



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Meeting of the Parliament (Hybrid)

**Thursday 20 August 2020**

**Session 5**



The Scottish Parliament  
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - [www.parliament.scot](http://www.parliament.scot) or by contacting Public Information on 0131 348 5000

---

**Thursday 20 August 2020**

**CONTENTS**

	<b>Col.</b>
<b>FIRST MINISTER'S QUESTION TIME</b> .....	<b>1</b>
Care Homes.....	8
Care Homes Admission (Testing).....	12
Schools (Covid-19 Safety Measures).....	16
Spot Checks on International Arrivals .....	18
Football Clubs (Covid-19 Testing).....	20
Police Scotland (Budget).....	21
Arts Sector (Funding) .....	22
Residential Communities (Covid-19 Guidance) .....	23
Cancer Surgery Delays .....	24
Covid-19 Restrictions (Aberdeen) .....	24
Pupil Safety (Covid-19).....	25
Sports Facilities (Under-18s).....	26
Job Losses (Colleges).....	27
Employment (Interventions).....	28
Paramedics (Bursaries).....	29
Employment (Young People).....	29
Coronavirus Restrictions (Aberdeen) .....	30
Inquiry into the Scottish Government's Handling of Harassment Complaints (Co-operation) .....	31
Belarus Election.....	32
Inquiry into the Scottish Government's Handling of Harassment Complaints (Co-operation) .....	32
Rail Fares (Increases) .....	33
<b>PORTFOLIO QUESTION TIME</b> .....	<b>35</b>
<b>TRANSPORT, INFRASTRUCTURE AND CONNECTIVITY</b> .....	<b>35</b>
Public Transport (Economic Recovery).....	35
Bus Sector (Funding).....	36
Bus Services (Viability).....	37
"South West Scotland Transport Study" .....	38
Broadband (Expansion).....	40
Road Equivalent Tariff (Pentland Firth) .....	41
Public Transport.....	42
Stagecoach Bus Services.....	43
<b>JUSTICE AND THE LAW OFFICERS</b> .....	<b>44</b>
Sexual Offences Against Children.....	44
Hate Crime and Public Order (Scotland) Bill .....	45
Hate Crime and Public Order (Scotland) Bill .....	46
Management of Offenders (Scotland) Act 2019 .....	47
Domestic Abuse.....	48
Prison Estate .....	49
Fisheries and Maritime Security .....	51
Littering .....	52
<b>CONSTITUTION, EUROPE AND EXTERNAL AFFAIRS</b> .....	<b>53</b>
Brexit (National Health Service) .....	53
United Kingdom Internal Market (Engagement).....	54
United Kingdom Internal Market (Employment) .....	55
United Kingdom Internal Market (Engagement).....	56
United Kingdom Internal Market (Engagement).....	57
Brexit (Powers).....	57
Independence Referendum .....	59
Fishing Industry (Protection).....	60

<b>TACKLING CHILD POVERTY DELIVERY PLAN</b> .....	62
<i>Statement—[Aileen Campbell].</i>	
The Cabinet Secretary for Communities and Local Government (Aileen Campbell).....	62
<b>PARLIAMENTARY BUREAU MOTIONS</b> .....	75
<i>Motions moved—[Graeme Dey].</i>	
<b>DECISION TIME</b> .....	76

---

# Scottish Parliament

Thursday 20 August 2020

*[The Presiding Officer opened the meeting at 12:20]*

## First Minister's Question Time

**The Presiding Officer (Ken Macintosh):** Good afternoon, colleagues. I remind members that social distancing is in place throughout the building, as well as in the chamber. Members are to observe the rules at all times.

The first item of business is First Minister's question time. Before we move to questions, the First Minister will give an update on the three-weekly review of lockdown restrictions, which will be a slightly longer statement than normal.

**The First Minister (Nicola Sturgeon):** The Scottish Government is required by law to review lockdown restrictions every three weeks. The latest review falls due today, and I will shortly report on the decisions that we have reached. First, I will report on today's statistics and other developments.

Since yesterday, an additional 77 cases of Covid-19 have been confirmed, which represents 1 per cent of those who were newly tested yesterday and takes the total number of cases to 19,534. That is the highest number of new cases in almost three months, which underlines the need for continuing caution.

A total of 249 patients are currently in hospital with confirmed Covid, which is an increase of one since yesterday. Two people are in intensive care, which is the same as yesterday.

In the past 24 hours, no deaths have been registered of patients who had been confirmed through a test as having the virus. The total number of deaths in Scotland under that measurement therefore remains 2,492. However, yesterday's figures from National Records of Scotland, which reported three Covid deaths during the previous week, showed that the total number of deaths is higher than that, and that people are still dying from the virus.

We must never lose sight of the grief and heartbreak that is caused by every one of those deaths. I again send my condolences to everyone who has lost a loved one to the illness.

I turn now to the review of lockdown restrictions. I am not able to say that there will be a move today from phase 3 of our route map out of lockdown to phase 4. For now, we will remain in

phase 3. I must give notice that that might well also be the case beyond the next review point.

For us to move to phase 4, we would have to be satisfied that

"the virus is no longer considered a significant threat to public health".

That is a quotation from our route map. As today's figures have demonstrated, and as has been confirmed to me in advice from the chief medical officer, that is definitely not the case.

Therefore, today's update sets out which phase 3 restrictions will be changed in the coming weeks, while other necessary restrictions will remain in place. This has involved some difficult and delicate decisions.

The figures that we have been reporting in recent weeks show that incidence and prevalence of the virus continue to be at low levels in Scotland as a whole. However, the range for our reproduction number has recently increased, and our most recent estimates suggest that it could currently be above 1. Of course, that is partly because, when prevalence is generally low, localised outbreaks have a bigger effect on the R number. That said, we must continue to monitor it closely.

We are also recording more positive cases than we were recording three weeks ago. When we last reviewed the lockdown measures, 14 new cases a day, on average, had been recorded over the previous week. We are now recording 52 new cases a day, on average. In the past three weeks, there has been one significant outbreak of the virus in Aberdeen, and a number of smaller clusters in locations around the country.

We are also now dealing with a significant cluster in Coupar Angus, which is linked to a 2 Sisters Food Group food processing plant. That is no doubt reflected in the fact that 27 of today's 77 cases are in the NHS Tayside health board area. In total, 43 cases have been identified so far as being part of that outbreak—37 people who work in the plant and six contacts of theirs—and that number will almost certainly grow. We are stressing the importance of all workers at the plant self-isolating and getting tested. A mobile testing unit remains on site, and the factory has been closed down for a two-week period. Given the nature and potential scale of the outbreak, we are considering carefully and urgently whether further restrictions are necessary. Later this afternoon, I will chair another meeting of the Scottish Government's resilience committee.

In addition, several cases that are linked to schools are worth noting. A total of eight adults at Kingspark school in Dundee have tested positive, which has prompted the decision to temporarily

close that school. In addition, the number of cases in the cluster in north-east Glasgow now stands at 16. There is also a separate, but linked, cluster of nine cases in Coatbridge. A number of the cases in those clusters are school children, although there is no evidence that they contracted the virus in school. Greater Glasgow and Clyde NHS Board is carrying out contact tracing around several other schools in Glasgow.

Finally, there were 12 new cases in Grampian yesterday. The latest figures that are available are that a total of 407 cases have been identified in the NHS Grampian health board area since 26 July. Of those, 237 are associated with the same cluster as has been linked to Aberdeen pubs, and 1,185 contacts have now been identified from those 237 cases.

As I said yesterday, there is now evidence that the original cluster of cases that were linked to Aberdeen pubs is coming under control, but in recent days we have continued to see new cases that do not seem to be linked to that first cluster. Because of that, restrictions in Aberdeen have been extended, but will be reviewed again on Sunday, with a view to setting out, if possible, a firm timetable for lifting the restrictions.

All those outbreaks are being tackled by our test and protect teams, and current evidence on their performance suggests that the vast majority of contacts are being identified, with most being identified quickly. However, the clusters and new cases highlight the continuing need for caution, especially as our priority continues to be to keep schools safely open.

Of course, those clusters are not completely unexpected. We have always known that reopening more services and premises, especially indoor bars, restaurants and cafes, might lead to an increase in cases. Indeed, two major risk factors have stood out in reports of recent clusters. As we expected, indoor hospitality—bars and restaurants—is one. The other is social events and gatherings in people's homes.

We have already tightened some of the rules in relation to the indoor hospitality sector—for example, by putting guidance on a statutory footing and making it compulsory to collect customers' contact data. I will announce further measures that are intended to aid compliance, at the end of my statement.

Understanding the risks of indoor settings has also made us think carefully about further changes and the need to ensure rigorous compliance with guidance. On balance, and taking account of the different harms that Covid and the restrictions that are imposed to tackle it are inflicting on the country, we have decided that the reopenings that were pencilled in for 24 August can proceed. I

must stress, however, that such reopenings should happen only when the appropriate guidance covering that activity or setting has been implemented. We will also monitor the impact carefully and, as with everything else, we will not hesitate to reimpose restrictions, should that prove to be necessary.

Full details will be available on the Scottish Government website; the 24 August changes include some outdoor live events, with physical distancing, enhanced hygiene and restricted numbers. Organised outdoor contact sports will also resume for people of all ages, but for outdoor coaching sessions there will be a cap of 30 on the total number of people who can be coached at any one time.

Driving lessons will resume, and indoor face-to-face advice services, such as citizens advice services, can also open to provide financial advice when necessary.

We have given particularly careful consideration to premises such as bingo halls, because they share some obvious similarities with the indoor hospitality sector. It is therefore of the utmost importance that guidance be strictly adhered to, so we will be monitoring that carefully.

I now turn to the reopening of gyms, swimming pools and indoor sports courts. Three weeks ago, I indicated that they could reopen from 14 September, but I also said that we would consider whether that date could safely be brought forward, especially given the wider physical and mental health benefits of access to such facilities. Having done that, I am now able to confirm that, subject to guidance being in place, those facilities can reopen from 31 August. For indoor sports courts, including dance studios and gymnastics courts, it is worth stressing that for people aged 12 and over, reopening on that date applies to non-contact activity only.

Those are the only key changes to restrictions that we plan to make within the current review period. However, we hope that further changes will be possible from Monday 14 September, in line with what is set out in our route map. I must stress that those possible changes are, at this stage, indicative only. Given the volatility that we face in transmission of the virus, there is a very real possibility that some of, or all, those plans could change.

With that significant caveat, we hope that from 14 September, sports stadia will be able to reopen, although only for limited numbers of spectators and with strict physical distancing in place. Some professional sports events might be arranged for spectators before then, with Scottish Government agreement, to test the safety of any new arrangements. We also hope that from 14

September, indoor contact sports activities can resume for people aged 12 and over.

We hope that entertainment sites and cultural venues, such as theatres and live music venues, will be able to reopen from that date, too, but with strict physical distancing in place. To facilitate that, such venues can reopen for preparation and rehearsal from 24 August.

Finally, we hope that, from 14 September, wedding and civil partnership receptions and funeral wakes will be able to take place with more attendees than at present, although numbers will remain restricted. We intend to set out more detail on that, including on permitted numbers, shortly.

Those are the activities and premises for which we are currently setting indicative dates, but I stress again that, at this stage, those dates are only indicative.

Unfortunately, we are not yet setting a date for the reopening of non-essential call centres and offices. We will review that position again at the next review point. For now, working from home will remain the default position. I know that many office workers miss seeing their colleagues and that many are keen to resume a more normal daily routine. I also know that some businesses, regardless of how well they might be managing to work virtually, will want more of their employees to meet and work together. In addition, I am acutely aware of the impact of home working on services such as cafes and restaurants that are based in areas with lots of office workers.

However, given the numbers involved, a full return to office working would significantly increase the risk of indoor transmission. It would also make buses and trains significantly busier and increase transmission risks there, too. Our conclusion, therefore, is that a return to working in offices—unless that work is essential and cannot be completed at home—presents too great a risk at this time. In addition, the impact that it could have on community transmission would make it more difficult to keep schools open.

Unfortunately, the issue comes down to difficult judgments about priorities. We have made it clear that our priority is to enable children to be safely back at school and, with the virus at its current levels, that means that we cannot do everything else that we would like to do, such as bring non-essential offices back into operation.

I know that people will ask why their kids can go to school but they cannot go to the office—that might seem like an inconsistency—but that logic is back to front. It is because people cannot go to the office, and because of the other restrictions that we are keeping in place, that we are able to send children back to school. If we opened everything up right now, the overall impact would simply be

too great. The virus would run away from us and we would, in all likelihood, be forced to reintroduce restrictions that none of us wants to see. We have been able to relax some restrictions only because others have remained in place.

There is a final issue that I want to cover. It relates to the risks that I mentioned earlier of transmission inside people's homes, and in pubs, cafes and restaurants. We have considered very carefully what further enforcement actions we can take to minimise the risk of transmission in those settings.

