Government towards migration and are fearful about the future. We welcome individuals from all over the world. Scotland is not full up but needs the contribution of others to our economy and society. We have a moral duty to play our part in helping people fleeing persecution, as the member has indicated. It is important that they are welcome and are made to feel welcome and supported in our country. With powers over immigration, we can set policies that are suited to our needs and based on fairness, dignity and respect in the best interests of Scotland and those who live here. It has never been more important for this Parliament to have those powers. I urge the member to speak to Mr Macpherson and follow up the case that she has raised with him. I am sure that he will do everything he can to help.

#### **Veterans Accommodation**

**5. Keith Brown (Clackmannanshire and Dunblane) (SNP):** To ask the Scottish Government how it is supporting veterans,

including those who are homeless, to find accommodation. (S5O-03895)

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** The member will be aware that I provided the third annual update to Parliament last week, when I set out the actions that we are taking across ministerial portfolios, including housing and homelessness, to improve service delivery for veterans. For example, we have committed to working with key stakeholders to develop a pathway to prevent veterans' homelessness in 2020; we have published guidance for social landlords on meeting veterans' needs; we continue to offer priority access for veterans to the open market shared equity scheme; and, through the affordable housing supply programme, we awarded £350,000 to East Lothian Council to deliver six homes for disabled veterans.

**Keith Brown:** Is the minister aware that recent reports estimate that up to 1,136 properties owned by the Ministry of Defence currently sit empty in Scotland, which is a significant rise from 690 properties in 2013? Does he agree that it is time for the United Kingdom Government to open those properties to those who have served their country with dignity and courage and that it must take action to match the Scottish National Party's ambition to end homelessness for veterans, starting today?

**Graeme Dey:** It might interest the member to know that I wrote to the UK Government just over a year ago to raise a number of housing and homelessness-related issues. I suggested a face-to-face discussion of the issues, specifically including whether the military had any housing in Scotland that it expected to be declared surplus to requirements at some point in the future. Unfortunately, no such sit-down has taken place. No doubt that has been due, in part at least, to the high turnover of UK defence ministers. For example, there have been three secretaries of state since I took on this role 18 months ago, and who knows whether there is a fourth waiting in the wings.

I hope that the situation will correct itself in short order following tomorrow's election, because it is an important issue. In the meantime, I strongly urge the next UK Government to match our ambition around veterans' housing and homelessness and open up appropriate empty MOD properties.

**Maurice Corry (West Scotland) (Con):** I am sure that the minister will agree with me that housing support pathways for veterans, as a major part of their transition, need to be as accessible as possible, and that a variety of housing options need to be available to families upon leaving the forces. Will the minister detail what actions have

been taken to encourage discussions on housing options with armed forces personnel, with such discussions taking place long before they leave service, to ensure their smooth transition into civilian life?

**Graeme Dey:** The member makes an interesting point, but I will correct him slightly: it is about not just families but individual veterans. Sometimes the biggest issues relate to early service leavers, who are often young, single men.

With regard to the points that the member makes about facilitating transition, I hope that he will bear with me. We will announce our response to the whole transition package at the end of next month.

### Scotland Act 1998 (Section 30 Order)

6. **Brian Whittle (South Scotland) (Con):** To ask the Scottish Government what plans it has to request a section 30 order under the Scotland Act 1998 on 13 December. (S5O-03896)

**The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell):** In the First Minister's statement on the programme for government on 3 September, she made it clear that we will seek agreement from the United Kingdom Government to legislation that puts beyond doubt the ability of this Parliament to hold a referendum on independence. The exact date will be notified to Parliament when it is decided on.

**Brian Whittle:** Time and again in this chamber we hear reports of schools, hospitals and the police service continuing to suffer under the Scottish National Party Government. That shows what happens when the obsession with independence referendums takes the Government's eye off the ball. When will the cabinet secretary accept that the Scottish Government needs to deal with issues that really matter to the people of Scotland, rather than engaging in endless constitutional grandstanding? *[Interruption.]*

**Michael Russell:** That just proves that Mr Whittle should not believe everything that he hears. As we heard from John Swinney yesterday, the education service is making significant progress. I hope that Mr Whittle will read the report on that—*[Interruption.]*—as opposed to accepting the catcalls and shouts of members who are sitting around him. The health service is doing well and continues to have high patient satisfaction.

I say to Mr Whittle that, for me, constitutional obsession would be defined by Brexit, as pursued by his party in government. It has cost Scotland millions, and it is costing the UK billions. Nothing has happened in a legislative sense, and we are being impoverished for no good reason. I suggest

that Mr Whittle focus on that and not on the myths that he is trying to peddle about the many achievements of the SNP Government.

**Angela Constance (Almond Valley) (SNP):** What will the cabinet secretary do to secure a legal referendum in 2020, should Westminster continue to deny the people of Scotland the legal means to put Scotland's future in Scotland's hands?

**Michael Russell:** That is one of the defining issues of the current electoral contest. Who trusts the people of Scotland to speak and to make their own decisions? Quite clearly, no other party in this chamber believes that the people of Scotland should be allowed either to speak or to change their mind. Jackson Carlaw, the acting leader of the Scottish Conservatives—more “acting” than “leader”—has said that he has changed his mind on the issue of leaving the European Union, but the people of Scotland are not allowed to change their mind on any subject. The situation is clearly intolerable and impossible. Listening to the people of Scotland will be our priority. If only other politicians would adopt that democratic imperative.

#### **Freedom of Movement (National Health Service)**

**7. Joan McAlpine (South Scotland) (SNP):** To ask the Scottish Government what analysis has been done of the impact that ending freedom of movement for European Union citizens after Brexit will have on the national health service. (S5O-03897)

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** The Scottish Government remains deeply concerned about the ending of free movement and the imposition of a restrictive system in its place. That could reduce the working-age population of Scotland by 5 per cent, and it will make Scotland a less attractive destination for skilled workers, such as doctors, dentists and midwives. Scotland is also projected to experience more pronounced population ageing than other parts of the United Kingdom. Taken together, those issues will lead to challenges for our NHS. We have a unique demographic need in Scotland. We will publish a further paper in January 2020 on why Scotland needs powers to deliver a tailored migration system.

**Joan McAlpine:** Research by the Nuffield Trust has revealed that Conservative and Labour Brexit policies pose a real risk to NHS staffing numbers. Does the cabinet secretary agree that the only way to protect our valuable NHS is by fully protecting and strengthening freedom of movement and encouraging EU migration?

**Graeme Dey:** I absolutely agree. The Scottish Government values the contributions made by

nationals of other EU and European Economic Area countries to our NHS, and we want them to stay. We want to be able to attract talented people from across the world to work in our NHS, without excessive barriers. That is why we have made the case for a tailored migration policy for Scotland.

We do not believe that a restrictive immigration model that limits free movement and subjects people to high fees is conducive to the creation of an effective, responsive and welcoming migration system, which is what our health and social care system requires.

#### **Independence Preparations (Spending)**

**8. Alexander Stewart (Mid Scotland and Fife) (Con):** To ask the Scottish Government how much it has spent making preparations for independence in the last 12 years. (S5O-03898)

**The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell):** The Scottish Government set out plans for an independent Scotland before the independence referendum on 18 September 2014 through the publication of the white paper, “Scotland's Future”, and by holding a number of public engagement events. Cost information on that activity is in the public domain. Our 2019-20 programme for government confirmed that we will update the 2014 plan so that the people of Scotland have the necessary information to determine the form of government that is best suited to their needs. Costs will be published as normal.

**Alexander Stewart:** While the Scottish National Party Government has spent 12 years wasting public money by pushing for independence, Scotland's schools have slipped in international rankings. Will the cabinet secretary commit to not spending another penny on independence, and instead spend public money solely on public services, such as our schools, for at least a generation?

**Michael Russell:** I suggest that the member looks at the programme for international student assessment figures, reads the coverage on them from respectable and informed academics—as opposed to that from people who do not know what they are talking about—and comes back and asks me the question again. It would be a better informed question, because it would be a different question.

Let me deal with the question of costs. To date, the United Kingdom Government has spent £66 billion on Brexit; that is the cost to the economy, plus the cost to the Government. Standard and Poor's found that Brexit has already cost the UK economy £66 billion. That is the result of the decision by the Tory Government—a decision that

was not supported in Scotland, which voted against it. It would require a nerve of astonishing proportions for any Tory to talk about the cost of democracy in Scotland, when that is the cost of Brexit. The Tories should be hanging their heads in shame at what they have been imposing on Scotland, a country that now has more food banks than branches of MacDonald's. That is their legacy.

## Culture, Tourism and External Affairs

13:37

### Rural Tourism

1. **Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government how it promotes rural tourism, and how much it invests in this work. (S5O-03899)

**The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop):** The Scottish Government fully recognises the importance of tourism to Scotland's rural economies. The rich and diverse attractions on offer are actively promoted by VisitScotland through a range of both digital and traditional channels across both domestic and international marketing campaigns.

Other public bodies also play a key role in supporting tourism development in rural areas, through, for example, business and destination support from Scottish Enterprise and Highlands and Islands Enterprise, training and development through Skills Development Scotland, and promotion and enhancement of the natural and heritage environments through Scottish Natural Heritage and Historic Environment Scotland.

An exact figure for our ongoing multi-agency support is not available. However, the Scottish Government separately announced £3 million in extra funding for the rural tourism infrastructure fund, on top of the £6 million that has already been awarded. We have also just confirmed additional support to promote food and drink tourism.