For the indoor hospitality sector, I am grateful to the many pubs, restaurants and cafes that have opened responsibly and which have gone to great lengths to stick to the rules and guidance on ventilation, hygiene, face coverings, contact details and physical distancing. Their efforts are hugely appreciated. However, we know that not all hospitality businesses have implemented the guidance effectively, so we intend to strengthen the power of local authorities to act in such circumstances.

The Scottish Government has powers under the emergency legislation to issue directions in respect of a class of premises—for example, a direction to close all pubs in a particular postcode. We intend to give local authorities the power to act in respect of individual specific premises that are breaching guidelines and risking transmission of the virus. That power would enable local authorities to close such premises or to impose conditions on their remaining open, where they deem that that is necessary for the purpose of preventing, protecting against or controlling the spread of infection. We believe that that is a vital but proportionate step, which will help local authorities to ensure that businesses stick to the guidelines and that action can be taken where those guidelines are being breached.

The second area that we have been looking at carefully is that of indoor social events such as house parties. We know from the reports of our test and protect teams and from evidence from other places in the United Kingdom and, indeed, around the world that such indoor events pose a major, very significant transmission risk. Because the virus is so infectious, if it is present at such an event, there is a very high likelihood that most people at the event will get the virus. That is why we advise strict limits on indoor gatherings. Right now, our advice is that no more than eight people from a maximum of three different households should be gathering indoors.

I know that the vast majority of people will be sticking to that. It is not easy to do so and I am very grateful to them for that. However, we know that a minority do not do that and that large house parties pose a real and significant risk of causing

clusters and outbreaks like some of those that we have recently been dealing with.

Therefore, for use in cases of flagrant breach and as a last resort, we intend to give the police powers of enforcement to break up and disperse large indoor gatherings. We believe that both those new powers are necessary to continue to suppress the virus, minimise the risk of outbreak and keep it under control, which is so necessary. We will lay regulations for both measures next week and we intend that they will come into force next Friday, 28 August.

The past three weeks has given us mixed news. We have seen a rise in new cases and a number of clusters across the country. We have also, regrettably, had to reimpose some restrictions in Aberdeen. However, we still have low numbers of new cases overall, we have very low levels of hospital admissions and we have strong and growing evidence that our test and protect teams and system are working well. Given the resurgence of Covid that we are seeing in some parts of Europe—and given that we always knew that reopening more parts of the economy would be risky—the picture in Scotland could be better, but it could also be significantly worse.

We are still making progress in our overall fight against the virus. We cannot take that progress for granted, especially if we are to keep our schools open, keep businesses and services open and retain our ability to socialise and meet up in small groups of friends and family. Covid is still a major risk, and we must still be cautious. We can see the evidence of that in Aberdeen, in each new cluster in Scotland and in reports from elsewhere in the UK, Europe and around the world. That is why today's review has sought to take a careful and balanced approach.

I hope that the reopening of some services will be welcomed. Notwithstanding the risk that every reopening presents, we know that that is essential to reduce the economic harm that the virus is doing. I hope that people will also understand why, as we try to open services and to keep them open, we must take firm action if rules and guidance are not being complied with.

I also hope that everyone watching will understand that, although Government must and will take the lead in making difficult decisions, drafting guidance and proposing laws, we cannot control Covid on our own. We are all dependent on the choices that are made by each and every person in the country.

Please think carefully about whether you are playing your part as fully as you should be. Please do not meet indoors in groups of more than eight people from any more than three households. That applies in a pub, cafe or restaurant just as it does

in someone's home. Remember physical distancing and do not go into crowded places where that may not be possible. Ask yourself whether your social life feels normal—it should not feel like that at the moment. Wherever you are, assume the virus is present and act at all times to avoid creating bridges that allow it to cross from one household to another.

I have spoken before about the importance of solidarity in how we deal with the pandemic. I know that it is hard, especially after five months, but sticking to the rules is an expression of our care for each other. It is the way in which we protect not only ourselves but our loved ones and our communities.

For that reason, I will end by reminding everyone again of FACTS: the five golden rules that will help us to stay safe, even as life gets back to something closer to normality.

The F is face coverings, which should be worn in enclosed spaces: public transport, shops and anywhere else that physical distancing is more difficult. A reminds us to avoid crowded areas, outdoors as well as indoors. C tells you to clean your hands regularly and thoroughly and to clean hard surfaces after touching them. T says that 2m distancing remains the clear advice. S says that you should self-isolate and book a test immediately if you have symptoms of Covid: a new cough; a fever, or a loss of, or change in, your sense of taste or smell. You can book a test at [nhsinform.scot](https://nhsinform.scot) or by phoning 0800 028 2816.

Any time any of us drops our guard and forgets those rules, we give the virus a chance to spread. We risk turning an infection into a cluster, and a cluster into an outbreak. If all of us stick to the FACTS, we can continue to suppress the virus, we can keep schools and services open and we can think about easing more restrictions in the future.

Thank you, once again, to everyone across the country who is helping us to do that.

**The Presiding Officer:** Thank you, First Minister. We now turn to questions. I will take all the supplementary questions after question 7. Members should press their request-to-speak button now if they wish to ask a supplementary question.

### Care Homes

**1. Ruth Davidson (Edinburgh Central) (Con):** I thank the First Minister for advance sight of her statement.

Today, I want to ask about care homes. Did anyone in the Scottish Government know prior to Sunday's press reports that hospital patients who had previously tested positive for Covid had subsequently been transferred into a care home?



If they knew, when did they know, and why was it not made public?

**The First Minister (Nicola Sturgeon):** This is a really serious issue, so I welcome the opportunity to address it. Scottish Government ministers do not know the individual clinical decisions that are taken in cases of patients who are being discharged, whether they are being discharged from hospital to their own home, to a care home or to any other setting.

The responsibility of ministers is to put in place guidance, and guidance has been in place from 13 March. The 13 March guidance specifically refers to the need for clinical screening to take place of patients who are being discharged from hospital. That guidance, of course, has developed as our knowledge and understanding of the virus has developed.

Of course, we want to understand more about this. The Cabinet Secretary for Health and Sport, as she announced earlier this week, has commissioned Public Health Scotland to work with health boards to produce validated statistics and analysis on the number of patients who were tested prior to discharge, the outcome and the date of the test. That will include examining how many were assessed as being discharged when they were considered to be infectious and the rationales that were in place for such a discharge, for example in the case of palliative care concerns. Public Health Scotland is working towards providing that data by the end of September.

**Ruth Davidson:** I listened very carefully to every word of that answer and at no point did the First Minister actually confirm or deny that anyone in her Government knew, or when they knew. In fact, in April, the First Minister was asked at her daily briefing whether allowing Covid-positive patients to be placed in care homes—I quote—“looks reckless”. She said, “No, it doesn’t.” In May, the health secretary was asked in the chamber whether Covid-positive patients had been transferred into care homes, and she did not know. In June, the First Minister was asked about this at First Minister’s question time, and she said that it should not happen. If ministers are being questioned, it should not take a Sunday newspaper to confirm the information for the public.

One care home that we spoke to says that it took a patient in good faith, and only after they had been welcomed into the home was it then told that the person was positive. How do care homes stand a chance in that sort of situation?

**The First Minister:** With the greatest respect to Ruth Davidson, I am not sure that she listened carefully enough to the answer that I gave. I said very clearly—I think this is something that most

reasonable people would understand—that ministers are not involved in the clinical decision making about residents being admitted to care homes.

Ministers, advised as appropriate by clinicians, put in place the guidance that governs the decision-making process, and that guidance from 13 March was clear that clinical risk assessment had to happen. That guidance, of course, has since developed, as I have said, a number of times. In the fullness of time, it is right and proper that there will be inquiries into every aspect of our handling of the situation, and that will of course include care homes.

On the position around care homes, while the responsibility here lies with the Scottish Government, all Governments across the UK were taking similar decisions as we tried to manage a pandemic that was, of course, posing a significant risk of infection in our hospitals, including to elderly patients in our hospitals who had no medical need to be there.

The work that we have now commissioned Public Health Scotland to do in a short space of time will give more information on the numbers and the circumstances in which patients were tested before being discharged to care homes and the rationale for the decisions that were taken. We will provide as much information as we can as all of us seek to learn the lessons and reflect on the decisions that are made in the handling of what is, as everybody knows, an unprecedented situation.

**Ruth Davidson:** I completely understand ministers’ role in the issuance of guidance, but if no one in the First Minister’s Government knew, she should just be able to say so.

In May, Jackson Carlaw raised the case in the chamber of Sandra O’Neill, whose mother died from Covid in the Almond Court care home in Drumchapel. As she told us then, she fears that her mother caught the disease from another resident who had been discharged from hospital despite clearly being unwell. The fundamental question that Sandra wants answered is how the disease got into her mother’s home. Yesterday, she spent four hours with the police, who interviewed her as part of their investigation into what happened in our care homes. It is not her mother’s carers that she wants investigated—she thinks that they did a brilliant job. It is the system that let her and her mother down, but she was told that the question of how the disease got into the home is not part of the police remit. Why is it not? Where can Sandra and families like hers go to get the answers that they need?

**The First Minister:** I am sorry—I am genuinely not sure whether Ruth Davidson has just suggested that it is for me to tell the police what

they should investigate and how they should investigate it. That is entirely for the police and, in the matters under discussion, for the independent Crown Office and Procurator Fiscal Service. It would be completely inappropriate and unacceptable for me to make such decisions.

Every day since the start of the pandemic, I and my ministers have taken very difficult decisions, some—I hope, most—of which we have got right, and some of which we will have not got right. For a range of reasons, I welcome the fullest possible scrutiny of those decisions: for the purposes of accountability, but also for the purposes of making sure that we learn lessons for the future, both for the later stages of the current pandemic, and for any future pandemics that we may face—I hope that we will not—in years to come. I am absolutely open to that.

I will always say, because it happens to be absolutely the case, that at every stage we have taken difficult decisions with the best of intentions, based on the best evidence, the best knowledge and the best advice that we have had. We are dealing with a novel coronavirus. We have come to understand that virus more, when it comes to both the efficacy of testing and the issue of asymptomatic transmission. We have developed our approaches and our guidance as we have gone through that.

We will continue to do that, because those decisions continue to be difficult, and we will continue to take them to the best of our ability, as we navigate our way through the remainder of the pandemic, for however long that takes. We will ensure, as we go—and, at an appropriate time, more systematically—that there is a full look back, to learn whatever lessons are required.

**Ruth Davidson:** There is an inconsistency in the Scottish Government's position. On the one hand, it is happy for the Crown Office and police to push ahead with an investigation into some aspects of care homes; on the other hand, it says that we should wait for an inquiry into its own actions. Those should both happen now, precisely because we do not know how far into the pandemic we are, and we do not know when, or if, it will end. However, we need to know, in order to better fight it in the future, what mistakes have been made and how to prevent their happening again.

I ask, therefore, on behalf of residents and families who are still seeking answers: will the First Minister commit to publishing the remit of the inquiry that she has promised, and to getting it started?

**The First Minister:** I know that Ruth Davidson is planning to leave democratic politics, but she has surely been in Parliament for long enough to

understand the separation of powers. It is not for me to tell the Crown Office or the police what to do; it would be completely inappropriate for me to seek to tell the Crown Office or the police what to do.

Earlier this week, the Cabinet Secretary for Health and Sport announced to Parliament that the Government has asked Public Health Scotland to produce statistics and the analysis on patients who were tested prior to discharge; the outcomes; the dates; and the rationale for the decisions that were taken. That work will be published. We aim to have it by the end of September—in a matter of weeks.

As soon as we consider that the time is right, we will set out for discussion and consultation across Parliament the remit and timescale for a fuller public inquiry, which will look at care homes and at all aspects of the Government's handling of the pandemic.

However, I say to Ruth Davidson that I noticed a decision that was taken this morning by the COVID-19 Committee about regulations in Aberdeen; the Conservatives abstained on whether those regulations should continue. Every day, I and the Government have to take a multitude of difficult decisions to which there are no easy answers one way or the other. We do not have the luxury of abstaining. We are leading the country through a pandemic—and that pandemic is not over.

The biggest disservice that I could do the country, right now, in the teeth of a pandemic that may be accelerating again—as we have seen from the figures in Scotland—would be to divert the attention of everybody in Government, our health boards and the care sector into a public inquiry, at a time when they should be focusing on keeping people as safe as possible from the on-going threat.

I will continue to discharge my responsibility as First Minister to the best of my ability. Unlike certain other people, I will be held accountable for that by the electorate.

### Care Homes Admission (Testing)

**2. Richard Leonard (Central Scotland) (Lab):** I, too, thank the First Minister for advance sight of her statement.

I agree with her that Covid-19 is still a major risk. That is why I ask the First Minister whether she can tell us how many people who were discharged from hospital to residential care homes in March, April and May have not been tested for Covid-19?

**The First Minister (Nicola Sturgeon):** I think that I have now said twice in response to Ruth

Davidson that we have commissioned Public Health Scotland to work with health boards to produce validated statistics on the number of patients who were tested prior to discharge, the outcome of those tests and the dates on which those tests happened, as well as to look at and analyse the rationale for those decisions. We aim to have that data by the end of September.

Throughout the pandemic, we have been gathering, validating and publishing data on a wide range of things for which we normally do not have to do that. We have to make sure that the data is robust, while we continue daily to take the on-going decisions that are about keeping people safe. I hope that Richard Leonard welcomes the announcement by the Cabinet Secretary for Health and Sport earlier this week.

**Richard Leonard:** That data, above all other data, is so important because half of all Covid-19-related deaths have taken place in the setting of our residential care homes. That is why the data is important, and should urgently be made available to Parliament and the public.

A freedom of information request by Scottish Labour reveals that at least 1,200 people were discharged from hospitals to care homes without being tested for Covid-19. That figure is likely to be a gross underestimate, because five of Scotland's health boards, including the two biggest, failed to provide answers.

Back on 6 May in Parliament, in an answer to Neil Findlay, the First Minister stated:

"On the situation in care homes, if a patient in a hospital has the virus, they must have two negative tests before they can be discharged ... Therefore, at every single step of the way the priority is to prevent infection from getting into care homes ... I hope that he will take it in good faith".— [Official Report, 6 May 2020; c 28.]

Thanks to an investigation by the *Sunday Post*, we now know not only that people were transferred into care homes without being tested, but that people were also transferred into care homes when they had been tested, and had tested positive for Covid-19.

The First Minister asked to be taken "in good faith". Can she simply answer yes or no to the following two questions? Was she aware, when she gave that answer to Parliament, that people who had not been tested at all were being discharged into care homes? Was she aware that people who had been tested and had tested positive were being transferred into care homes?

**The First Minister:** I gave that answer; I gave the policy position that was the case at the time. That policy position has moved on and developed, but at that point the policy was that a person who had been known in hospital to have Covid had to have two negative tests before being admitted to a

care home. That was the position, and that is what was reflected in practice at that time.

We have since extended that, so that testing of patients who are being discharged from hospital into care homes is now wider than that. We also now do routine weekly testing of all staff who work in care homes.

The reason why the position on testing has developed—this is not unique to Scotland; although the detail of policy positions will differ, it is similar in England, Wales and other countries—is that our understanding of the efficacy of testing people who do not have symptoms of Covid has changed. Previously it was thought that it would be less effective than it is now thought to be, therefore our policy and practice have developed.

The other point—it is worth stressing—that I have made repeatedly to Richard Leonard is that, notwithstanding the important role of testing, the fundamentally important aspect of tackling Covid or any other infectious disease, in a care home or anywhere else, is infection prevention and control. That is why, from the earliest iterations of the guidance there was, in addition to the focus on clinical screening, a focus on isolation of residents in care homes in their own rooms and, later, on distancing and restrictions on visiting.

Testing is important, but testing has never been, and never will be, the only way of tackling the virus. It is really important that people understand that.

**Richard Leonard:** The First Minister referred earlier to the Scottish Government clinical guidance of 13 March, which says quite clearly:

"There are situations where long term care facilities have expressed concern about the risk of admissions from a hospital setting".

It goes on to say, three times in just five pages, that care homes must keep taking transfers, and that

"the priority is maximising hospital capacity."

It also talks about flows out of hospital being "not hindered" and "where appropriate ... expedited."

Does the First Minister not understand that people who have lost loved ones are upset, and that they are also angry? Half of all deaths from Covid-19 have taken place in our care homes. The First Minister talks about transparency and honesty, and she asks in Parliament to be taken "in good faith", but in communities across Scotland people were being discharged from hospitals into residential care homes, where the people who are most vulnerable and susceptible to the virus are living. It was, as Professor Allyson Pollock said at the weekend,

"like putting a lit match to dry tinder".

We know that the cabinet secretary for health has now instructed Public Health Scotland to publish how many people were transferred from hospitals to care homes after testing, but it should not take a national newspaper's revealing, through freedom of information requests, that people who had tested positive with Covid-19 were sent from hospital into care homes at the peak of a pandemic, to jolt the Government into action.

How was that allowed to happen? Will the First Minister accept full responsibility? Will she apologise to care home staff and residents, and to the grieving families of those who have lost loved ones?

**The First Minister:** I stand up and take responsibility for every aspect of this Government's handling of the pandemic every day of the week. I have said before, and will continue to say, that if the Government has got it wrong at any stage, on any aspect of our handling of the situation, notwithstanding our best intentions, yes—I am sorry for that.

On a daily, hourly and almost minute-by-minute basis, I am acutely aware of the impact of the virus on individuals, families, communities and businesses across the country, and I feel the weight of that responsibility very heavily. Scrutiny and criticism are legitimate, but I ask people not to doubt the seriousness with which I take every single aspect of this.

Richard Leonard quoted the guidance of 13 March, which I do not have in front of me, but with which I am very familiar. The bit that he did not quote, of course, was the requirement to do a clinical risk assessment of every patient before they were discharged to a care home. That is important.

I regret every death from the virus and I regret the situation in care homes, but—this applies not just to Scotland, but to every part of the United Kingdom and to literally every Government across the world—at the point when decisions were being taken, the pictures on our nightly news were of hospitals and intensive care departments in parts of Italy not being able to cope because they were so overwhelmed with patients. Lots of things have kept me awake at night over the whole piece; at that point, I did not know whether our hospitals would be able to cope with the influx. I also did not know the severe risk that patients, particularly elderly patients who had no need to be there, would be at if they were in hospital while Covid patients were coming in in huge numbers.

We were dealing with a range of difficult decisions that had to be balanced, and we took all decisions based on the best knowledge and evidence, using best judgment and with the best intentions. We will have got things wrong along the

way, and I will forever regret anything that we got wrong, but just as we have done until now, I will continue to do everything that I can to lead a Government that tries to make the best decisions as we navigate our way through this horrendously difficult situation.

**The Presiding Officer:** Question 3 comes from Patrick Harvie, who is joining us remotely.

### **Schools (Covid-19 Safety Measures)**

**Patrick Harvie (Glasgow) (Green):** For schools to remain open, they need to remain safe. A week on from reopening, it is clear that the concerns that were expressed by teachers and other school staff, as well as parents and pupils, are still very real. Despite the efforts that are being made, further action is needed to keep people safe. The Educational Institute of Scotland has this week made a direct plea to the First Minister, saying that 3,500 teachers are needed to reduce class sizes. So far, the Scottish Government is providing funding for less than half that number.

The EIS is also asking that guidance on physical distancing and face coverings be strengthened. The evidence is clear that face coverings can reduce the spread of the virus, which is why they are needed in other indoor spaces. It is just not credible to say that transmission simply will not happen in schools, when we know that the risk exists everywhere else where social distancing does not happen. Is the First Minister as concerned as I am by the pictures of crowded school corridors and canteens, where it is clear that social distancing is not possible? Does she believe that face coverings should be worn in high schools when distancing is not possible?

**The First Minister (Nicola Sturgeon):** The direct and short answer to Patrick Harvie's central question is that I am concerned about every aspect of the virus and how it transmits. We monitor very carefully and try to adapt our response accordingly.

It is important that we have children back to school, because we know the harm that has been done to children from being out of school and away from education and their friends. That has harmed their mental wellbeing as well as their educational opportunities. It is important that we have prioritised, and continue to prioritise, children being back in full-time education.

Equally, I understand the concerns of parents, which are entirely understandable. There are a number of cases associated with schools right now. Yesterday, a case was reported in St Albert's primary school in Pollokshields, in my constituency, and a class is self-isolating. There are a number of such cases. The bulk of the evidence so far shows that the transmission is not

within the schools; community transmission is causing issues for schools. That will perhaps change—we cannot rule that out. We have to keep the evidence under review.

The guidance that is in place has been informed by scientific evidence. We will ask our scientific advisers to continue to review emerging evidence. This morning, I read summary reports of evidence from the United States about the viral load in children and their ability to transmit the virus. We will ask our advisers to look carefully at that evidence. The Deputy First Minister will chair a meeting of the education recovery group tomorrow. We will consider the calls that the EIS and others have made.

We have to constantly review the guidance on face coverings. I am sure that that will be a topic of discussion at the education recovery group meeting tomorrow. It might well be that, in the near future, we will look to change the guidance on the role of face coverings in schools. None of the guidance can be fixed in stone. We are trying to navigate a difficult, uncertain and unpredictable situation. We are prioritising having children back in school, but we are determined to do anything that is required to make the return to school safe and to allow it to continue.

**Patrick Harvie:** We all appreciate that there is uncertainty but, in the context of uncertainty, we should be taking a precautionary approach. If there is to be a change to the policy on face coverings, that change should come sooner rather than too late.

It is not only education where local services are under pressure as a result of the pandemic. Glasgow Life, which runs leisure facilities, libraries and community centres across the city, expects to lose more than £30 million in income this year because of Covid. That will put at risk the future of places such as Whitehill pool, Govanhill library and many others. So far, Glasgow Life has no plans to reopen almost two thirds of its venues. Those facilities are a lifeline.

The First Minister might even have seen people outside closed libraries in her constituency. They are turning up there because the wi-fi is still switched on and that is their only internet access. Such facilities are really needed. The uncertainty is affecting those communities as well as almost 1,000 staff who are currently on furlough. Will the First Minister allay people's fears and commit to a bailout for Glasgow Life and similar services across Scotland?

**The First Minister:** I know the importance of those issues. I do not want to stray into constituency issues, but I am concerned about Govanhill library and Pollokshields library, in my constituency, which are not yet reopening,

although I know that Glasgow City Council and Glasgow Life are navigating a difficult situation. I see the impact on my constituents, just as all of us see the impact, including the impact on our families and friends. There is no part of life or society that the situation that we are living through is not impacting on. We want to provide financial help to sectors, individuals and businesses as much as possible, and every day we look at what more we can do.

This is not intended to be a political point or moan, but there is a limit to the Scottish Government's ability to make financial resources available. We have limited borrowing powers, and therefore there is a hard limit and we are not able to overspend. There is a hard limit on how much we can make available. We hope that we will see more action. We have seen welcome action so far from the UK Government in its extending of the furlough scheme, but it could also look at giving more borrowing flexibility to this Government and taking decisions that lead to more consequentials.

We will flex the financial resources that we have as much as possible. However, I am not doing anybody across Scotland any favours if I am not clear that there is a hard limit on what we can do. In being clear, we encourage everybody to think about how we can change that situation so that we have flexibility.

We will continue to do everything we can for Glasgow Life and cultural organisations elsewhere. We are currently—and I think that this will come up later—discussing with the culture sector the disbursement of money that is available to try and help. We will do everything we can, but we also need more flexibility if we are going to be able to do more.

#### **Spot Checks on International Arrivals**

**4. Willie Rennie (North East Fife) (LD):** Two months ago, the justice secretary told a committee of this Parliament that 20 per cent of arrivals from abroad who were required to quarantine were being spot checked. The actual number was zero. Yesterday, an official Government document showed that the figure was still only 7 per cent, but the health secretary told the chamber that she thought that it was 20 per cent. Does anyone in the Scottish Government have a grasp of those numbers? Do ministers think that it is important to carry out spot checks or not?

**The First Minister (Nicola Sturgeon):** Yes, we both have a grasp of the numbers and think that it is important to carry out spot checks.

I believe that some of the information that I am about to give has already been given to Parliament. However, if it has not, I stand to be corrected. We committed to Public Health

Scotland making contact with around 20 per cent of travellers, up to a maximum of 450 per week, which at that time was considered to be a robust sample size given the number of flights affected. We are currently exceeding that figure, with around 600 contacts per week. However, as the number of flights increases, the figure of 450—or even a figure above that—will become less than 20 per cent. Therefore, we are looking at how we will adjust that. In fact, data for last week shows that we contacted just over 1,000 travellers.

As more countries have quarantine restrictions imposed—there will be discussions later today and into tomorrow with the other United Kingdom nations, and it might be that other countries are added to that list—we will be required to take decisions to increase that capacity further.

To put that in context, we understand that Public Health England takes a random sample of 600 individuals from travellers who enter England each week. Therefore, there is some consistency in the number of contacts that are being made by Public Health Scotland and Public Health England.

Those are the figures. We will continue to ensure that we are committing the resources to make them proportionate to the numbers of people that are coming in. That will change as the countries that are in and out of the quarantine restrictions change as well.

**Willie Rennie:** The Government's promise is to do spot checks on 20 per cent, and after two months that figure is still not being delivered. In fact, the document that was published yesterday talked about reducing the numbers, not increasing them.

I am sorry to say that, with the Spanish quarantine and spot-check problems, I have little confidence that the Government is on top of this. If the First Minister focused a little bit more on the international border than the English border, we might be in a better position.

Three weeks ago, I asked the First Minister whether she would test all international students on arrival to keep them safe, and she said that she was thinking about it. Last week, she said that she was still thinking. This morning, the health secretary said that she was looking at it. However, students are arriving right now. How much more thinking and looking time does the First Minister need? From spot checks to testing, why is the First Minister risking the spread of the virus?