**Colin Beattie:** In my constituency of Midlothian North and Musselburgh we enjoy well-known tourist attractions such as Rosslyn chapel. What has the Scottish Government done to promote and support less-well-known tourist attractions such as Cousland smiddy and Dalkeith museum?

**Fiona Hyslop:** A lot of the work to promote Midlothian is co-ordinated by the Midlothian and Borders tourism action plan, which is now in phase 2. A lot of the support is for individual businesses, particularly around a digital offer for their marketing.

VisitScotland's spring 2019 campaign promoted family breaks in the region for visitors within a two-hour to four-hour drive time. It focused on Dalkeith country park and Roslin Glen, but also included Lasswade stables and Rosslyn chapel. The launch of Midlothian and Borders Tourism Action Group's brand new "Scotland Starts Here" marketing campaign website and tourism app will also direct people to areas that are, perhaps, less known in terms of promotion of tourism within Colin Beattie's constituency.

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** The cabinet secretary knows that the Scottish Borders is an amazing place for tourism, but there are more opportunities waiting to be explored. Can the cabinet secretary tell me why, specifically, funding from the Scottish Government has been more than halved over the past five years, from £138,000 to £55,000?

**Fiona Hyslop:** I am afraid that when Rachael Hamilton asked her question she did not say who the funding was for. Clearly, Scottish Government funding is given to VisitScotland, which is the national agency for tourism. Could the member write to me identifying the organisation that she asked about? It was not clear in her question.

### FIFA World Cup 2030

2. **Miles Briggs (Lothian) (Con):** To ask the Scottish Government what discussions it has had with the United Kingdom Government about the United Kingdom and Ireland staging the 2030 FIFA World Cup. (S5O-03900)

**The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop):** The football associations of England, Scotland, Wales, Northern Ireland and Ireland are working together to assess the technical and financial feasibility of a joint bid for the 2030 FIFA world cup. Scottish Government officials have participated in early discussions alongside the UK Government, the Irish Government, the Welsh Government and the Administration in Northern Ireland.

**Miles Briggs:** I thank the cabinet secretary for that positive response. Scotland and the UK have a great track record of hosting and delivering major national sporting events. There can be no better way for a new generation of Scots to be involved in a national game than for them to see world cup games being played here on Scottish soil. Will the cabinet secretary agree to work on a cross-party basis to take the bid forward and to make sure that the whole Parliament can support it?

**Fiona Hyslop:** As yet, there is no bid. FIFA held its latest council meeting in Shanghai in October 2019, during which it announced that 2030 bids would be submitted in 2024. The bidding rules and

timeline for the 2030 bid process have not been released yet; it is anticipated that they will be released by May or June 2022.

Miles Briggs has identified that any major event, especially one in the far future, would require parties to work together, especially if there is a multi-country bid. The Scottish Parliament working cross-party to fund and support such bids is important, as it did on, for example, the Union Cycliste Internationale world championships, which will be held in Scotland in 2023.

Miles Briggs is also right about inspiring young people. We have the UEFA championships coming to Scotland. I hope that Miles Briggs and others from across the chamber will get behind that, because it is an opportunity to inspire young footballers.

### Migration Advisory Committee

3. **Linda Fabiani (East Kilbride) (SNP):** To ask the Scottish Government when it last met the Migration Advisory Committee. (S5O-03901)

**The Minister for Europe, Migration and International Development (Ben Macpherson):** I met the Chair of the Migration Advisory Committee in November 2018. Scottish Government officials most recently met the MAC on 25 September. The Scottish Government submitted a formal response last month to the MAC's call for evidence on salary thresholds in the UK immigration system and on the dynamics of a points-based immigration system.

In our engagement with the MAC, the Scottish Government has consistently argued for a fairer, more flexible and tailored approach to migration policy to deliver the solutions that Scotland needs.

**Linda Fabiani:** The next time the minister meets the Migration Advisory Committee, could he impress on it that, despite the Prime Minister's comments that European Union migrants have been

"able to treat the UK as if it's ... part of their own country"

for too long, migrants—including many people in my family—have rightly treated Scotland as their own country, and that they have worked, employed people, raised families, participated in their communities and made a contribution? They have, in fact, contributed more to this society than they have ever taken.

**Ben Macpherson:** I share Linda Fabiani's sentiments in condemning the Prime Minister's remarks, and I support her important words about the net contribution of EU migrants not only to our economy and our public services, but in terms of the wider enrichment of our society.

Scotland is a welcoming and open nation, and we want it to remain so. As Linda Fabiani is, the Scottish Government is grateful to citizens from elsewhere in the European Union who have made Scotland their home and have contributed so much to our public services, our economy and our communities. Through our stay in Scotland campaign, we are sending a clear and welcoming message to EU citizens, and we are providing them with the information and practical support that they need. In my discussions in the coming months with any new UK Government, whether with the Migration Advisory Committee or new ministers, I will reiterate the points that Linda Fabiani rightly raised.

**Claire Baker (Mid Scotland and Fife) (Lab):** Can the minister give an update on the number of people in Scotland who are applying for settled status? Towards the closing date, we could have the anticipated rush, so can he give assurances that there will be sufficient resources for support services?

**Ben Macpherson:** The number of applications for the EU settlement scheme continues to rise. As we anticipated, there was a significant uplift in October this year, before the Brexit deadline. We continue to invest in our support services through the Citizens Advice Scotland network of bureaux, where individuals who would like support and, crucially, advice on the EU settlement scheme can get it face-to-face, over the phone or online. Compared to what is being offered elsewhere in the UK, that is significantly enhanced provision.

We are also investing £250,000 in support groups—including the Fife Migrants Forum—in communities in Scotland, in order to reach EU citizens who are more vulnerable and more difficult to reach through mainstream communication platforms. We are glad to work across Scotland to support EU citizens in our communities who contribute so much. We want them to stay, and we deeply value their contributions.

### Historic Buildings and Monuments

4. **Monica Lennon (Central Scotland) (Lab):** To ask the Scottish Government what action it is taking to support Scotland's historic buildings and monuments. (S5O-03902)

**The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop):** The Scottish Government supports historic buildings and monuments through the work of our lead public body, Historic Environment Scotland. That includes providing £14.5 million annually for grant schemes, which enable repair and revitalisation of the historic environment.

Last year, funding helped to support individual buildings including the David Livingstone centre in South Lanarkshire, which received more than £600,000 for conservation-standard repairs, and provided wider investment for places in Monica Lennon's region—for example, though the conservation area regeneration scheme in Coatbridge, which received £800,000 to support heritage-led regeneration in the town.

**Monica Lennon:** I thank the cabinet secretary for her response.

The cabinet secretary might be aware of the significance of the historic mausoleum in Hamilton and its importance to the town, and of the worrying news earlier this year that the cost of maintenance repairs to that historic building could risk its future. Has she had discussions on that with South Lanarkshire Council? In the light of the real-terms cuts to the council's overall budget, can she advise whether any of the national funding that she mentioned could be made available for that project?

**Fiona Hyslop:** Monica Lennon will be aware of the fair local government settlement that was achieved for South Lanarkshire Council and other councils.

On the detail that she asked about, I understand that the Hamilton mausoleum needs repair, particularly for water damage. It is a 120 feet high Roman-style mausoleum, which is category A listed and has been an important landmark in Hamilton since the 1850s. Local politicians—including Christina McKelvie, who is the constituency MSP for Hamilton, Larkhall and Stonehouse—have actively supported the save the Hamilton mausoleum trust's campaign. As far as I am aware, the council has not approached the Scottish Government. Our understanding is that Historic Environment Scotland, which would be the lead body, has not been approached regarding the building either, but would welcome the opportunity to work with any parties, including the council, if they can help to identify ways to secure its sustainable future management.

### European Union (Relations)

**5. Shona Robison (Dundee City East) (SNP):** To ask the Scottish Government what discussions it has had with European partners regarding Scotland's future relationship with the European Union. (S5O-03903)

**The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop):** The Scottish Government meets our European partners regularly to discuss matters of joint interest, convey Scotland's position as a proud, open and welcoming European nation, and

underline our commitment to the shared principles and values of the European Union.

Whatever happens in the future, the Scottish Government remains committed to EU membership and to working collaboratively with the EU and its member states.

**Shona Robison:** Does the cabinet secretary agree that any form of Brexit will be hugely damaging, not only for my constituents in Dundee but for the whole of Scotland? Does she also agree that, tomorrow, the people of Scotland have the opportunity to take Scotland's future into its own hands, to stop Boris Johnson, stop the Tories and stop Brexit—

**The Deputy Presiding Officer:** No. I have already said that we are not on the stump. That is fine. I know what the answer probably is but I do not want electioneering in the chamber on the last—

**Fiona Hyslop:** I think that the member asked another question.

**The Deputy Presiding Officer:** What did she ask about?

**Fiona Hyslop:** The impact of Brexit.

**The Deputy Presiding Officer:** The impact of Brexit is fine. Let us hear about that.

**Fiona Hyslop:** Our European partners recognise the damaging impact of Brexit. Whatever the result of the election, in Scotland there are already damaging impacts on both our economic output and, as we have heard in answers to recent questions, EU citizens.

The European partners that I speak to fully understand Scotland's pro-European position: they know that Scotland voted to remain and they have great sympathy with our position. They also know that we comply, and have complied for 40 years, with the EU as a European Union member. That is the position that the Scottish Government wants to retain. People have the opportunity to make those views clear in the near future.