**The First Minister:** If Willie Rennie paid attention to the decisions that we are making, he would know that his comment about borders was completely and utterly ridiculous, and, actually, I think that it was beneath him.

I am not particularly interested in borders or where they are; I am interested in keeping Scotland as safe as I can from an infectious virus, and I will take whatever decisions are necessary to achieve that.

Willie Rennie has not been entirely accurate about what ministers have said. For example, Humza Yousaf stated that the aim was to contact 20 per cent—up to 450 people per week—which is being exceeded; it is around 650 contacts a week and last week was 1,000 travellers. We will increase that as the number of countries in quarantine restrictions increases, which may happen over the next 24 or 48 hours.

With regard to his second point, I apologise to the health secretary that I was not able to listen to all her evidence this morning, but I happened to catch in passing her comment about universities. She did not say that we were thinking about it; she said that we were in active consultation with universities about the finalisation of the proposals. It is important that, given the scale of incoming student numbers and the risks that we know that will pose, we get those measures right. That is what we are seeking to do. We will continue to look at testing, the quarantine arrangements that are in place and face coverings. Across a range of those things, we—as the Government, as is our responsibility—will continue to take the tough decisions, whatever they may be, while others can simply criticise from elsewhere.

### **Football Clubs (Covid-19 Testing)**

**5. Stuart McMillan (Greenock and Inverclyde) (SNP):** To ask the First Minister what discussions the Scottish Government has had with the Scottish Football Association and the Scottish Professional Football League to allow football clubs to utilise their local Covid-19 testing facilities. (S5F-04295)

**The First Minister (Nicola Sturgeon):** The Government has held a range of meetings with the SFA, the SPFL and the joint football response group to agree the protocols and testing regimes that allowed SPFL premiership football in Scotland to resume without putting the public and others at unnecessary risk. To safeguard public sector testing capacity to meet the needs of the public, the testing for premiership clubs as commercial entities is being undertaken by private sector facilities.

**Stuart McMillan:** I have been informed that, so far, more than £500,000 has been spent on 7,543 tests for clubs, with the expenditure going to private firms outside Scotland. Of those tests, only three have returned positive results, which were community, not football, related. Many of Scotland's football clubs are smaller community clubs with NHS Scotland testing facilities in close proximity and not always busy. If Scottish football

is willing to pay in full all costs incurred by NHS Scotland for the use of those facilities, can the First Minister indicate whether football clubs would be able to use those testing facilities and take up underutilised capacity, therefore keeping more money in Scotland's economy?

**The First Minister:** We are certainly aware of the costs that are associated with testing players. I recognise that clubs at all levels face unprecedented financial pressure because of the pandemic, so I absolutely understand the point that Stuart McMillan has made. However, as Government, our overriding responsibility is to protect the public sector testing capacity. It may seem at the moment as if it is underutilised, but that is because prevalence is low. As we go into the winter months, when other viruses, colds and flu will give people symptoms that may be similar to those of Covid, we expect that the demand for that testing capacity will increase significantly. It is really important that we build a capacity that is able to cope with the situation not just right now, but in the winter. That is about not just money, but the physical capacity of our laboratories and the people who have the specialisms that we need to process those tests.

It is not an easy decision, but we will continue to engage with the football authorities to ensure that they have an effective regime in place that can safeguard players, staff and the wider population. We will also have to consider the implications for testing requirements of the resumption of non-contact sport for all ages, including for clubs below the premiership, such as Greenock Morton, in the member's constituency.

#### Police Scotland (Budget)

**6. Alexander Stewart (Mid Scotland and Fife) (Con):** To ask the First Minister what action the Scottish Government is taking in response to Police Scotland's reported budget overspend during the Covid-19 crisis. (S5F-04285)

**The First Minister (Nicola Sturgeon):** Police Scotland has been at the front and centre of the response to Covid and I thank it for that. Police Scotland continues to work closely with local authorities and the national health service to support the wider response.

This year, the Scottish Government has increased funding for policing by £60 million to more than £1.2 billion, but we recognise that Covid is an unprecedented situation that could lead to expenditure above that budget allocation. We will continue to work closely with the Scottish Police Authority and Police Scotland to monitor and manage the financial impacts of Covid on the policing budget.

**Alexander Stewart:** The latest quarterly statistics show that there are now fewer officers in front-line roles than when Police Scotland was formed. The pandemic has strained the police purse by an extra £5 million. Our officers helped to keep us and our streets safe at the height of the pandemic. The First Minister must back our police officers and give them the funding that they so rightly deserve.

**The First Minister:** In the most recent budget, which I accept was pre-pandemic, we increased the policing budget by £60 million. The Scottish Conservatives had asked us to increase it by £50 million, but we went further than they asked us to do. That is a sign of our commitment to policing. There are 1,000 more police officers in Police Scotland than there were before this Government took office.

Our police service has done a sterling job in the course of the pandemic, which has increased the financial burden on them as it has on others in the public sector and more generally. We will continue to work with Police Scotland and the Scottish Police Authority to ensure that we are able to monitor and manage that budget and to ensure that Police Scotland continues to do the fantastic job on our behalf that it is already doing.

#### Arts Sector (Funding)

**7. Sarah Boyack (Lothian) (Lab):** To ask the First Minister what support the Scottish Government is providing for the arts sector, in light of reported concerns regarding the impact of the lockdown on the sector and loss of jobs. (S5F-04297)

**The First Minister (Nicola Sturgeon):** Covid is having a profound impact and effect on the arts sector in Scotland. We want to do everything that we can to ensure that our world-class culture can continue to make a vibrant contribution to our country. We acted quickly to support culture with funding for both freelancers and organisations. More recently, we have announced support of £12.5 million for performing arts venues, £4 million for independent museums and £10 million for the events sector. We continue to work with the sector to ensure the full distribution of the £97 million that we received in consequential for the arts, culture and heritage sectors.

**Sarah Boyack:** The investment so far is welcome, but what work has the Scottish Government done to assess the knock-on impact of cancelled arts events, such as concerts and festivals, on local economies, particularly Edinburgh's? Will the Scottish Government's future support packages include not just institutions, but also community arts and those who are self-employed, such as artists and actors?

**Nicola Sturgeon:** That is a fair and legitimate point. Within the financial constraints that I have already referred to, we try to design financial support schemes and packages in a way that recognises the wider knock-on effects and supply chain impacts. I cannot stand here and say that we will be able to mitigate and ameliorate every single penny of the impact of Covid—I wish that I could, but I cannot. We try to do that as much as possible. The support that we made available for freelancers in the cultural sector was an important indication of that understanding of the wider impact.

We are still in discussions about the distribution of the full £97 million of consequentials. Some of that money has already been allocated: the grassroots music venue fund; the performing arts venue fund; the museums resilience and recovery fund; almost £4 million to the National Trust for Scotland; and the £10 million for the events sector that I already referred to. I assure Sarah Boyack that we will keep that wider impact in mind as we come to decisions on the distribution of the rest of it.

**The Presiding Officer:** We will move on to supplementary questions.

#### **Residential Communities (Covid-19 Guidance)**

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** Constituents of mine have a daughter residing in a Camphill residential community that supports adults living with learning disabilities. They are keen to see guidance for visiting arrangements, including returning home for family visits, being reviewed and revised, and made distinct from the guidance for care homes for the elderly. Such a review will hopefully take account of the lower risk faced by residents in such communities and the different environment in which they live. Will the First Minister give that some consideration?

**The First Minister (Nicola Sturgeon):** I certainly will. The decision to restrict visiting in care homes was really tough, but was very important. In June, a plan was published for the gradual return of visiting. We are taking an incremental approach to that because, although we have made significant progress, the virus is still a threat. Currently, residents can have outdoor visits, with up to three people at a time, from no more than two households. Care homes can move to indoor visiting if they have visiting plans signed off by local directors of public health by 24 August.

We are also working to reintroduce arrangements to allow residents to go out to visit friends and family. That would obviously need to be staged and risk assessed and we will likely prioritise homes for children and people with learning disabilities initially. We will give

consideration to whether further changes to the guidance are needed to address the specific circumstances of residents in communities such as the one Bob Doris refers to.

#### **Cancer Surgery Delays**

**Annie Wells (Glasgow) (Con):** A constituent from Glasgow has contacted me regarding delays to her surgery to remove precancerous cells from her cervix. The surgery was originally put back in March but, despite calling her consultant every fortnight, there has been no updated timescale for her vital operation. My constituent is petrified about any delay to her surgery and says that

“To be able to go to a pub before I go for surgery is insulting enough. To be able to go to a pub before even receiving any update about my surgery is quite frankly contemptuous.”

I know that the First Minister will be aware of the case because she was copied in to the original email. Will she give a firm commitment that she will personally look into the situation to help my constituent get this resolved as soon as possible?

**The First Minister (Nicola Sturgeon):** Of course, I will personally look into that; if I was copied into the email, I am sure that that process is under way already. I do not mean in any way to diminish the importance of the case, but I hope that people understand that I get a very large number of emails. They are all dealt with and looked at, so we will look into the circumstances—perhaps it will help if Annie Wells emails me the contact details today, so that I can immediately identify the correct case.

These are horrendously difficult situations for people to be in. The postponement of certain procedures in the health service in order to deal with the Covid risk was probably one of the most difficult decisions in a range of difficult decisions and I understand the daily impact of that on people. We now have in place the national framework for the resumption of cancer services and that work is under way, but patients should, of course, be being kept up to date, so I will certainly look into the case and see whether there is more that we can do, at the very least, to give the individual concerned more information.

#### **Covid-19 Restrictions (Aberdeen)**

**Lewis Macdonald (North East Scotland) (Lab):** The Cabinet Secretary for Health and Sport, Jeane Freeman, told the COVID-19 Committee this morning that the prevalence of Covid in Aberdeen remains too high for the Government to lift the local restrictions. That was different from the judgment of the local incident management committee, which was that the outbreak is under “adequate control” to allow phasing out from this weekend. Of course,



advisors advise and ministers decide, and those are not easy decisions, as the First Minister says, but can she tell us what level of prevalence in the city would allow those local restrictions to be lifted?

**The First Minister (Nicola Sturgeon):** I will try to answer the question as fully as I can. I will start by saying that I fervently wish that those judgments were as simple as that, but they are not—a whole range of factors have to be taken into account.

The chair of the local incident management team participated in the resilience committee meeting yesterday morning and indicated that he was in agreement with the precautionary approach that we were taking. Of course, yesterday morning, we had double the number of cases reported in Grampian than had been reported the day before. The situation in Aberdeen is that the IMT thinks that the pub-associated cluster is firmly coming under control and may be under control. The concern that was expressed very strongly to me and that formed the basis of the advice by the chief medical officer and the national clinical director is that there are still a significant number of cases in Grampian and in Aberdeen city that are not evidently associated with the cluster, so there is still concern about a wider community-based prevalence.

I gave some figures yesterday to try to illustrate that. Yesterday, the figure for Aberdeen city of the non-cluster-related cases was more than 20 per 100,000. To put that in context, the figure for the whole of Scotland over the past seven days has been around six per 100,000. It is coming down but, again to give some context, around 20 per 100,000 is when we would probably be imposing quarantine restrictions if that was the figure for another country. We have undertaken to do a mid-week review on Sunday, and we want to see that figure coming down. It is coming down, and we want to see it continue to come down. I would like to see it go below 20, but there will be a range of considerations about whether we can reach the conclusion that the overall situation in Aberdeen is sufficiently under control that we can start to lift the restrictions and bring people into contact with each other, which would, of course, risk transmission increasing again. I hope that, after the review on Sunday, we will be able to set out a firm timetable for the lifting of the various restrictions that are in place.

#### **Pupil Safety (Covid-19)**

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** The First Minister is aware of the cluster in Coatbridge, which includes five pupils at two secondary schools. I thank her for her attention to that. I also thank NHS Lanarkshire

and the council for their swift response and for keeping elected representatives and the public up to date.

What action is being taken to ensure the safety of school pupils where such isolated Covid-19 outbreaks have been confirmed? What else can the Government do to highlight the risks of young people meeting indoors in large groups, where there are no regulations such as there would be for within schools?

**The First Minister (Nicola Sturgeon):** The guidance that is in place for activity in schools is, of course, informed by scientific advice. However, as I indicated earlier in response to Patrick Harvie's question, we are keeping that under close review. That particularly relates to aspects such as the use of face coverings.

More generally, local authorities, health boards and test-and-protect teams are working extremely well when cases are identified among school pupils or adults associated with schools, ensuring that steps are taken to inform parents and advise children to isolate where necessary. That has happened in all those cases, and we continue to monitor that very carefully.

Most of those cases involve community transmission that has an impact on schools. Obviously, we are looking very carefully at any risks of transmission in schools, which cannot be ruled out, and we are continuing to take a series of mitigations to keep that risk as low as possible and to respond accordingly.

I know that parents will be anxious. Where I live in Glasgow is within the catchment area of the schools in the north-east of Glasgow cluster and the linked Coatbridge cluster, and some of my neighbours' children go to those schools. I know that this is a time of real anxiety for parents. That is why getting kids back to school is so important. However, ensuring that the right mitigations are in place to keep people safe is vital, and we take that responsibility very seriously.

#### **Sports Facilities (Under-18s)**

**Brian Whittle (South Scotland) (Con):** I know that the First Minister is aware of the importance of being physically active for physical and mental health. Government guidance says that under-18s are able to play sport in an outdoor area, but many public facilities still remain closed. What can the First Minister do to ensure that facilities are available to enable under-18s to play the sports that they wish to play?

**The First Minister (Nicola Sturgeon):** I hope that some of what we have announced today in respect of the opening up of indoor sports facilities as well as extending the ability to do sports

outdoors will help that. All of that involves a balance and a journey.

I absolutely understand the importance of physical and mental health and exercise. That is why we have taken the decision to slightly accelerate the ability of gyms, indoor sports courts and swimming pools to reopen, for example. However, we have to balance that against having the proper arrangements in place to minimise the risk of transmission. The further steps that we have set out today take us very firmly in the right direction.

### **Job Losses (Colleges)**

**Pauline McNeill (Glasgow) (Lab):** This week, 42 job losses in the City of Glasgow College and Glasgow Clyde College were announced because of a drop in footfall as a result of Covid-19. The colleges have agreed with the contractors to replace the catering service with vending machines. That mainly involves a group of women workers on very basic and poor redundancy packages due to their being in the private sector.

How does the First Minister square that with the letter from the Cabinet Secretary for Education and Skills to college principals that said that they should look to maintain jobs? Does the First Minister agree that it is short-sighted of the colleges to replace an entire catering service with vending machines? I think that everyone would like to think that we will go back to some kind of normality in the long run. Can the First Minister look at that issue and take steps to prevent outsourcing in the future? If the service was not outsourced, people would at least have better terms in the public sector. Can the First Minister do anything at this stage to intervene and save the jobs of those women?

**The First Minister (Nicola Sturgeon):** I am very happy to look at that. I am not aware of all the details of the issue. I will ask the education secretary to look at it, as well.

I absolutely appreciate the points that Pauline McNeill has made, and I have a lot of sympathy with them. Colleges have to take those decisions independently, of course, but I will look into the matter.

I do not want to prejudice that, but, generally speaking, everybody is having to make really difficult decisions right now in order to reduce transmission risks while getting people back to normal. It is easy to accuse people of being short-sighted, and sometimes that may be justified, but sometimes everybody is having to make unenviable decisions to get the balance as right as possible. However, given that I do not know all the details of that case, I will happily have it looked into, and either the Deputy First Minister or I will

write to Pauline McNeill when we have had a chance to do so.

### **Employment (Interventions)**

**Kenneth Gibson (Cunninghame North) (SNP):** The 19.7 per cent decline in Scotland's gross domestic product from April to June is deeply worrying. Does the First Minister agree with Scottish Chambers of Commerce that further intervention is required now to prevent real and lasting damage to employment levels?

Scottish ministers have outlined clearly what the Scottish Government will do, but most economic powers remain at Westminster. Will the Scottish Government continue to press the Chancellor of the Exchequer to extend furlough, immediately reduce employees' national insurance contributions, extend the cut in VAT in vulnerable sectors to next summer and back new initiatives such as an employee-retention incentive scheme, to enable struggling employers to survive until the economy recovers?

**The First Minister (Nicola Sturgeon):** The economic crisis that we are facing right now is severe, and is the most acute in any of our lifetimes. We all have a responsibility to do everything we possibly can to protect jobs in the short term and then to support the economy towards a longer-term sustainable recovery. The Scottish Government is very focused on doing that.

I have said a number of times that, for the foreseeable future, health and jobs are the twin priorities and focuses of this Government. We will do everything that we can do within our resources to facilitate that, but it is the case that many of the relevant levers lie with the United Kingdom Government. We therefore need to continue to make the case for increased spending in a number of areas to support economic recovery, but we also, and most urgently, need to make and press the case with the UK Government for extension of the furlough scheme.

One of the most wrong-headed decisions that might be about to be made is that to end the furlough scheme prematurely. That could see an avalanche of redundancies that are avoidable if support were to continue. I noticed earlier this week that Germany became the latest country to extend its equivalent scheme for a longer period—up to, I think, two years. I appeal to the chancellor, who has given lots of very welcome support, not to make the mistake of ending the scheme prematurely, but instead to continue it for as long as it is required.

### Paramedics (Bursaries)

**Liam McArthur (Orkney Islands) (LD):** To qualify as a paramedic, people now need to complete a degree course. During that course, students are expected to work the same hours as fully qualified paramedics, which makes other part-time work almost impossible.

Student nurses in Scotland are given a bursary in recognition of that, and paramedic students in England also receive a bursary. When I wrote recently to the Cabinet Secretary for Health and Sport on behalf of a constituent, to ask how she was expected to fund herself through the degree course, I was told that the Government has no intention of reviewing its position. Why will the Scottish Government not support trainee paramedics properly? Will the First Minister agree to put paramedics on a par with student nurses and midwives?

**The First Minister (Nicola Sturgeon):** This is an important issue. I have also been contacted by a constituent in the past little while about the matter, and I think that the case that is being made is absolutely not without merit. I have seen a response from the health secretary on the subject that sets out the range of support that is available for trainee paramedics. Obviously, unlike some other Governments in the United Kingdom, we have taken a decision to continue bursaries for student nurses and midwives, which I think is important.

However, no such dilemma has an easy solution, given the financial constraints within which we operate. I hear the case that is being made, though, and we will continue to consider how we can better support everyone who works in our health service—paramedics and anyone else. I am happy to have another look at the matter with the health secretary, and will revert to Liam McArthur on it once we have had the chance to do so.

### Employment (Young People)

**Keith Brown (Clackmannanshire and Dunblane) (SNP):** The First Minister has often spoken about the impact on her political beliefs of the mass unemployment of the 1980s, and I know that she is well aware of the scarring effect of unemployment on young people in particular. What action will the Scottish Government take to support young people back into work?

**The First Minister (Nicola Sturgeon):** Aside from the immediate challenges of tackling Covid, I think that the biggest responsibility that Governments the world over have right now is to stop the impact of Covid becoming a scarring legacy for the next generation.

This is a really uncertain time for young people, so we have committed to investing £60 million in this financial year in a youth guarantee that is part of the overall investment in employment and skills that we announced last month. That is one of the first actions to be taken forward from the advisory group on economic recovery's report, and it sets out very clearly the employer-led plan to give every young person access to work, training or education. We also recently announced that that will include £10 million for measures to support and retain apprentices.

On Monday this week, our eighth Scottish benefit was introduced—the new job start payment, which will provide a one-off grant to young people between the ages of 16 and 24 who have had a period of unemployment. It can be used to cover the costs of a new job, such as travel, clothes and childcare, in order to remove barriers that young people can face and to support them into work.

Those are some of the immediate things that we are doing, but the responsibility for ensuring that all young people have the opportunities that they deserve, notwithstanding Covid, will be with us and on us for a considerable time.

### Coronavirus Restrictions (Aberdeen)

**Liam Kerr (North East Scotland) (Con):** The public health measures to suppress coronavirus must be matched with the right support, so that my Aberdeen constituents can continue to provide for themselves and their families. Businesses are on a knife edge. Aberdeen City Council is clear that more than 5,000 jobs are at risk without more financial support. The north-east must not be left behind. Will the First Minister listen to the north-east and urgently pledge further funding support?

**The First Minister (Nicola Sturgeon):** Every part of the country deserves support to help it through what we are currently living with, and that absolutely includes Aberdeen. In fact, that is particularly the case for Aberdeen, given the current restrictions.

The figure of 5,000 jobs that has been cited is a serious number that I do not intend to underplay at all, but I have heard Liam Kerr talk about it as if the figure is the impact of the current lockdown measures in Aberdeen. That is not the case; the figure relates to the period from April to July. That does not mean that the number is not serious, but it is an important clarification.

We have already made available £32 million of grant support to businesses in Aberdeen, and the funding that was announced yesterday is in addition to that. I would really love to do more by way of economic support for Aberdeen and for businesses in other parts of the country, but I

come back to the inescapable point that my Government's budget has limits on it because of the limitations on our ability to borrow and our inability to overspend and to borrow to meet that. That, I am afraid, is a hard fact.

I hope that those who are rightly calling for more money to be made available to Aberdeen or to other parts of the country will join us in making that case to the UK Government, so that we can increase our borrowing powers or make more funding available, because without one or both of those, we will run up against those hard limits in what we can do. That is not a political point, in this context; it is a statement of fact, and it is a fact of life. I appeal to the Conservatives: by all means, make the case for more money, but join us in calling for the wherewithal to deliver that extra investment.

### **Inquiry into the Scottish Government's Handling of Harassment Complaints (Co-operation)**

**Jackie Baillie (Dumbarton) (Lab):** In January 2019, the First Minister said in the chamber that she would co-operate fully with the parliamentary inquiry into the Government's handling of sexual harassment cases. She said:

"The inquiries will be able to request whatever material they want, and I undertake today that we will provide whatever material they request ... My commitment is that the Government and I will co-operate fully with it".—[*Official Report*, 17 January 2019; c 14.]

Given that swathes of documents are heavily redacted and that the Scottish Government is refusing access to key documents relating to the core of the inquiry's remit, I hope that the First Minister will want to stand by her earlier commitment. Will she now instruct from the Scottish Government the full co-operation that is currently missing?

**The First Minister (Nicola Sturgeon):** This is a really serious issue. I am absolutely committed to fully complying with the inquiry. I will personally attend the committee to answer questions when I am asked to do so. I have already submitted written evidence to the committee, and it is for the committee to decide when and to what extent that is published.

Given that part of the committee remit is to look at my conduct, I have recused myself from any decision making in terms of the Government's interaction with the committee, so I am not going to instruct the Government, because it would not be appropriate for me to do so. The Government will, I am sure, continue to co-operate fully and within the legal obligations that it operates under, and to make available the maximum amount of information that it can to the committee. I am

absolutely committed to abiding by the committee's processes.

Sometimes, I wonder whether everybody is so committed. The other day, a Conservative member of the committee issued a political press release about the evidence taking of the committee, which suggests that the member is not prepared to abide by the processes of the committee and, perhaps, that the member has made up their mind about the outcome of the inquiry before the committee even gets there.

I will respect and fully co-operate with the committee. I hope that other members around the chamber will do so as well.

### **Belarus Election**

**John Mason (Glasgow Shettleston) (SNP):** There has recently been an election in Belarus, the results of which appear to have been rigged, with the Opposition getting a mere 10 per cent of the vote and the candidate having to leave the country. Does the First Minister share my concerns about that, and can she pass on those concerns to Belarus, either directly or through the United Kingdom or the European Union?

**The First Minister (Nicola Sturgeon):** I very much share John Mason's concerns. My view, like the views that the UK Government and other Governments around the world have made known, is that it is important that the results of that election not be recognised, because of all the concerns about its lack of legitimacy and validity. I am happy to make my concerns known—either directly or through the Foreign and Commonwealth Office, which has already expressed similar views.

### **Inquiry into the Scottish Government's Handling of Harassment Complaints (Co-operation)**

**Murdo Fraser (Mid Scotland and Fife) (Con):** Further to Jackie Baillie's question of a few moments ago about the handling of harassment complaints by the Scottish Government, the First Minister pledged back in January 2019 that all parts of the Scottish Government would fully co-operate with a parliamentary inquiry.

On Tuesday, at the meeting of the Committee on the Scottish Government Handling of Harassment Complaints, I asked the permanent secretary, Leslie Evans, whether she was aware that female civil servants had been advised not to be alone in the company of the former First Minister. She answered my question by saying that she could not comment.

Does the First Minister believe that that response was in accordance with her commitment that there would be full co-operation from all parts

of the Scottish Government? Was the First Minister aware of female civil servants being given that advice?

**The First Minister (Nicola Sturgeon):** No, I was not aware of that.

I will answer all questions that are put to me by the committee when the committee asks me to do so, unless my answers to those questions would breach legal requirements.

As it would not be appropriate to do so, I will not comment on the evidence that other people give. It is important that I respect the committee in all aspects. As I understand the matter—this is entirely for the committee—that question was ruled out of order at the meeting. I also understand—this is something that the committee is perfectly entitled to take up itself—that the permanent secretary has already said that she is happy to write to the committee to address the issue, if the committee wishes.

I will co-operate fully with the committee. I come back to the point that I made earlier: I have already submitted evidence to the committee, and I respect the fact that it is for the committee to decide when that is published, because there are important and sensitive legal processes to undergo.

I respect every aspect of the committee's work. Murdo Fraser is already, or is about to be, a formal member of the committee, yet within hours of its first evidence session, he issued a political press release that accused me of not being forthcoming, thereby giving the impression that he is anything but independent and neutral. I think that he should perhaps consider that before he asks such questions of me, who intends to fully respect every aspect of the committee's work.