### Major Events (Best Practice)

**6. Patrick Harvie (Glasgow) (Green):** To ask the Scottish Government how it safeguards environmental standards, workplace rights and ethical factors when seeking to attract major events to Scotland. (S5O-03904)

**The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop):** Scotland's approach to securing events is set out in our national events strategy, called "Scotland, the Perfect Stage". The EventScotland team in VisitScotland works in partnership with local authorities, sports and venues to attract and

secure events of all types across Scotland. EventScotland promotes best practice in environmental sustainability, rights protection and ethical considerations through its funding criteria and industry engagement. Scotland has recently secured the inaugural UCI world cycling championships for 2023 when, for the first time ever, all 13 championships will take place in one country and at the same time of year.

**Patrick Harvie:** There is a huge opportunity to use the Scottish Government's role in the promotion of events to advance the case for the living wage and other workplace rights, particularly in the hospitality sector, the use of sustainable transport and a wide range of other environmental considerations.

To give one specific example, is the cabinet secretary aware of the strong criticism this year of the influence of the fossil fuel industry lobbying at the COP25 climate change conference in Madrid, and will the Scottish Government commit to use whatever opportunity and influence it has to ensure that that toxic voice is not heard when COP26 meets in Glasgow next year?

**Fiona Hyslop:** There are two parts to that question. On the first part, I can give an example of good practice. The Solheim cup, which was a major event here this year, developed a sustainability plan focused on minimising the event's carbon footprint, achieving zero waste to landfill, conserving important habitats and promoting sustainability to spectators. That is a very practical example.

On Mr Harvie's point about COP26, Roseanna Cunningham, the Cabinet Secretary for Environment, Climate Change and Land Reform, is at COP25 as we speak, as indeed are officials from the Scottish Government and from Glasgow City Council. They are there precisely to see how it is operating and to learn lessons from that. We want COP26 to be a COP of best practice in delivery, but also in policy. It is a great opportunity to do things in an ethical way and promote Scotland's sustainability and, importantly, our world-leading contribution to climate change.

There is much to be done. We have to practise as well as preach, and I understand exactly the message that Patrick Harvie is conveying.

### Transient Visitor Levy

**7. Tom Mason (North East Scotland) (Con):** To ask the Scottish Government how it plans to support hospitality businesses negatively impacted by the introduction of transient visitor levies. (S50-03905)

**The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop):** The decision to implement a visitor levy will be entirely

at the discretion of individual local authorities and should reflect local circumstances and priorities. The Scottish Government is analysing responses to the recent consultation on a local discretionary transient visitor levy. It will continue to work with the tourism industry and local authority partners to ensure that the draft legislation that is to be introduced next year by my colleague Kate Forbes, the Minister for Public Finance and Digital Economy, will recognise and meet the needs of Scotland's tourism sector.

**Tom Mason:** UKHospitality has warned that if local authorities across Scotland implement the tourist tax, it would cost almost 6,000 jobs and cost our economy more than £200 million. What plans does the Scottish Government have to engage with businesses—especially small and medium-sized enterprises—to alleviate any damage that such a tax would do to their revenue stream and to help to protect their jobs?

**Fiona Hyslop:** UKHospitality is wrong to say that the transient visitor levy would be a national one—that is simply incorrect. We are committed to giving local authorities discretionary powers to introduce such a charge if it is appropriate for their areas. For example, the Tory Administration in Aberdeen City Council could decide either to introduce a levy or not to do so. If it does introduce it, it is absolutely essential that the tourism interests of Aberdeen City Council are used as the basis.

However, that will not cause the biggest damage to tourism jobs. The biggest damage will come from Brexit, which was introduced by the Tory Government. Loss of visitor numbers and staff will have a far bigger impact than any of the projections that Tom Mason is citing, however incorrect they are.

**The Deputy Presiding Officer:** There are two supplementaries; both must be brief.

**Liam McArthur (Orkney Islands) (LD):** The cabinet secretary referred to on-going discussions with local authorities. Is she aware that concern has been raised by some of my constituents that, if the levy is limited to local authorities, that may limit both the nature of the projects that can be supported and the extent of any support that is provided, and will she confirm that discussions are taking place about enabling accredited or appointed third sector trusts through the legislation?

**Fiona Hyslop:** As I made clear, my colleague Kate Forbes will take forward the legislation. The consultation only closed on 2 December and there are well over 1,000 responses, so I am sure that Liam McArthur's point has been made as part of the consultation. When all the points, including that one, have been considered, there will be a



response to the consultation, followed by the normal legislative process. I cannot give a definitive answer to the member, but that point is clearly on the agenda and will need to be considered.

**Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** Will the cabinet secretary outline the negative impact that there would be on hospitality businesses if the raft of business rates reliefs that are currently offered were removed, as was proposed by all the Opposition parties when they voted for a stage 2 amendment last month?

**Fiona Hyslop:** The member has raised a vitally important point. The decision by Conservative, Labour and Green members on the Local Government and Communities Committee to vote to remove the opportunity for national Government to provide business rates relief for tourism is absolutely astounding and has been met with incredulity by the sector. There is an opportunity, which must be grasped, for that to be remedied as that legislation progresses. The tourism industry is vital for this country. It supports small and medium-sized enterprises and businesses right across Scotland. Business rates relief for the hospitality and tourism industry is in jeopardy, because of the actions of Tom Mason's party and others, unless and until they remedy that decision.

## O2 ABC Venue

8. **Pauline McNeill (Glasgow) (Lab):** To ask the Scottish Government what it can do to support the re-establishment of the O2 ABC venue in Glasgow. (S5O-03906)

**The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop):** Although I am unable to comment on a live planning case, I recognise the hugely significant social, cultural and economic role that live music venues play in our towns and cities. With our partners such as Creative Scotland and Highland and Islands Enterprise, we support music venues across Scotland through, for example, major festivals, our national performing companies and the inclusion of the agent of change principle in primary legislation.

**Pauline McNeill:** Will the cabinet secretary acknowledge the importance of the O2 ABC to Glasgow's economy and to its status as UNESCO city of music? I know that she has a personal commitment to rock and pop music. The venue is also important to Scots who have memories of seeing such bands as the Arctic Monkeys and Frightened Rabbit there. Will the cabinet secretary put on record her commendation of the efforts of the Academy Music Group and the work that is ongoing in planning and regeneration services? It is a complex process to establish whether to restore or rebuild the O2. One way or the other, I hope

that the cabinet secretary agrees that we need to rebuild it. Will she continue to pledge support vocally, if she can, for the restoration or rebuilding of that wonderful and iconic building?

**Fiona Hyslop:** I reiterate that it is a live planning case. However, Pauline McNeill is right in recognising all the different agencies that are involved. There are listed building consents, planning issues and a variety of other issues, and everybody is trying to work constructively within their remits to see resolution. I probably cannot comment more than that, but that work by everybody using their best efforts to get a positive result is to be commended. I do not want to comment further in case it is the subject of a ministerial decision.

Pauline McNeill is right in recognising the role of the ABC in the memories of many people. However, the ABC and, indeed, other venues should also be celebrated for the future music and the present talent that they bring. For those of us of a certain age, perhaps nostalgia might be the way to celebrate our music venues. However, the best way is to provide opportunities for new and fresh talent to perform in UNESCO's city of music.

## General Question Time

14:00

### Job Start Payment

**1. James Dornan (Glasgow Cathcart) (SNP):**

To ask the Scottish Government how it plans to promote the new job start payments to young people. (S5O-03907)

**The Cabinet Secretary for Social Security and Older People (Shirley-Anne Somerville):**

We are committed to ensuring that everyone who is eligible for financial support receives it. Social Security Scotland has developed a strategic communications plan to promote job start payments to potential applicants and those who advise and support them. The plan builds on the lessons learned from the successful introduction of our seven current benefits and our benefit take-up strategy. Our principle that social security is an investment in people means that we will continue to actively promote the benefits we deliver.

**James Dornan:** Does the cabinet secretary have any suggestions about what more the Department for Work and Pensions could do to promote and signpost Scotland's social security benefits through its channels in Scotland, such as jobcentres?

**Shirley-Anne Somerville:** I believe that the DWP could do a lot more to promote all social security benefits, whether they are reserved or devolved. The difference in approach between the Scottish and United Kingdom Governments is that we want people to get the financial support that they are eligible for, and we genuinely encourage that take-up.

I very much hope that the DWP will support us in promoting and signposting Scottish benefits. A clear case in point would be jobcentres encouraging potential applicants to contact Social Security Scotland to see whether they are eligible, particularly with regard to job start payments, for which jobcentres will be meeting and working with young people face to face. I would like the DWP to work with the Scottish Government to support those young people into employment, and I very much hope that it will.

### University Hospital Monklands

**2. Fulton MacGregor (Coatbridge and Chryston) (SNP):** To ask the Scottish Government whether it will provide an update on the plans for a new, state-of-the-art, university hospital Monklands. (S5O-03908)

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** In response to the first

recommendation of the independent review, the Monklands replacement oversight board has been established and its current focus is to identify all potential sites, in addition to Gartcosh and Glenmavis, for the location of the new, state-of-the-art, university hospital Monklands. The board has asked members of the public to respond by 13 December. Once all suggestions have been checked to ensure that they comply with the five essential criteria, a site selection appraisal will be undertaken and the preferred option will be chosen. Members of the public are encouraged to take part in, and contribute to, that process.