### **Rail Fares (Increases)**

**Colin Smyth (South Scotland) (Lab):** Commuter rail fares have risen by 54 per cent under the Scottish National Party Government. This week, it was confirmed that unless there is a change of policy from ministers, fares will rise by another 1.6 per cent. Does the First Minister agree that now is not the time for more fare hikes, and that we need at least a ticket price freeze and, ultimately, a new fares regime that is affordable and will encourage people back on to our rail network as it becomes safer to do so?

**The First Minister (Nicola Sturgeon):** We have not taken a decision yet on rail fare increases, which we are considering in the context of Covid and the significant disruption to rail travel. We will take all those issues into account as we come to a final conclusion.

**The Presiding Officer:** I will draw First Minister's question time to a conclusion. I apologise to members who did not get the chance to ask their questions.

13:44

*Meeting suspended.*

14:45

*On resuming—*

## Portfolio Question Time

### Transport, Infrastructure and Connectivity

**The Deputy Presiding Officer (Christine Grahame):** Good afternoon. The next item of business is portfolio question time. In order to get in as many people as possible, short and succinct questions and answers to match would be a great bonus of the day.

The first questions are on transport, infrastructure and connectivity. I remind members that questions 2 and 5 are grouped together. I will take the supplementaries on those questions first. Any member with a supplementary question to either of those must come in after them.

#### Public Transport (Economic Recovery)

1. **David Torrance (Kirkcaldy) (SNP):** To ask the Scottish Government what role public transport has in ensuring a green economic recovery from the Covid-19 pandemic. (S5O-04484)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** Public transport has a vital role in supporting the national transport strategy and taking climate action as part of our green recovery. That is why the Government has approved net additional spending of £487 million in a range of measures to support the sector through the pandemic. Additionally, we published our rail decarbonisation plan in July, and we have a long-term commitment to invest £500 million to improve bus priority infrastructure. Our work with the Scottish National Investment Bank is exploring ways to accelerate the deployment of zero-emission buses to make Scotland a global destination for green investment.

**David Torrance:** As we continue to progress through the recovery from the pandemic, what action can the Scottish Government take to provide reassurance to commuters to help to restore confidence and encourage a safe return to the use of public transport?

**Michael Matheson:** The transport transition plan outlines our activity to support the sector's transition out of the Covid-19 crisis in line with the Scottish Government's Covid-19 route map. It is a continuously evolving plan, and it ensures that people can travel with confidence while continuing to suppress the virus.

We have implemented measures such as mandatory face coverings on public transport, and

we can see from the support that we have from the public that their use on public transport is widely supported.

As I mentioned, we are supporting the sector with up to £487 million to date to ensure that services keep running while physical distancing is advised. We have also committed an additional £10 million for bus priority during the transition period to ensure that public transport remains an attractive choice.

#### Bus Sector (Funding)

2. **Keith Brown (Clackmannanshire and Dunblane) (SNP):** To ask the Scottish Government how the recently announced £63 million fund for the bus sector will help to support bus operators with maintaining and increasing services. (S5O-04485)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** Our commitment to provide funding of up to £63 million for bus operators will keep Scotland moving during the Covid-19 crisis. That funding is on top of the £46.7 million that we made available from June.

People throughout the country rely on bus services for work, education and health services, and to see family and friends. That funding will support those people by providing them with the bus services that they need and capacity to travel safely with physical distancing in place.

I will continue to do what I can to support the bus industry and the public transport network.

**Keith Brown:** I am aware that, from next month, Stagecoach East intends to axe the number 23 service that runs through my constituency. Crucially, that impacts on my constituents in more rural areas, who rely on that service to access health services, education, work and family. I have written to Stagecoach to draw its attention to the additional funding and to ask it to reconsider its decision. Will the cabinet secretary agree to work with Stagecoach East to find out whether that funding or, indeed, any other support that could save that service is available?

**Michael Matheson:** As I mentioned in my initial response, we are providing over £100 million to support bus operators across the country, including companies such as Stagecoach, to allow them to ramp up services to almost 100 per cent of pre-Covid-19 levels. Of course, even with our support for that level of service alongside physical distancing, bus operators will look at their existing network in order to devise it in a way that they believe best serves the local community and that they can provide as an operator.

It is for Stagecoach to consult the local authority and local transport partners before making any changes to its services, and to notify the Office of the Traffic Commissioner for Scotland of any changes that it intends to take forward. However, I would certainly encourage Stagecoach and other local stakeholders to ensure that they remain engaged, given the concern that Mr Brown has raised about that service, in order to identify a way in which the concerns of the local community can be addressed.

### **Bus Services (Viability)**

**5. Sarah Boyack (Lothian) (Lab):** To ask the Scottish Government what conditions it has set through its financial support for bus operators to keep services viable through the pandemic and as Scotland comes out of lockdown. (S5O-04488)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** In return for our funding, bus operators are required to provide specified levels of service approaching 100 per cent of pre-Covid levels. We are asking operators to adapt their services to meet current patterns of demand so as to minimise overcrowding and underutilisation.

Operators are required to keep services under review in consultation with local transport authorities and health boards. That includes responding positively and quickly to reasonable requests to amend services, such as services that help school travel. Operators must also take reasonable steps to keep passengers at the required physical distance and to follow health guidance.

**Sarah Boyack:** I welcome the initiative, but we need to get the maximum benefits and political direction for that investment. Is there a requirement to ensure that, in order to keep buses affordable, there are no fare increases? When will the provisions to give local authorities the power to run bus services in the Transport (Scotland) Act 2019 be in place to make sure that we get that real direction going forward?

**Michael Matheson:** The purpose of the funding is to fill the gap that is created through the loss of revenue as a result of physical distancing; it is not in relation to fare rates, which are a matter for the operator directly.

On Ms Boyack's second point about the provisions in the 2019 act for a range of models in operating bus services, as I am sure that the member will appreciate, Transport Scotland officials have been largely focused on the challenges that we face through Covid-19. That has resulted in a range of work having to be delayed, including some of the provisions in the 2019 act. As officials move into taking forward

aspects of that act for implementation, they will be able to start moving on the points that were raised by Sarah Boyack in relation to bus transport. However, any delay around that is largely the result of staff having to be deployed to deal with the pandemic.

**The Deputy Presiding Officer:** Graham Simpson has a brief supplementary question.

**Graham Simpson (Central Scotland) (Con):** I was interested to hear the cabinet secretary say that the fund should be used to have 100 per cent of pre-Covid levels. First Glasgow has recently axed part of the number 31 service that used to go into East Kilbride but no longer goes there. When I asked about the fund, First Glasgow said that it would use it on the existing part of the route. Surely that is not the intention of the fund.

**Michael Matheson:** I welcome Mr Simpson to his new post; this is my first opportunity to do so since he was appointed last week. However, I think that he misunderstands the way in which the fund operates. The fund is there to fill a gap from the loss that operators have suffered because of physical distancing, which has resulted in limited capacity, and to make sure that operators are prioritising key routes on which there might be capacity constraints but a demand for services, particularly to hospitals, schools and places of work.

Operators must meet those requirements in order to access the fund. I am not familiar with the service that the member referred to, but given that the operator must consult the local transport authority and refer anything about a service that it seeks to change to the Office of the Traffic Commissioner for Scotland, the matter can clearly be considered at a local level.

**The Deputy Presiding Officer:** Question 3 is from Sandra White; I will come back to her when she gets her card sorted out. We will take question 4 from Emma Harper.

### **"South West Scotland Transport Study"**

**4. Emma Harper (South Scotland) (SNP):** To ask the Scottish Government whether it will provide an update on the "South West Scotland Transport Study". (S5O-04487)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** The study, which was concluded in January, recommended that interventions be taken forward for further detailed appraisal in the second strategic transport project review.

In recent months, Transport Scotland has been working on the Covid-19 transport response, so we now intend to take a phased approach to STPR 2, with phase 1 reporting in the original

planned timescale. That first phase will focus on recommendations that, in transport terms, lock in the benefits and travel behaviours of individuals and provide a step change in investment to support the priorities and outcomes of the national transport strategy. We currently envisage that phase 2, which will complete the review, will report later in 2021.

**Emma Harper:** I wrote recently to the Prime Minister and the Secretary of State for Scotland to make a case for the United Kingdom Government to transfer money to the Scottish Government to pay for much-needed upgrades on the A75 Euro route and the A77, which connects to Cairnryan. Both those roads might experience increased traffic as a result of Brexit. My rationale was to apply the no-detriment clause to the Scottish Government, under the European Union withdrawal agreement.

In addition to the “South West Scotland Transport Study”, which is welcome, can the cabinet secretary commit to exploring all avenues with the UK Government to ensure that the A75 and A77 receive much-needed investment to improve safety and journey times?

**Michael Matheson:** I fully recognise the important role that the A75 and A77 can play in the post-Brexit world. The “South West Scotland Transport Study” includes among its recommendations the options of partial dualling and targeted improvements for both the A75 and the A77. That will now be subject to more detailed appraisal as part of the second strategic transport projects review. We need to wait for the final outcome from the review but, once it is complete, it will provide us with an opportunity to consider which actions in relation to the A75 and A77 will be taken forward.

On the matter of funding that Ms Harper has raised, as the First Minister outlined at question time, the financial constraints within which the Scottish Government must operate limit our options when it comes to major capital investment programmes of this nature. With the financial flexibility of greater borrowing powers, the Parliament and therefore the Scottish Government could more effectively take strategic decisions around capital investments in projects such as the upgrading of the A75 and the A77.

**Colin Smyth (South Scotland) (Lab):** Does the cabinet secretary accept that, although £10.5 billion of investment has been made by the Government in road infrastructure over the past 12 years, just 0.04 per cent of it has been in south-west Scotland? Will he ensure that when the strategic transport projects review is eventually published, that unfairness is addressed and there is investment in the A75 and the A77?

**Michael Matheson:** I do not accept the premise of the member's point about “unfairness”, because significant investment has been made in transport infrastructure in the south-west of Scotland over recent years. I assure him that the Government will remain committed to investing in the south-west of Scotland and its transport infrastructure.

### Broadband (Expansion)

3. **Sandra White (Glasgow Kelvin) (SNP):** To ask the Scottish Government whether it will commit further funding to expand the provision of broadband services in the Glasgow Kelvin constituency and elsewhere in Scotland. (S5O-04486)

**The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse):** The latest thinkbroadband figures show that, as of today, 98.7 per cent of premises across the Glasgow City Council area are now capable of accessing superfast broadband speeds. Commercial build has played an important role in improving broadband connectivity across the Glasgow Kelvin area, and I welcome further plans by telecoms operators that will extend that coverage further. For example, CityFibre recently announced that it will invest more than £100 million in its full-fibre plans for Glasgow, and Virgin Media announced a service upgrade to its new Gig1 product across the city, to deliver a speed of 1 gigabit per second.

**Sandra White:** I thank the minister for that update.

The lockdown has shown us how important broadband can be. In my constituency, Glasgow's Golden Generation has been giving out iPads and has been trying to get older people connected to the internet across the city, which has been very positive for them.

Given the importance of keeping people connected, how will the Scottish Government ensure that no businesses, homes or communities are left behind? What help is the Scottish Government getting from the United Kingdom Government to reach 100 per cent superfast broadband?

**Paul Wheelhouse:** I thank Sandra White for raising that very important point. On ensuring that individuals have access to digital connectivity, I highlight that £15 million of funding for phase 2 of the connecting Scotland initiative was announced this week by the Cabinet Secretary for Communities and Local Government.

By next April, Connecting Scotland will have provided more than 30,000 additional households with devices, data, skills and technical support. Sandra White is right to identify the need for infrastructure to be there in the first place to



enable connectivity, which is a key issue that we are taking forward.

I have referenced commercial investment, but I make it clear for Ms White and other members who have an interest in Glasgow that, this week, we announced our Scottish broadband voucher scheme, which will work as part of our commitment to providing access to superfast broadband to every home and business in Scotland. Properties in Glasgow will be eligible for the scheme if they are not covered by commercial provision, so I highlight to Ms White that people will potentially benefit from up to £5,000 per premises to enable a superfast broadband solution.

If people who are in the commercial provision group have not had information by July 2021, they too will be able to take advantage of the interim voucher scheme. If they know that they are in a commercial provision area but have not yet had clarity about when provision will be delivered, we will enable them to have a service by the end of 2021.

**The Deputy Presiding Officer:** There are five minutes left and three more questions. I would like to get them in, so please be snappy.

#### Road Equivalent Tariff (Pentland Firth)

6. **Liam McArthur (Orkney Islands) (LD):** To ask the Scottish Government what progress is being made with the introduction of road equivalent tariff on ferry routes across the Pentland Firth, and whether it will confirm the date that it will be introduced. (S5O-04489)

**The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse):** Transport Scotland and Serco NorthLink Ferries have been focused on ensuring that lifeline connections to the islands continue to operate during the Covid pandemic, which has meant that other work, including on RET, has had to be paused.

However, since 1 January 2020, islanders travelling on Aberdeen-Kirkwall-Lerwick routes have received a 20 per cent reduction in cabin fares and a three-year freeze on passenger, non-commercial vehicle and cabin fares. That package of measures builds on the 30 per cent discount that islanders already enjoy.

Further work on fares to establish an agreed mechanism for delivering RET for Orkney and Shetland will be carried out in due course.

**Liam McArthur:** It is now 12 years since cheaper fares were introduced on Western Isles routes, and it is more than two years since RET was meant to have been introduced, a decade late, on northern isles routes. The courts and the European Commission seem to be clear that it can

be introduced, so when can we expect cheaper fares for Pentland Firth routes? Will the minister commit to using the underspend from the delayed introduction of RET to reduce fares on Orkney's lifeline internal services?

**Paul Wheelhouse:** Liam McArthur raised two issues, there.

I have had on-going engagement with him and Orkney Islands Council about internal ferry services and, given the financial difficulties that Orkney Islands Council faces at present, we have encouraged the authority to contact local government colleagues about the wider financial position of local authorities in response to Covid-19.

In July 2019, we had a letter from the European Commission giving us its initial findings on RET and the Pentland Firth routes. That was an unofficial statement, but we have had further engagement with the Commission on potential options for RET. We will continue to keep Liam McArthur informed about that. That work has been paused because of Covid-19, but I give him the undertaking that we will pick up the ball and see what progress we can make.

Liam McArthur will appreciate that the financial position this year of our ferry operators across all networks—private and public—has been challenging and that we have had to focus resources on dealing with the problems that are in front of us.

#### Public Transport

7. **John Mason (Glasgow Shettleston) (SNP):** To ask the Scottish Government, in the light of people having been discouraged from using public transport in recent months, how it plans to encourage the use of trains and buses once again. (S5O-04490)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** Bus and rail networks are seeing patronage increasing as we move through the stages of recovery. Customer messaging, aligned to Scottish Government guidance, continues to encourage travel behaviour to manage demand across the network, rather than to discourage use of public transport.

This week, we announced our public, school and community transport Covid-19 mitigation fund, which will support measures by transport operators that will increase capacity and public confidence for those using school transport.

We remain committed to our national transport strategy vision for a sustainable, inclusive, safe and accessible transport system for Scotland.

**John Mason:** The lockdown seems to have led to a reduction in traffic congestion and emissions, which is good, and to an increase in cycling, but there is a lack of public confidence. Does the cabinet secretary consider that we can maintain such improvements, or is increased car travel inevitable?

**Michael Matheson:** We very much welcome the positive behaviour changes. However, there is global uncertainty about whether changes in travel demand will be temporary or sustained, and whether behaviour will revert to pre-pandemic conditions. That is why we are taking action now, during the pandemic, to capitalise on the positive travel behaviours that we have seen in recent months, by investing in measures, including £39 million for the spaces for people fund and £10 million for pop-up bus-priority infrastructure.

We will continue to take action as we set out our future investment plan in the programme for government and our infrastructure investment plan, alongside our second strategic transport projects review.

**The Deputy Presiding Officer:** I will take question 8, but it must be very brief.

#### Stagecoach Bus Services

**8. Mark Ruskell (Mid Scotland and Fife) (Green):** To ask the Scottish Government what discussions it has had with Stagecoach about proposed bus service changes. (S5O-04491)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** On 7 August, I announced that we will provide bus operators, including Stagecoach, with up to £63 million to increase their bus services. That funding is in addition to some £46.7 million that I have committed since June. As part of that funding, we have discussed overall service requirements with bus operators, including Stagecoach.

**Mark Ruskell:** The 23 service looks set to be reinstated along half its route by First Bus, but it is typical of a number of threatened services that cut across multiple council boundaries in Scotland. What strategic role can the Government play to ensure that those cross-boundary services are supported?

**Michael Matheson:** A similar question was raised by the local constituency member, Keith Brown, on his constituents' concerns about proposed changes to the service that Mark Ruskell has referred to. As I outlined, the operator must go through a process with the regional transport authority and consult the local community on any proposed changes. Following that, any further consideration of a service change is a matter for the traffic commissioner for Scotland. I encourage

the member, as a regional member, to engage in that process and to make representations to the appropriate authorities.

#### Justice and the Law Officers

**The Deputy Presiding Officer:** Before I take question 1, I should say that questions 2 and 3 will be grouped together.

#### Sexual Offences Against Children

**1. Ruth Maguire (Cunninghame South) (SNP):** To ask the Scottish Government what action it will take in light of the NSPCC highlighting Police Scotland data showing that recorded sexual offences against children have increased by 30 per cent in the last five years. (S5O-04492)

**The Cabinet Secretary for Justice (Humza Yousaf):** Child sexual abuse is an abhorrent crime. Tackling it requires a co-ordinated, multiagency, trauma-informed response, particularly to address the devastating impact that it has on survivors and victims.

In the past four years, we have focused enormous efforts on tackling child sexual exploitation through our national action plan, and we are building on that work by ensuring that child abuse is a key focus in work being undertaken across health, justice, equality and human rights. We have strengthened legislation and increased funding to make it easier for victims and survivors to come forward and speak out against abusers.

We continue our significant funding commitments to third sector partners such as the National Society for the Prevention of Cruelty to Children, Barnardo's Scotland, Stop It Now! Scotland, as well as funding to support programmes of work such as equally safe and the child protection improvement programme, to strengthen Scotland's response to child abuse.

**Ruth Maguire:** Some of the spike in sexual offences will be due to online child sexual abuse. Given that some of the measures that were put in place to deal with the pandemic could have increased children's vulnerability online, does the justice secretary agree that there should be no further delay to Scottish Government child protection guidance, so that all those who are working with children and families to prevent and address abuse have the best possible tools available to them?

**Humza Yousaf:** I agree. Ruth Maguire has raised a very important point. She will be aware of the multiple campaigns that took place during lockdown specifically targeting that area—some from Police Scotland, some from the Scottish Government and some from third sector partners. We know that it was inevitable that young people

had to spend more time online for learning and socialising during the past few months, but we recognise that with that came increased risks.

Ruth Maguire is right that we paused the consultation on the revised national guidance for child protection at the beginning of lockdown in acknowledgement of the additional pressures. We recognise the value of robust guidance to support those who are working with children and families during the pandemic, and we have worked closely with representatives of the children's sector throughout. However, I take what the member says on board and am more than happy to update her in relation to that guidance. I agree with the point that she makes whole-heartedly.

**The Deputy Presiding Officer:** I remind members and others that, if we have succinct questions and answers, we will get through them.

### **Hate Crime and Public Order (Scotland) Bill**

**2. Bill Bowman (North East Scotland) (Con):** To ask the Scottish Government what action it is taking in response to the issues concerning the Hate Crime and Public Order (Scotland) Bill that have been raised by bodies such as the Law Society of Scotland. (S5O-04493)

**The Cabinet Secretary for Justice (Humza Yousaf):** Hate crime has a hugely damaging impact on victims and their families and communities. The recent increase in the number of hate crime charges reported to the Crown Office and Procurator Fiscal Service is a clear indication that hate crime remains a significant problem. The increase in hate crime charges might reflect a greater willingness of victims and witnesses to report, but we are not complacent and recognise that not all incidents of hate crime come to the attention of the police.

We remain committed to tackling all forms of hate crime and prejudice, whenever and wherever they arise. The bill affirms that commitment by ensuring that sufficient protection is provided for those people who need it.

Since the bill's introduction, I have engaged extensively with a range of organisations, including the Law Society of Scotland. I am aware of the strong views that have been expressed on the bill, and I am listening to the feedback that has been received on it. I note, in particular, the concerns about the possibility of the bill stirring up hatred offences, and I will reflect on whether changes need to be made and on how such changes could be made in an appropriate and effective way.

In the coming months, the bill will be robustly scrutinised by the Justice Committee and members of the Scottish Parliament. I will give their conclusions my full consideration to make

sure that the proposed legislation can be a force for good in helping to protect groups who are affected by dangerous hatred and prejudice, while protecting vital freedoms that we all hold dear.

**Bill Bowman:** I thank the justice secretary for his answer, and I agree with what he said about hate speech.

The Hate Crime and Public Order (Scotland) Bill has been criticised for threatening freedom of speech by the Faculty of Advocates, the Scottish Police Federation and the Law Society of Scotland, among others, yet the justice secretary said that he would "reflect on" the bill's provisions only after yes activists and writers voiced their concerns about the bill. Can one imply, therefore, that the justice secretary listens to concerns about proposed legislation only when they are raised by nationalists?

**Humza Yousaf:** That is a woeful response—I wish that Bill Bowman could have risen to the occasion. I phoned Murdo Fraser, who I do not think is in the chamber, to speak to him about his concerns about the bill, and I engaged with Liam Kerr, Mr Bowman's party's justice spokesperson, on the bill in advance of its introduction. I have said clearly and publicly that I would listen to Opposition members and stakeholders.

If we are to do the subject justice—I am certain of Bill Bowman's good intentions in that regard—it would be helpful if we attempted to take the politics out of the issue and to look at the substance of it. Regardless of the fact that there are those who criticise the bill and have genuine concerns about it, all of us agree that we all have a responsibility to those groups who have often been the victims of hatred to make sure that the bill is effective in protecting them while, as I said, protecting the freedoms that we all hold so dear.

### **Hate Crime and Public Order (Scotland) Bill**

**3. Anas Sarwar (Glasgow) (Lab):** To ask the Scottish Government what steps it is taking to engage communities across Scotland as the Hate Crime and Public Order (Scotland) Bill progresses. (S5O-04494)

**The Cabinet Secretary for Justice (Humza Yousaf):** Following the recommendations that were made in Lord Bracadale's "Independent Review of Hate Crime Legislation in Scotland", the Scottish Government engaged extensively with stakeholders. In November 2018, the Scottish Government launched the "One Scotland: Hate Has No Home Here" consultation and ran 11 public awareness events throughout Scotland. A series of stakeholder engagement events and bilateral meetings were also undertaken.

Since the bill's introduction, we have engaged with more than 45 organisations. I have met a

number of stakeholders and organisations, including faith and equalities groups, legal experts and victims groups. As the bill makes its way through Parliament, I will ensure that I continue to engage with those stakeholders, who include not just representatives of communities that are directly affected by hate crime but opponents of the bill. As I have said, it is essential that we make sure that all those who have an opinion on the bill have their voices listened to, and I have committed to ensuring that I do that.

**Anas Sarwar:** The justice secretary and I recognise the importance of challenging hate crime and defeating prejudice and hatred. Sadly, for us and many others, it is often a daily experience. I know that the cabinet secretary and I share the same ambition and want the same outcome, which is to make Scotland a fairer and more equal country, where everyone has the same opportunity, regardless of their race or religion.

There are lots of good things in the bill—it consolidates the aggravation, adds vulnerability and sex, and removes outdated blasphemy laws—but does the cabinet secretary accept that the way in which aspects of the bill are drafted and the narrative that has been built around the bill risk undermining the very purpose of the bill, and risk fracturing the coalition that we need to build across Scotland if we are to defeat hate?

**The Deputy Presiding Officer:** I ask you to be brief, cabinet secretary, because we are pressed for time.

**Humza Yousaf:** I do not think that Anas Sarwar's characterisation of the bill is incorrect; there are challenges around the narrative. That is why it is important that, as legislators, we all engage with those who oppose the bill and that, crucially, we listen to the voices of those who are impacted by hatred. Anas Sarwar has been at the forefront of tackling hatred in many of its forms, so he will know that it is important that we listen to the voices of those who are directly impacted by it.

As the cabinet secretary who will lead the bill through Parliament, I will engage, I will listen and I will find common ground where I can. My only plea to those who oppose the bill is to ask them to do the same and to listen to those who are directly impacted by hate crime. They should ask themselves why organisations such as the Equality Network, Stonewall, the Scottish Council of Jewish Communities, the Muslim Council for Scotland and many other groups support the bill, including its inclusion of a stirring-up offence.

#### **Management of Offenders (Scotland) Act 2019**

4. **Colin Smyth (South Scotland) (Lab):** To ask the Scottish Government on what date it plans

to implement the disclosure provisions under the Management of Offenders (Scotland) Act 2019. (S5O-04495)

**The Cabinet Secretary for Justice (Humza Yousaf):** The changes to basic disclosure in the 2019 act require operational changes to the system of disclosure certificates issued by Disclosure Scotland.

Disclosure Scotland activated its business continuity plan in light of Covid-19. Disclosure Scotland and the Scottish Government have been working together to set a new implementation date. I will imminently announce a date for implementation when the necessary secondary legislation has been laid in Parliament and the guidance has been published. I will write to the member when that happens, which will be imminently, to confirm the date of implementation.

**Colin Smyth:** We have seen disruption in recent months, but it is more than a year since the bill received royal assent and one of its most important provisions has not yet been implemented. Delays are continuing, and people with records of minor convictions from several years ago are losing out on job offers as a result, despite the fact that Parliament agreed that that should no longer be the case. Will the cabinet secretary guarantee today that the changes will be in place by the end of the year, a full 18 months after they were agreed?

**Humza Yousaf:** I will announce an implementation date imminently and I will make sure that the member is kept up to date.