**Fulton MacGregor:** Would it be fair to say that information that is being distributed around my constituency suggesting that Monklands hospital is to close is blatantly misleading? Can the cabinet secretary confirm, again for the absolute avoidance of any doubt, that the party that saved the hospital from the Labour Government when it tried to close our accident and emergency unit in 2007 was the Scottish National Party, and that the future of Monklands hospital will always be safe in the hands of an SNP Government?

**Jeane Freeman:** Let me remind the member and everyone else in the chamber what the First Minister said:

"There is an absolute commitment on the part of this Government to see a replacement for Monklands hospital built, which, incidentally"—

and importantly—

"will include A and E services."—[*Official Report*, 27 June 2019; c 22.]

I have seen some of the information that is circulating. It is, of course, entirely false in its premise and in what it suggests. I have absolutely no doubt that the good citizens of Coatbridge, Chryston and Bellshill will not be fooled by the notion that the party that actually wanted to close the A and E at Monklands hospital now claims that it wants to save it, and that they will indeed trust this Government, which saved the A and E at Monklands, to continue to support a replacement hospital for Monklands that includes an A and E. I hope that that assists Mr MacGregor in reassuring his constituents.

### Fairtrade Road Signs

**3. Gordon MacDonald (Edinburgh Pentlands) (SNP):** To ask the Scottish Government for what reason Fairtrade road signs are deemed not appropriate because of their advertising nature when tourist information signs promoting private businesses are allowed. (S5O-03909)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** The primary purpose of tourist signs is to provide clear and consistent directions to

drivers, enabling them to reach their destination safely. They are not provided to advertise or market the tourist destination. Although the Fairtrade campaign is well recognised, and the initiative is to be commended, Fairtrade is a recognised global brand that is promoting a commercial interest. As such, it is not considered suitable for inclusion in traffic signs and falls to be considered as an advertisement through the planning process.

**Gordon MacDonald:** Balerno in my constituency attained Fairtrade village status in 2013 and has been trying to promote that achievement for the past six years. The City of Edinburgh Council states that the Fairtrade signage cannot be erected, yet the same council has similar signage on the A71 at the Edinburgh boundary.

What advice or assistance can the cabinet secretary provide in order that Balerno gets the recognition that it deserves as a Fairtrade village?

**Michael Matheson:** The City of Edinburgh Council as the planning authority has the power to approve planning applications for Fairtrade signs in Balerno, if an application was to be made for the installation of such a sign.

At present, the council has the power and the capability to make provision for the installation of a Fairtrade sign in Balerno and any decision on whether to provide such a sign would rest with the regulatory authority, which is the City of Edinburgh Council.

#### **Diesel Fuel (Fatty Acid Methyl Ester)**

**4. Michelle Ballantyne (South Scotland) (Con):** To ask the Scottish Government what action it is taking in response to reports of increased levels of fatty acid methyl ester in diesel causing problems with farm machinery. (S5O-03910)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** The serious impacts of recent issues that Scottish farmers have faced with gas oil fuel could be deeply damaging for the industry and communities across rural Scotland, particularly in the winter months. As relevant fuel legislation is reserved to the United Kingdom Government, I have taken up the matter with the UK Secretary of State for Transport, pressing for maximum effort towards a workable long-term solution that allows continued carbon emission reductions but ensures that progress is made on the issue.

My officials continue to work closely with the Department for Transport and Grangemouth operators Petroineos to fully understand the issues and the most effective solution. I welcome Petroineos's decision to change the fuel blend to

help ensure that there are no further operational issues.

**Michelle Ballantyne:** I recognise that the matter is reserved; however, I recently met farmers and representatives of NFU Scotland, who are extremely worried about the issues with red diesel. Recent figures suggest that more than 380 farmers have reported machinery failure, which in turn seriously hampers their ability to harvest crops and feed livestock, not to mention the repair costs, which are escalating.

Will the cabinet secretary consider launching a long-term expert working group in Scotland to undertake an investigation into the situation and to help to advise on and deliver those long-term solutions to this very serious problem?

**Michael Matheson:** Michelle Ballantyne is correct; it is a reserved matter. It relates to the renewable transport fuel obligation, which is mandated by the UK Government, the specifications of which are set by the UK Government through the Department for Transport. It is important that we get to the root cause of the issue.

As I have set out, Petroineos in Scotland has already taken proactive action, although there have been instances of the difficulty being experienced in other parts of the UK. Transport Scotland officials are directly engaged with the Department for Transport on the issue in order to press the UK Government to identify a long-term solution.

I understand that the group in the Department for Transport that is considering the issue intends to undertake survey work with the National Farmers Union and NFUS to identify the extent and nature of the problem, in order to assist it in identifying what further measures need to be taken to achieve a long-term solution.

I assure Michelle Ballantyne that we will continue to press the UK Government to take early and swift action on the issue, given the potentially serious implications that it could have for the farming sector in Scotland.

#### **Fuel Poverty (North Ayrshire)**

**5. Ruth Maguire (Cunninghame South) (SNP):** To ask the Scottish Government what action it has taken to address fuel poverty in North Ayrshire. (S5O-03911)

**The Minister for Local Government, Housing and Planning (Kevin Stewart):** We are committed to tackling fuel poverty across Scotland. The Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019, which Parliament passed unanimously earlier this year,

sets statutory targets for reducing fuel poverty by 2040 at both national and local authority level.

We will publish our strategy next September, setting out how we intend to meet those targets. In the meantime, we are already investing significantly in tackling fuel poverty.

We are on track to deliver our commitment to make £0.5 billion available over the four years to 2021 to tackle fuel poverty and improve energy efficiency. That is being delivered through our home energy efficiency programmes for Scotland, including our area-based schemes, which are delivered in conjunction with local authorities. Since HEEPS ABS began, over 2,000 households in North Ayrshire have benefited from more than £10 million of investment.

**Ruth Maguire:** The minister will have received my letter, which highlighted the concerns that constituents in Bourtreehill have raised around the energy efficiency work that was carried out by the local housing association. One household reported that the cavity wall insulation had been removed and had not been replaced. Getting to a resolution to that issue between the housing association and the contractor is proving challenging. Can the minister provide advice or assistance that will help me ensure that my elderly constituents are not left in cold, uninsulated houses this winter?

**Kevin Stewart:** I am aware of the case that Ruth Maguire refers to. I am sorry to hear of the constituents' concerns about the energy efficiency improvements that are being made to a neighbouring property. My understanding is that the work has been commissioned by a local housing association for one of the properties. I am not aware of funding being provided by the Scottish Government through our HEEPS area-based schemes or any other channel. I will write to Ms Maguire in more depth on the issue and I hope that the matter can be resolved by the housing association as soon as possible.

**Jamie Greene (West Scotland) (Con):** Energy efficiency is an important matter to consider. How many homes in North Ayrshire have benefited from improved insulation as a direct result of Government intervention? Are there plans to increase that percentage?

**Kevin Stewart:** I do not have numbers at hand; I will write to Mr Greene in more depth. Over 2,000 households in North Ayrshire have benefited through HEEPS ABS, which often include insulation work. Beyond that, a further 500 households in North Ayrshire have benefited from our warmer homes Scotland scheme, which is focused on helping the most vulnerable households in our society.

**The Presiding Officer (Ken Macintosh):** Question 6 has been withdrawn.

## **Superfast Broadband (Highlands and Islands)**

**7. Donald Cameron (Highlands and Islands) (Con):** To ask the Scottish Government whether 100 per cent of homes and businesses in the Highlands and Islands will be able to access superfast broadband by 2021. (S5O-03913)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** We remain committed to meeting our target of 100 per cent superfast coverage and will award R100 programme contracts as soon as possible.

We have confirmed BT plc as the preferred bidder for all three geographic lots and the procurement process is progressing as expected. Delivery timescales will be confirmed as soon as possible, once the contracts are in place.

**Donald Cameron:** Last week, *The Herald* revealed that the Scottish Government procurement document suggested that the delivery of the R100 programme could take as long as four or even five years to complete. Given that the Scottish Government has made an explicit commitment to deliver superfast broadband by 2021, will the minister take the opportunity to apologise to rural communities in the Highlands and Islands for the abject failure of the Government to deliver on its promise?

**Michael Matheson:** It is a bit rich to listen to the Conservative Party complain about the provision of digital broadband coverage in Scotland, given that the matter is solely reserved to the United Kingdom Government. Had it not been for the actions of this Government, which stepped in to take on the failure of the Conservative Government at a UK level, we would not have had the significant increase in coverage that we have already achieved in Scotland. We have gone from coverage of 19 per cent in 2014 to 93 per cent right across the country as a result of the decisive actions of this Government. That is the action of a Government that is determined to ensure that we get the right type of digital infrastructure in Scotland. Had we not taken that action, we would probably still be at 19 per cent coverage and waiting for the Conservative Government in London to do something about it.

**Liam McArthur (Orkney Islands) (LD):** I assure the cabinet secretary that the level of coverage in Orkney falls far short of 93 per cent.

Given the Government's earlier commitments to an outside-in approach, will the cabinet secretary offer an assurance that if there is any slippage in the delivery of the contract, it will not penalise the communities that have been waiting longest for the delivery of superfast broadband?

**Michael Matheson:** I am sure that Liam McArthur welcomes the decisive action that this Government has taken with the digital Scotland superfast broadband programme to improve coverage right around the country. In 2014, the coverage in the Orkney area was 11.1 per cent. As a result of the actions that this and other Governments have taken, coverage is now at 65.2 per cent. We are seeing significant improvement in digital connectivity as a result of those measures. Of course, during the Liberal Democrats' time in coalition Government, they had an opportunity to do something about coverage and, as ever, they failed to do so. That is why this Government is taking those actions.

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** Given that the UK Government is responsible for internet access, will the cabinet secretary confirm that the UK Government's financial contribution to the R100 programme is less than 10 per cent of the overall cost?

**Michael Matheson:** We are investing some £600 million in the R100 programme. I can confirm that the UK Government is contributing less than 10 per cent, despite the fact that it is a reserved area. That demonstrates, as ever, that the Tories never put Scotland first and always let down the Scottish people when it comes to taking necessary action. That is why this Government, having spent almost £400 million on the DSSB programme, is putting in another £600 million to pick up the mess that has been left by the Conservative UK Government.

### Adoption (Emancipation)

**8. Emma Harper (South Scotland) (SNP):** To ask the Scottish Government what its position is on establishing a process that will allow adopted children to have a legal right of emancipation from their adoptive parents. (S5O-03914)

**The Minister for Children and Young People (Maree Todd):** In the sad circumstances in which the relationship between a child and an adoptive parent is considered to have broken down, the adoptive parent continues to have parental responsibilities and rights in relation to the child, in the same way that a birth parent with parental responsibilities and rights does if the parent-child relationship breaks down.

It is important that there is a person with parental responsibilities and rights for a child. If a child's relationship with their adoptive parents has broken down, a court can already consider an application to remove parental responsibilities and rights and transfer them to another individual, if that is considered to be in the best interests of the child. Parental responsibilities and rights for adoptive and birth parents last only until the child is 18.

**Emma Harper:** Two of my constituents, Anthony and Joseph Duncalf, have started a petition to allow adopted children to have the same rights of emancipation from their adoptive parents as those of children from their biological parents, which they might want to exercise for a number of reasons.

Will the minister confirm whether that is within the legislative competence of the Scottish Parliament? If so, will she consider meeting me, Anthony and Joseph to discuss the issue further?

**Maree Todd:** As I said, adoptive parents have full parental responsibilities and rights for their children in the same way that birth parents usually do. In that sense, whether a child is adopted makes no difference to their ability to sever links with their parents.

I am more than happy to meet Emma Harper and Anthony and Joseph Duncalf to discuss the challenges that they have faced and to see whether there is anything that we can do to respond to those challenges.

### Workplace Rights (Young People)

**9. Ross Greer (West Scotland) (Green):** To ask the Scottish Government what action it is taking to ensure that young people are properly equipped to protect their workplace rights. (S5O-03915)

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** Learning about the world of work forms a key part of the school curriculum, and employment rights are an important part of career education for young people at school, particularly in their senior phase.

We support the Scottish Trades Union Congress programme, unions into schools, which helps young people understand the importance of workers' rights and the role that is played by trade unions in the modern workplace. The programme has delivered 125 classroom sessions since March 2019.

Bodies such as the Advisory, Conciliation and Arbitration Service, Citizens Advice Scotland and trade unions can play an important role in advising young people on their workplace rights.

**Ross Greer:** The cabinet secretary is right to credit the STUC for the excellent work that its unions into schools programme does. However, it reaches only a small number of schools and a small fraction of school students in Scotland. With zero-hours contracts on the rise, poverty wages and bogus self-employment, will the cabinet secretary commit to ensuring that all young people in Scotland, before they leave school, learn about

not just employability skills, but their rights at work as well?

**John Swinney:** As I indicated in my first answer to Ross Greer, those issues about the world of work in relation to employment rights are an important part of career education, which we believe is an entitlement of young people through the broad general education and into the senior phase. Outwith the specific and targeted work of the unions into schools programme that the STUC provides—and which we support—there is every opportunity in the curriculum for young people to understand those issues. I am very happy to reflect on those issues and on how we can make sure that more and more young people are aware of those questions in the school curriculum.

## First Minister's Question Time

14:20

### General Election (Private Conversations)

1. **Jackson Carlaw (Eastwood) (Con):** At the last general election, Nicola Sturgeon revealed that the Scottish Labour leader, Kezia Dugdale, had told her in a private conversation that she wanted to drop Labour's opposition to a second independence referendum. On the eve of this election, would she like to share any private conversations that she is having with Jeremy Corbyn?

**The First Minister (Nicola Sturgeon):** None.

**Jackson Carlaw:** I am sorry—I did not hear. Was that a “no” or a “none”?

**The First Minister:** None.

**Jackson Carlaw:** I am not sure that that is credible, because I thought that the First Minister said in the chamber a few weeks ago that she had had conversations with Jeremy Corbyn.

**The Presiding Officer (Ken Macintosh):** Order, please.

**Jackson Carlaw:** Last night, Nicola Sturgeon said that she did not think that Labour's spending plans are credible, yet still she is happy to hand Mr Corbyn the nation's credit card, all because he will give her what she really craves—that second independence referendum. However, in a recent BBC “Breakfast” interview, the First Minister warned that, if she did not get the referendum that she is demanding, “all options” would be open. She even declined to rule out legal action. Will the First Minister clarify what she meant by “all options”? Seriously, would she sue her way to indyref2?

**The First Minister:** There is an easy solution to all the worries that Jackson Carlaw clearly has, and it is this: the Tories could just respect the will of the Scottish people and respect how the Scottish people vote. If the Scottish National Party wins the election tomorrow, perhaps that is the best advice for Jackson Carlaw.

However, let me tell Jackson Carlaw what my priority is tomorrow. It is to make sure that I do everything that I can to ensure that we do not wake up on Friday morning to a Boris Johnson Government, because a Tory Government will mean more cuts to our public services, rising child poverty and a hard Brexit. That is what a Tory Government will mean for Scotland, and the way to stop that happening is to vote SNP. The SNP is the main challenger to the Tories in Scotland, so if we want not to be waking up to Boris Johnson on

Friday, vote SNP for a better, brighter future for Scotland.

**The Presiding Officer:** Hang on one second, Mr Carlaw. I encourage members not to indulge in direct electioneering such as encouraging—*[Interruption.]* No, no—I recognise that it is the day before the general election, and I recognise the topics that are going to be discussed. I am absolutely happy with that, but would members mind not ending questions or answers with calls to vote for one party or another? Thank you.

**Jackson Carlaw:** Yes. Thank you, Presiding Officer.

The First Minister has never respected the settled will of the people since the question on independence was put in 2014 so, to borrow the phrase that ministers are so fond of, it is a bit rich of her to start talking about others respecting election results, when she has refused to accept the result of any referendum to date.

After last night's leaders' debate, I had a message from a viewer, Kenny from Ayrshire, who said:

"Nicola Sturgeon says she wants me to make my voice heard, but what's the point when she just ignores everything I have to say because it doesn't suit her. I voted No to independence and so did most people in Scotland, but she just won't leave it alone. Why is it she only listens to some folk but not others?"

Why is that? Why does the First Minister have a habit of listening only to those people who agree with her? Why do the voices of the more than 2 million Scots who voted no in 2014 not count with her?

**The First Minister:** I am genuinely surprised that Jackson Carlaw wants to raise the issue of the BBC leaders' debate last night, because anybody who watched it would have seen him getting a roasting from an audience that was scunnered and disgusted by Tory austerity driving people into poverty.

Let me talk about the settled will of the Scottish people—the 62 per cent who voted to remain in the European Union. Jackson Carlaw used to believe in and argue for remaining in the European Union, as well, until, of course, he got his instructions from Boris Johnson. He is now a born-again Brexiteer.

The difference between me and Jackson Carlaw is that he thinks that it is okay for Boris Johnson to dictate Scotland's future to the people of Scotland, whereas I think that it is for the people of Scotland to choose our future. The fact that the Tories do not want the people of Scotland to have that choice shows that they are running scared of the verdict of the Scottish people. I stand for choice. On Friday morning, we can wake up to the future

of this country being in the hands of the Scottish people and not in the hands of Boris Johnson and the Conservative Party.

**Jackson Carlaw:** The people of Scotland did choose. Nicola Sturgeon's "Scotland's Future: Your Guide to an Independent Scotland", which she arranged to send to every household that requested it, said in writing that the vote was

"a once in a generation"

vote. She signed up to that commitment with her predecessor in the Edinburgh agreement. She has never respected or honoured the result of the referendum; she has simply ignored the majority and kept the issue in place, because that is all that she is interested in doing.

Let us cut to the chase. Is it not the case that people face a very stark choice tomorrow? They can support the SNP and, come Friday, see the First Minister hijacking every vote that was cast on Thursday as a mandate for a second independence referendum, which would take us back to more division and extended chaos next year, or they can choose a different option. They can choose the Scottish Conservative and Unionist Party to stop indyref2 and let the country move on.

**The First Minister:** In 2014, people in Scotland voted no to independence because they were told that that was the way to protect Scotland's membership of the European Union. Here we are, five years later, with Jackson Carlaw and the Tories trying to drag Scotland out of the EU against our will. In a democracy—I know that the Tories are not keen on democracy—people have the right to change their mind when circumstances change.

I agree with Jackson Carlaw that people face a stark choice tomorrow. The election is the most important of our lifetimes. Down one path, there is a future dictated to us by Boris Johnson and the Tories. We would be ripped out of Europe, child poverty would rise and there would be more cuts and austerity for our public services. Alternatively, the people of Scotland can vote SNP. A vote for the SNP is a vote to lock Boris Johnson out of Downing Street, to escape the mess of the Tory Brexit, and to put Scotland's future into Scotland's hands. That is the better, brighter option that I hope that people across Scotland will choose tomorrow.

**The Presiding Officer:** I urge members not to use the words "vote" or "choose".

### Primary Care

2. **Richard Leonard (Central Scotland) (Lab):** Does the First Minister agree with her Cabinet

Secretary for Health and Sport that primary care is the “bedrock” of the health service?

**The First Minister (Nicola Sturgeon):** Yes, I do think that primary care is the bedrock of our health service. That, of course, is why the Scottish Government is taking action to invest more in primary care, and to invest a greater percentage of the health budget in primary care, in order to shift the balance away from acute and specialist healthcare and into the community.

Primary care is, of course, about much more than general practitioners, vital though they are. That is why we are promoting the multidisciplinary primary care team. There are big challenges for the health service, but it is really important work that we are determined to get on with.

**Richard Leonard:** An integral part of the new 2018 GP contract is “The National Code of Practice for GP Premises”, which recommends that health boards reduce pressure on doctors by providing them with premises.

However, last week, GPs from the Maryfield medical centre in Dundee contacted me. They have for almost two years been embroiled in protracted negotiations over the transfer of their lease to NHS Tayside. Even though the health board started to run services from the medical centre more than a year ago, and even though the building has been assessed as being fit for purpose, NHS Tayside is still demanding that the GPs pay more than £100,000 for work that even the landlord deems to be completely unnecessary.

The doctors have told us that up to a third of general practices in Tayside might be facing the same situation. They have petitioned the Scottish Government for support, but nothing has been done. Does the First Minister think that that is acceptable? Will she listen to the GPs? Will she act to support them? Will she intervene?

**The First Minister:** I am very happy to look into the specific issue that Richard Leonard has raised. I would have thought that lease negotiations would best be conducted between GPs and the health board in question, but because Richard Leonard has raised the issue I will, of course, look into it.

We are investing heavily in supporting general practitioners and general practice. The number of GPs working in Scotland has risen. By 2021, we will have invested £50 million in our groundbreaking new GP premises sustainability loan scheme, which is aimed at securing general practice for the future. Practices are already being reimbursed with £41.5 million through the Primary Medical Services (Premises Development Grants, Improvement Grants and Premises Costs) Directions 2004. We support GPs and the premises in which they work.

As I said in my earlier answer, we want to support the multidisciplinary primary care team, which is why we are also supporting pharmacists and physiotherapists to work with GPs in order to ensure that people have the best care possible in the community.

I am happy to look into the particular case that Richard Leonard mentioned. However, generally speaking, the Scottish Government provides continued and growing support for GPs, who do a very difficult and challenging job.

**Richard Leonard:** The Maryfield medical centre wrote to me last week, at the same time as it wrote to the First Minister. The truth is that general practice and primary care are under immense pressure right across the country. The British Medical Association has warned that there are workload pressures and that there is a GP shortage. The truth is that Scotland is in the grip of a GP crisis; the very survival of GP surgeries is at stake.

Incredibly, the Government still has no accurate and up-to-date information, so it has no idea how many full-time equivalent GPs there are in Scotland. It has no accurate and up-to-date information, so it has no idea how long patients are waiting to see a GP, but we all know that they are waiting too long.

Patients who need a GP appointment are being let down. GPs such as those in Dundee who need the First Minister’s support are being let down. After 12 years of her Government, Scotland is being let down. When will the First Minister finally recognise that Scotland is facing a GP crisis and that GPs and patients need a Government that is on their side?

**The First Minister:** The most recent figures show that the number of GPs who are working in Scotland is 5,049, which is an increase on the previous year. Incidentally, there are significantly more GPs per head of population in Scotland than there are in England, and there are significantly more GPs per head of population in Scotland than there are in Wales, where the Labour Party is in Government.

Next year, we will double our primary care improvement fund from £55 million to £110 million specifically to help to accelerate the expansion of multidisciplinary teams. The most recent figures show that, since 2006, there has been a 17.3 per cent increase in the number of GP training places, and we are, as I said earlier, investing in GP premises.

Through all those and other things that I could talk about—including initiatives relating to rural recruitment and, of course, the new GP contract, which was supported heavily by the BMA—we are taking action to support GPs, and to ensure that



they are at the heart of the jewel in the crown of the Scottish national health service, which is primary care.

Unlike Governments elsewhere in the UK—one of which is, of course, run by Labour—the Scottish Government is getting on with the job of facing up to the challenges in the NHS and bringing to bear the solutions that the people who work in our NHS and the patients who rely on it need. I had hoped that Labour would welcome that.

#### **St John's Hospital (Paediatric Service)**

**Miles Briggs (Lothian) (Con):** This week, a freedom of information response that I obtained revealed that more than 1,000 youngsters have been taken by ambulance to the Royal hospital for sick children here in Edinburgh from St John's hospital in Livingston because of the closure of the children's unit there. In October, the Cabinet Secretary for Health and Sport pledged to reinstate the 24/7 paediatric service at the hospital, three years after the service was cut. That promise has been broken. Families across West Lothian feel completely failed by the Scottish National Party Government. Parents have asked me to ask the First Minister this question. When will the 24/7 service return?

**The First Minister (Nicola Sturgeon):** That service will return 24/7 when doing so is clinically safe. I would have thought that that was the priority for everyone.

Last month, the Cabinet Secretary for Health and Sport met local parents, and NHS Lothian will continue to listen to suggestions on how to improve the service further and maximise out-patient activity.

Of course, the service is not closed, but children who are sick need to be cared for in the best possible place with the best-quality clinical care, which is exactly what the Government will continue to prioritise.

#### **Cameron House Hotel Fire**

**Jackie Baillie (Dumbarton) (Lab):** The First Minister will be aware that 18 December marks the second anniversary of the tragic fire at Cameron House hotel. Two years on, Mrs Midgley, who lost a son in the fire, is still waiting for answers. She has not had a face-to-face meeting with the Crown Office and Procurator Fiscal Service in more than seven months. Will the First Minister ensure that the Lord Advocate meets her? The investigation has concluded and reports have been received, so will the First Minister please ensure that decisions are made by the Crown Office without any further delay?

**The First Minister (Nicola Sturgeon):** I take the opportunity again to convey my thoughts to the

families who were bereaved in the Cameron House hotel fire. It is impossible for any of us to imagine what they are going through, particularly at this time of year, as we approach the anniversary.

I hope that Jackie Baillie can take this answer in the spirit in which it is intended. It is not appropriate for me to instruct the Lord Advocate, because he operates independent of ministers in investigation of deaths and in respect of potential criminal prosecutions. I will, of course, convey Jackie Baillie's question and request to the Lord Advocate and ask him to respond directly to her, but the independence of the law officers in such matters is a very important part of our constitution, which I am sure all of us want to respect. I understand the legitimate desire of families to have their questions answered; I think that we all want to see that happening as soon as possible.

#### **NHS Grampian (Funding)**

**Liam Kerr (North East Scotland) (Con):** Some months ago, I was contacted by a constituent from near Peterhead. He told me that an elderly family member suffering from significant underlying medical conditions, which make him particularly vulnerable, was unable to get a general practitioner appointment for a flu vaccination for more than two months. The Scottish National Party's failures have led to NHS Grampian having some of the worst waiting times, GP practices closing and many patients not getting vital vaccinations. Thanks to record national health service funding coming to Scotland from the United Kingdom Government, the SNP has the powers to end the underfunding of NHS Grampian. Will the First Minister show that she is serious about improving NHS Grampian by delivering the £165 million that *The Press and Journal* reports today it has missed out on?

**The First Minister (Nicola Sturgeon):** There is record investment in our NHS, notwithstanding the austerity cuts that the Conservative Westminster Government has imposed on us. The Conservatives do not like hearing this, but I remind them that, next year, the Scottish budget will be £1.5 billion lower in real terms than it was when the Conservatives took office at the start of the decade. Notwithstanding that, we are investing record sums in the national health service. Spending on the national health service in Scotland is £136 more per person than it is in England, where the Conservatives are in government, and we have record numbers of people working in our national health service. We will continue to make investments, deliver the reforms and get on with the job. I hope that, come the end of this week, we will not have a Conservative Government imposing yet more austerity on the Scottish budget.

## Fossil Fuels

**3. Alison Johnstone (Lothian) (Green):** This week, half a million people marched through Madrid during the 25th conference of the parties, or COP25, to demand climate action. Meanwhile, the United Kingdom's plans for tackling the climate emergency have been rated "insufficient". It is no wonder that Tories have been absent from climate debates during the election. However, there is a cosy consensus in the Scottish Parliament that also ignores the science. The science says that we must not use all the fossil fuels that we know about, let alone explore for more. Opening COP25, the United Nations secretary general called for the

"political will to stop subsidies for fossil fuels"

as the planet is close to

"the point of no return".

Will the First Minister accept the science, as the progressive New Zealand Government has done, and recognise that fossil fuels need to stay in the ground?

**The First Minister (Nicola Sturgeon):** Roseanna Cunningham, the Cabinet Secretary for Environment, Climate Change and Land Reform, is at COP25 in Madrid right now, representing the Scottish Government and, of course, helping with the preparations for COP26, which will take place in Glasgow next year. The Scottish Government accepts the science. That is why we put forward and had passed in the Parliament the most ambitious climate change targets of any country in the world—not just the headline targets but what is included in our calculation of emissions.

I have made very clear that we are in a transition away from fossil fuels. That transition must accelerate, but we must make sure that it happens in a way that satisfies two things. First, it must not lead to an increase in our dependence on imports, which would increase, not decrease, our carbon footprint in the short term; and secondly, we must do it in a way that is just and fair, so that we do not leave people behind. That is why we have established the just transition commission. We will continue to take actions on this front. Seventy-five per cent of our electricity already comes from renewable sources and we now need to replicate that success in how we heat our homes, how we travel to work and in other ways.

I hope that the consensus in the Parliament is around the sometimes quite tough actions that we will have to take to meet those world-leading targets.

**Alison Johnstone:** The First Minister is fond of saying that the tap cannot be turned off overnight, and no one is suggesting that, but the just

transition that she speaks about has to start now. Frankly, the evidence that it is happening is unavailable. The Scottish Government is not doing enough to reduce demand for fossil fuels. The First Minister could take her huge road expansion fund and put it into expanding public transport. Her Government could decide that it wants to properly insulate every home to eliminate fuel poverty. Instead, incredibly, since the Paris agreement oil and gas extraction is up in Scotland, transport emissions are up and the world-leading targets are being missed. Instead of kowtowing to the fossil fuel lobby, will the First Minister please get her act together before thousands march at COP26 in Glasgow?

**The First Minister:** The transition is under way. As I said, 75 per cent of our electricity already comes from renewable sources. The Scottish Government supports renewable energy, but some of that has been frustrated by the perverse decisions that UK Governments have taken, particularly around onshore wind and the continued obsession of the Tories—and Labour, I am sorry to say—with nuclear power. I point to energy efficiency schemes to help people insulate their homes; the new regulation that we have spoken about to put in place rules that say that, from 2024, houses should not have fossil fuel boilers but should have boilers using renewable sources; and the £500 million investment in bus infrastructure to encourage people out of their cars. We are ahead of the rest of the UK—I think that we are ahead of most of Europe—when it comes to a charging infrastructure to support the move to electric and low-emission vehicles. These things are already happening. Of course, we want them to accelerate, but perhaps the Greens should get involved in discussions about what is actually happening. I would certainly welcome that.

## European Union Migrants

**Keith Brown (Clackmannanshire and Dunblane) (SNP):** Boris Johnson has said that, for too long, EU citizens have been

"able to treat the UK as though it is basically part of their own country".

Does the First Minister agree that those comments are disgraceful, that migrants who have chosen to live in Scotland are welcome and that not only do we want them to stay, we want them to feel that Scotland is their home?

**The First Minister (Nicola Sturgeon):** Boris Johnson's dog-whistle anti-immigrant rhetoric is disgraceful. In my view, it is one of many reasons why he is not fit to hold the office of Prime Minister and I hope that on Friday he will not hold that office.

My view on this is very straightforward. It is one that I have expressed consistently and I am glad to have the opportunity to do so again today. If somebody comes here from another country in Europe or elsewhere, makes a contribution to Scotland and decides to make this country their home, they have every right to treat this country as their own, because it is their own—it is their home. They are welcome here, we appreciate and value the contribution that they make and we want them to stay.

I want Scotland always to be a country that is open, welcoming and inclusive. The Tories are a real and present danger to that, which is one of many reasons why we need to get rid of them.

### National Health Service Waiting Times

**Monica Lennon (Central Scotland) (Lab):** Patients who live with chronic pain conditions continue to face excruciating waiting times. Quarterly figures that were released yesterday confirm that the proportion of people who wait more than four months for their first appointment is increasing. Why is progress not being made? Will the First Minister apologise for that to the thousands of people who feel that their quality of life is suffering because they are stuck on national health service waiting lists just to get their first appointment?

**The First Minister (Nicola Sturgeon):** Progress is being made through the waiting times improvement plan, which covers those who are waiting for appointments for chronic pain as well as for other conditions. To reduce the longest waits in our health service, £108 million has been invested so far this financial year out of the total of £850 million that is in the waiting times improvement plan. That is about increasing capacity to reduce waiting times right across the NHS. We will continue to work with NHS boards on the various actions that they are taking to remodel their services and build extra capacity, because that is the work that we need to do.

### Newsquest Job Cuts

**Andy Wightman (Lothian) (Green):** The First Minister will be aware of job cuts at Newsquest, where journalists have voted for strike action. She will be aware that that is just the latest challenge for Scottish print media, following a 44 per cent decline in circulation since 2006. Does she agree with me that a free press is a vital part of any democracy? Does she agree that journalists losing their jobs undermines the vital role that the media play in holding power to account? Does she agree that, at a political level, we need to explore what can be done to restore and sustain healthy and vibrant print media?

**The First Minister (Nicola Sturgeon):** Yes, I agree that having a free media is essential to the health of our democracy. It is always a matter of concern and regret when journalists lose their jobs and are made redundant. All politicians feel the discomfort of media scrutiny from time to time, but it is essential that journalists are there to hold us to account and ensure that that scrutiny on behalf of the public happens.

Some of the cuts that are happening at Newsquest in particular are deeply concerning. I will not comment too much on the vote for strike action, as that is for the workers there to decide, but I fully understand the sentiment.

Politicians always have to be careful about how we look to intervene or do anything that could be construed as interfering in the media. However, I think that all of us want to make sure that we are doing what we can to support not just a free and fair media but a vibrant and successful media in Scotland and in countries around the world.

### Snares

**4. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** I preface my question by declaring an interest as convener of the cross-party group on animal welfare.

To ask the First Minister whether the Scottish Government will ban the use of snares. (S5F-03782)

**The First Minister (Nicola Sturgeon):** We have already led the way in the United Kingdom on regulation of the use of snares. We have by far the strongest laws on snaring in the UK. They require that snare operators be trained and registered with the police, and that snares carry a tag that identifies the operator. There are also requirements on keeping snaring records, types of snares and where snares can be placed. The use of illegal snares is a wildlife crime, and offenders will be pursued by the police.

**Christine Grahame:** Notwithstanding the regulations, the First Minister will be aware that the Scottish Society for the Prevention of Cruelty to Animals, OneKind and the League Against Cruel Sports have graphic evidence of deer, badgers and even domestic cats being caught in snares. All those organisations have called for an outright ban, which I have supported all along.

Snaring is indiscriminate and cruel. Notwithstanding Scottish Natural Heritage's review of the use of snares in 2016, if the First Minister cannot agree to an outright ban, will she support calls for an independent review of all traps that are used in Scotland, to be done by academics who specialise in animal welfare, who would be disinterested parties?

**The First Minister:** I thank Christine Grahame for raising the issue. I am aware of the images to which she refers, which are shocking and understandably distressing. I say to anyone who is concerned about the inappropriate use of snares that they should report it to the police.

We keep snaring under review; it is reviewed every five years under the Wildlife and Countryside Act 1981. I say clearly that we will not hesitate to take further action if there is evidence that the current regulation is being abused.

Snaring might well be an issue that the new animal welfare commission, which is currently being set up, will want to consider.

We want to encourage alternative approaches, such as the wildlife management approach that Forestry and Land Scotland takes, which was highlighted on “Countryfile” this week. That approach focuses on creating suitable habitats in which predator and prey can co-exist.

I understand and recognise the member’s concerns. The Government will continue to keep the matter under review and ensure that appropriate action is taken, including further regulation if necessary.

**Claudia Beamish (South Scotland) (Lab):** Scottish Labour has long supported the ban on snares and said that it should be made a legal ban. The practice is completely unacceptable and is a random form of animal management that, in many cases, represents deplorable animal cruelty. The matter is quite simple. It is not about when the system is being abused. When is snaring going to be banned. Will the Scottish Government move into the 21st century on this issue and implement a full ban on this barbaric practice, and if not, why not?

**The First Minister:** We keep this matter under review and will continue to do so. As I have said—this recognises some of the points made by Christine Grahame and Claudia Beamish—we already have the toughest regulation of any country in the UK, but we need to make sure that it is fit for purpose, and we will continue to review it and consult as necessary, if we think that further changes to legislation are required.

**Mark Ruskell (Mid Scotland and Fife) (Green):** As we have heard, snaring causes extreme suffering. A ban must be delivered now, but we also need more experts in the field to detect and report on illegal snaring and other wildlife crimes. Does the First Minister agree that it is time to empower the Scottish SPCA to investigate and tackle wildlife crime by giving them additional powers to those that they already have under the Animal Health and Welfare (Scotland) Act 2006 in relation to domestic animals?

**The First Minister:** I am happy to consider the issue of more powers for the SSPCA. We have introduced the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill, which will increase the maximum available penalties for domestic animal and wildlife offences. Those issues will come before the Parliament in any event, and I am happy to give consideration to the point that Mark Ruskell made.

### Loneliness

**5. Jamie Greene (West Scotland) (Con):** To ask the First Minister what assistance the Scottish Government is providing to public services and the third sector to address the issue of loneliness among older people over the festive period. (S5F-03792)

**The First Minister (Nicola Sturgeon):** We know that loneliness can be felt at any time and at any stage of life, but, over the Christmas period, it can be particularly hard for older people.

The needs of older people are one of the priorities of our national strategy on social isolation and loneliness, which is supported with up to £1 million in funding. This year, we have provided £140,000 to Age Scotland’s helpline, which is a vital link for some older people. We have also committed £80,000 to the Befriending Networks.

However, we can all play a part. Christmas is a time for remembering that a simple act of kindness towards an older person, who may be lonely, could go a long way. Perhaps we should all reflect on that over the next couple of weeks.

**Jamie Greene:** I associate myself with some of the First Minister’s words. She will be aware of the research that found that, this year, over 100,000 people will sit down alone to Christmas dinner—a rise of 40,000 in just two years. One in four pensioners who live alone identify themselves as lonely, and the impact of that is well-documented and contributes to declining mental and physical health among our elderly population. Given that there is still a huge amount of stigma surrounding this subject, does the First Minister share the view of Age Scotland that tackling loneliness as a public health crisis should be a priority? Will she also join me in sharing the message that we all have a role to play in reaching out to those in our communities over the festive period, and that sometimes small gestures make all the difference to someone living on their own?

**The First Minister:** I very much agree that we should see this as a public health issue, and, as I said in my initial answer, we should all reflect on the role that each of us can play with small acts of kindness and caring for others, particularly older people, in our own families and communities.

A lot of good work is being done to raise awareness of this issue, including, for example, *The Scotsman* campaign encouraging readers to reach out and a new app that has been piloted to help loneliness in the Western Isles and Argyll and Bute.

We are also the first country so far in the United Kingdom to have a national strategy on social isolation and loneliness, which contains a lot of good suggestions about how we can take this work forward collectively.

Whether it is the Government or Parliament as a whole, working with the third sector and communities across the country, this is definitely an issue that we have to do more on, and there is an opportunity for us to send that message over the Christmas period.

### Secondary School Subject Choices

**6. Daniel Johnson (Edinburgh Southern) (Lab):** To ask the First Minister what the Scottish Government's response is to research suggesting that children in poorer areas have almost 10 per cent fewer choices of subjects in secondary schools than those in better-off areas. (S5F-03787)

**The First Minister (Nicola Sturgeon):** Pupils should be able to choose their preferred subjects. When a subject cannot be offered in one school, there is flexibility to consider alternative approaches, such as travel to a nearby school, college or university. We know from the recent headteacher survey that that is happening, because 97 per cent of headteachers said that they are flexible in their approach and that they offer individualised timetables wherever that is possible. We are also already seeing progress toward closing the attainment gap at Scottish credit and qualifications framework levels 3, 4, 5 and 6; the gap in attainment between the most and the least deprived pupils reduced considerably between 2009-10 and 2017-18.

**Daniel Johnson:** The comprehensive principle means that pupils should have the same opportunities, regardless of the school that they go to or where they live. However, the research calls into question whether that is still a reality for young people in our poorest communities. At secondary 5, data shows that the average number of entries in the most deprived schools is 3.4 compared to 4.3 in the most affluent—that is a 20 per cent gap in choices between the richest and the poorest pupils who are taking their highers. In practical terms, that means that the brightest kids from the poorest neighbourhoods will find it harder to get on to the best university courses because the option of taking particular combinations of subjects to higher and advanced higher level is simply not open to them. The Government will regularly trot

out the line that there are more options and more qualifications available, but what does that matter if young people do not have the opportunity to take them or if there are different options at different schools in different areas? Does the First Minister accept the author of the report's conclusion that, in Scotland, the poorer someone is the fewer choices they get, or is the comprehensive principle simply no longer important to this Government?

**The First Minister:** No. I do not accept that, and I do not think that the evidence backs that up. As I said in my original answer, young people should be able to take their preferred subjects. There will be occasions when that cannot happen in their own school. That was the case when I was at school, and it meant that travel to a neighbouring school was occasionally required. However, it is not just about trotting out a line; there are more qualifications and there are more options available for young people today than has ever been the case. If all the credit and qualification framework levels are looked at—3,4,5 and 6—it can be seen that young people are leaving school with more qualifications and credits, and that the gap between the richest and poorest is closing. There is more work to be done, but progress is being made and we will continue to focus on accelerating it in the years to come.

**Ross Greer (West Scotland) (Green):** If the First Minister disagrees with the available evidence on subject choice inequality, will she instruct her education agency to assess the scale of the problem? Although the Education and Skills Committee has repeatedly asked it to do so, it has, for some reason, believed that that is not its responsibility.

**The First Minister:** As I am sure that Ross Greer is aware, that is part of the purpose of the senior phase review, which the Deputy First Minister has already instructed and which will progress over the coming months. It is important that young people have the choices that they want to have in terms of subject choice, but, as I said, the evidence on the numbers of qualifications and the gap in attainment in terms of qualifications suggests that, across the whole of the senior phase, young people are attaining and achieving more, and the focus of this Government is on ensuring that we continue to see that progress.

### Climate Change

**7. Angus MacDonald (Falkirk East) (SNP):** To ask the First Minister how the Scottish Government is working with international partners to tackle climate change. (S5F-03789)

**The First Minister (Nicola Sturgeon):** Tackling the climate emergency is a priority for all of us, and is something that we all have a moral responsibility to do. However, it is not something

that any one country can do on its own. That is why our partnerships with other countries and our work with them through organisations such as the Under2 Coalition are so important.

Over the past decade, the Scottish Government has played an important part in the United Nations international climate conferences, and, as I said a few moments ago, Roseanna Cunningham is currently in Madrid, preparing the ground for the 26th conference of the parties—COP26—in Glasgow.

We all want COP26 to be inclusive; we want all voices to be heard in a respectful and collaborative way, including the voices of the global south. We recognise that climate change disproportionately impacts poorer nations. That is why we established the climate justice fund—we were the first of any Government in the world to do so.

**Angus MacDonald:** We know that the only way that we can successfully tackle the global climate emergency is for all nations to work together. That said, in order for Scotland to meet the ambitious target to reach net zero by 2045, we need action from across the United Kingdom. Will the First Minister outline where the UK Government has, thus far, failed to step up?

**The First Minister:** We need the UK Government to take action. The Committee on Climate Change was very clear about the areas in which the UK Government needs to take action if Scotland is to meet its targets. Carbon capture and storage and accelerating the UK's transition to electric and low-emission vehicles were two of the areas that it highlighted. I also want to see the UK Government give more support to onshore wind and drop the obsession with nuclear power. Those are just some examples of the actions that we need to see the UK Government take.

After this election, I hope that we have a UK Government that gives greater priority to tackling the climate emergency—not just to the setting of the targets but to the actions that have to be taken to meet those targets. It was deeply regrettable that Boris Johnson did not come to the leaders debate on those issues. That sends a rather poor signal of the level of priority that the UK Government gives to those issues.

There is no doubt that the Scottish Government will lead by example. We will seek to work with the UK Government and Governments across the world, in order to tackle the driving moral imperative of getting our emissions to net zero and tackling the climate emergency.

## Business Motions

15:01

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of business motion S5M-20199, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out our business programme.

*Motion moved,*

That the Parliament agrees—

(a) the following programme of business—

Tuesday 17 December 2019

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Stage 3 Proceedings: UEFA European Championship (Scotland) Bill

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 18 December 2019

1.30 pm Parliamentary Bureau Motions

1.30 pm Portfolio Questions:  
Education and Skills;  
Health and Sport;  
Communities and Local Government

*followed by* Stage 1 Debate: Female Genital Mutilation (Protection and Guidance) Scotland Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 19 December 2019

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

1.45 pm Parliamentary Bureau Motions

1.45 pm Stage 3 Proceedings: Referendums (Scotland) Bill

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 7 January 2020

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Local Government and Communities Committee debate: Empty Homes in Scotland

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 8 January 2020

1.15 pm Parliamentary Bureau Motions

1.15 pm Members' Business

*followed by* Portfolio Questions: Social Security and Older People; Finance, Economy and Fair Work

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 9 January 2020

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

*followed by* Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Environment, Climate Change and Land Reform

*followed by* Stage 1 Debate: Scottish Biometrics Commissioner Bill

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 16 December 2019, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[*Graeme Dey*]

*Motion agreed to.*

**The Presiding Officer:** The next item of business is consideration of business motion S5M-20200, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a timetable for stage 2 consideration of the Scottish Elections (Franchise and Representation) Bill.

*Motion moved,*

That the Parliament agrees that consideration of the Scottish Elections (Franchise and Representation) Bill at stage 2 be completed by 24 January 2020.—[*Graeme Dey*]

*Motion agreed to.*

## Parliamentary Bureau Motions

15:02

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of Parliamentary Bureau motions. I ask Graeme Dey, on behalf of the Parliamentary Bureau, to move motions S5M-20201 and S5M-20202, on the approval of Scottish statutory instruments.

*Motions moved,*

That the Parliament agrees that the Planning (Scotland) Act 2019 (Ancillary Provision) Regulations 2019 [draft] be approved.

That the Parliament agrees that the Criminal Justice (Scotland) Act 2016 (Support for Vulnerable Persons) Regulations 2019 [draft] be approved.—[*Graeme Dey*]

**The Presiding Officer:** I am minded to accept a motion without notice to bring forward decision time to now.

*Motion moved,*

That, under Rule 11.2.4, Decision Time be brought forward to 3.02 pm.—[*Graeme Dey*]

*Motion agreed to.*

## Decision Time

**The Presiding Officer:** That concludes decision time.

15:02

*Meeting closed at 15:03.*

**The Presiding Officer (Ken Macintosh):** If no one objects, I propose to ask a single question on the two Parliamentary Bureau motions.

The question is, that motions S5M-20201 and S5M-20202, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, be agreed to.

*Motions agreed to,*

That the Parliament agrees that the Planning (Scotland) Act 2019 (Ancillary Provision) Regulations 2019 [draft] be approved.

That the Parliament agrees that the Criminal Justice (Scotland) Act 2016 (Support for Vulnerable Persons) Regulations 2019 [draft] be approved.



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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