The changes were always going to take some time, even without the disruption that has been caused by Covid. That was because they required significant information technology changes. I can write to the member about those. When similar changes were made to disclosure law in England and Wales, there was a two-year period between legislation and implementation. I imagine that that was because, as in our situation, IT systems had to be updated.

I will announce the date of implementation imminently and I will ensure that the member is kept up to date.

**The Deputy Presiding Officer:** I have nine minutes and four questions; please speed up.

#### **Domestic Abuse**

5. **Gillian Martin (Aberdeenshire East) (SNP):** To ask the Scottish Government how it is responding to the increase in domestic abuse reports in 2020. (S5O-04496)

**The Cabinet Secretary for Justice (Humza Yousaf):** The impact of Covid-19 has highlighted the risks to women and children experiencing

domestic abuse. It remains our priority that victims get the support that they need and are kept safe from harm. We have provided significant additional funding to support third sector organisations, including £1.35 million to Scottish Women's Aid.

I assure the member and Parliament that we are in close discussion with third sector partners and with Police Scotland, which remains committed to tackling domestic abuse. I recently met victim support organisations on the victims task force to discuss the issue.

This is a matter of cross-Government interest. My colleague Christina McKelvie, the Minister for Older People and Equalities, is having similar discussions to ensure that vital front-line services continue to be fully accessible to victims during these unprecedented times.

**Gillian Martin:** The cabinet secretary refers to the abuse of children. No one wants another lockdown, but we must prepare for a possible one in the winter. Will the cabinet secretary tell us what has been put in place for the partners and children of abusers to assist them now and in any situation in which we again have to lock down?

**Humza Yousaf:** Gillian Martin makes an important point about something that is part of our discussion in Government and part of a discussion that I will take up personally with Scottish Women's Aid. My officials are also having those discussions.

It is important for us to understand the particular needs of women and children if we go into another lockdown, or if local restrictions are reimposed, as we have seen in Aberdeen. We will work closely with third sector partners and with Police Scotland on those matters, to raise awareness of the services available and to encourage those who experience this pernicious crime to seek support without delay.

The message from the chief constable, from me as the Justice Secretary and often from the First Minister herself, at her daily briefings, is this: regardless of whether or not we are in lockdown, if you feel that you are in danger, you must call 999. Regardless of the pressures on Police Scotland, the police will always take a zero-tolerance approach to domestic abuse. That message must continue whether or not we are under lockdown.

### Prison Estate

**6. Margaret Mitchell (Central Scotland) (Con):** To ask the Scottish Government what recent assessment it has made of the prison estate and whether it is fit for purpose. (S50-04497)

**The Cabinet Secretary for Justice (Humza Yousaf):** Since 2002, the Scottish Prison Service has been implementing a 20-year estate

development programme in response to a review of the prison estate by the Scottish Government. To date, 75 per cent of the prison estate has been either replaced or modernised, thus evidencing our continuous commitment to improvement in the area.

As the member will know, there was an uplift in the Scottish Prison Service's capital budget for 2019-20. Work is on-going for the construction of the new women's national facility to replace Cornton Vale, and work on the two women's community custody units will recommence in September. Approval has also been given to progress with HMP Highland and HMP Glasgow towards the invitation-to-tender stage.

**The Deputy Presiding Officer:** I ask Margaret Mitchell to be brief.

**Margaret Mitchell:** The full inspection report on HMP Dumfries that HM Inspectorate of Prisons for Scotland published in July states that the prison lacks accessible cells for prisoners with disabilities, with only one cell, which was occupied, being able to accommodate wheelchair use.

The most pressing priority for capital investment by the SPS is the lack of accessible cells for disabled prisoners. Even where prisoners' disabilities are well known, records show a lack of checks for reasonable adjustments for those who need them. I say to the cabinet secretary that that is a problem across the prison estate—

**The Deputy Presiding Officer:** Question, please.

**Margaret Mitchell:** It is not only unacceptable but a time bomb waiting to go off, given the potential consequences of a breach of a disabled prisoner's fundamental rights.

Will the cabinet secretary confirm whether an equality impact assessment of the SPS estate has been carried out and what action the Scottish Government is taking to address the issue?

**The Deputy Presiding Officer:** I need to find a way of dealing with these long remote questions.

**Humza Yousaf:** On operational matters for the SPS, I would encourage Margaret Mitchell to get in contact with it directly.

On HMP Dumfries—I may have just signed off the answer to a parliamentary question from her colleague Oliver Mundell on this very matter—some recent investment has gone into and is planned for the prison. I will check whether that investment is related to accessibility.

The member makes a good point. Much of our prison estate is Victorian. The replacement programme for our prisons is focusing on those prisons that are older, and they will be replaced by

prisons that have accessible facilities very much as a priority.

### Fisheries and Maritime Security

**7. Joan McAlpine (South Scotland) (SNP):** To ask the Scottish Government—*[Inaudible.]*

To ask the Scottish Government whether the justice secretary has received a response from the United Kingdom Government to his calls for an urgent four-nation ministerial meeting on fisheries and maritime security. (S5O-04498)

**The Deputy Presiding Officer:** I take it that you heard the question, minister.

**The Cabinet Secretary for Justice (Humza Yousaf):** I had received the question in advance, which is helpful when it comes to broadband issues. *[Interruption.]* I say to members that I get only the initial question in advance.

I have received a reply from the Secretary of State for Transport, agreeing that a meeting would be useful, but we are still waiting for a date to be agreed. I remain concerned that we have been excluded from a key decision-making forum despite the facts that the Scottish zone covers 62 per cent of the UK's domestic exclusive economic zone, Police Scotland is responsible for by far the longest coastline of any UK police force and many key issues such as fisheries protection are devolved.

Although I welcome the transport secretary's positive response, I remain unconvinced that this is much more than a box-ticking exercise.

**The Deputy Presiding Officer:** You must be brief, Ms McAlpine.

**Joan McAlpine:** Scotland's waters cover 62 per cent of the UK's domestic exclusive economic zone, and many functions relating to maritime security are devolved, including fisheries protection. Does the justice secretary agree that this is yet another example of UK ministers seeking to undermine devolution and respect for devolved competences? *[Interruption.]*

**The Deputy Presiding Officer:** You can make it a brief answer if you like, cabinet secretary.

**Humza Yousaf:** I hear the Conservatives groaning, but actually they should be standing up for Scotland's interests. That is what they are in this Parliament to do.

It is deeply concerning. The issue involves devolved matters and has a direct impact on devolved competences, as I highlighted. I am really unclear about why UK ministers thought it appropriate to exclude the Scottish Government, but I am pleased that we have a meeting date. I will, of course, keep members updated and

confirm whether it has been a fruitful and helpful discussion.

**The Deputy Presiding Officer:** Jamie Halcro Johnston, I see that you are relieved to get in, but your question must be brief.

### Littering

**8. Jamie Halcro Johnston (Highlands and Islands) (Con):** I am delighted.

To ask the Scottish Government what action Police Scotland is taking in response to littering in popular visitor areas over the summer. (S5O-04499)

**The Cabinet Secretary for Justice (Humza Yousaf):** Littering is totally unacceptable, and Police Scotland is alert to the littering in our beauty spots. Officers have powers to issue on-the-spot fines for littering and fly-tipping, which are criminal offences for which fixed penalties can be issued—however, as I am sure that the member knows, fixed penalties for littering are normally issued by local authorities. Different levels of fine apply, depending on the offence and on whether a fixed-penalty notice is issued by a police officer or a procurator fiscal.

The Scottish Government has partnered with Zero Waste Scotland and Keep Scotland Beautiful to develop a national anti-littering campaign, which launched on 15 July, and we are working with local authorities and Police Scotland on what more can be done to protect our environment and rural communities in Scotland.

**Jamie Halcro Johnston:** The cabinet secretary will be aware that communities across the Highlands and Islands have reported increases in littering, many of which are linked to incidents of irresponsible wild camping. I recognise that a number of public bodies are involved in promoting good practice, but, ultimately, enforcement must form part of combating the problem.

How are the police engaging with local communities on the issue, and is the cabinet secretary confident that they have adequate powers and resources to police rural areas and protect Scotland's natural environment?

**Humza Yousaf:** Jamie Halcro Johnston raises a very important point. We want people to take holidays and staycations in Scotland, but we want them to act responsibly. First and foremost, of course, the onus is on the individual who is camping or holidaying in Scotland.

I raise the issue with Police Scotland regularly, and the chief constable and I have spoken about it in weeks gone by. It has not been raised with me that there is a lack of powers, but I am happy to re-engage with Police Scotland and local authorities if they feel that there is a need for

further enforcement powers. The Scottish Government would be open to exploring that.

**The Deputy Presiding Officer:** That ends that batch of—

**James Kelly (Glasgow) (Lab):** On a point of order, Presiding Officer. I ask that the Parliamentary Bureau reflect on how these sessions are run. There was no time in that session for supplementaries to be taken on important issues such as the Hate Crime and Public Order (Scotland) Bill and the Government's failure to address spent convictions.

It is important that members on the front and back benches have an opportunity to put their views across. The Parliamentary Bureau needs to reflect on that, in order to ensure that parliamentary scrutiny is not compromised.

**The Deputy Presiding Officer:** Thank you very much. In accordance with standing orders, there is a section for each type of question. You know my policy: I try to let members who take the trouble to lodge a question to ask that question, and I go for political balance—I do not really need to explain all that to you. The running of portfolio questions is strictly for me. However, we have a strict timetable—I see that you are perched to reply, but this is not a debate.

We are going straight on to questions about the constitution, Europe and external affairs. What James Kelly said about the Parliamentary Bureau has, no doubt, been noted.

## Constitution, Europe and External Affairs

**The Deputy Presiding Officer (Christine Grahame):** In the final portfolio session, questions 2,3, 7 and 8 are grouped together.

### Brexit (National Health Service)

1. **Monica Lennon (Central Scotland) (Lab):** To ask the Scottish Government what impact the Covid-19 pandemic has had on the work of NHS preparations for the end of the Brexit transitional period. (S5O-04500)

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** Although the United Kingdom Government's reckless decision not to seek an extension to the transition period will compound the damage that the pandemic has done to our society and economy, I confirm that preparations are continuing to try to protect NHS Scotland—and, indeed, all our health and social care services and workforce—from the impacts of leaving the European Union without a deal.

**Monica Lennon:** The UK Government has asked drug companies to stockpile at least six

weeks' supply of medicines, to guard against disruption at the end of the transition period. Will the minister advise whether the Scottish Government has issued similar advice, and is he confident that NHS National Services Scotland will be able to establish a sufficient supply or stockpile of medicines to see us through to the end of the transition period?

**Graeme Dey:** Monica Lennon will recognise that that is not my area of expertise. However, I can tell her that the Scottish Government is working closely with the UK Government and with the other devolved Administrations to plan for the end of the transition period. That includes doing all that we can to ensure that we have access to medicines in the event of border disruption. Those plans include the UK Government contacting pharmaceutical companies and suppliers about increasing the stock of medicines, which we know will be more challenging given that we have only just written to companies and because of the impact of Covid-19 on supplies.

Of course, a more distant relationship with the European Medicines Agency could cause a potential loss of access to the single European licence for a new medicine, with all the difficulties that that would create. That would be in no one's interests.

### United Kingdom Internal Market (Engagement)

2. **Alexander Burnett (Aberdeenshire West) (Con):** To ask the Scottish Government whether it will commit to re-engaging with the UK Government on plans for the UK internal market. (S5O-04501)

**The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell):** The Scottish Government has been engaging with the United Kingdom Government on the UK internal market proposals and has suggested a way forward. It is the UK Government that is currently refusing to engage on what is a sensible suggestion.

On 3 July, I wrote to Michael Gove, in advance of the publication of the white paper, to make it clear that I had raised that issue at the most recent meeting of the joint ministerial committee (European Union negotiations). The Scottish Government published its initial analysis of the white paper on 12 August. This Parliament rejected the paper's proposals on 18 August, by 92 votes to 31.

Much of Scotland has rejected them, too. Despite the short consultation period, organisations from key sectors—including business, industry, farming and crofting, and the environment—have made it clear that the proposals are unacceptable. They are bad for

business, jobs and the environment, and they risk driving down standards and undermining common frameworks and devolution.

The Scottish Government believes that the common frameworks that are being established to manage policy variations, on the basis of agreement and in respect of devolution, are what is needed to manage the practical, regulatory and market implications of the UK leaving the EU. We are still fully committed to engaging in their implementation. The ball is now firmly in the UK Government's court.

**Alexander Burnett:** The cabinet secretary's track record on engagement—or, rather, lack of it—is now well known. Has he agreed with Scottish business organisations a list of exemptions from mutual recognition principles, and has that list been shared with the UK Government?

**Michael Russell:** I am very interested to hear that Mr Burnett is already retreating from the proposals that the UK Government has made. There is no list of exemptions in the white paper, nor are there any suggestions for them.

I also kindly suggest to Mr Burnett that he go back and read the submissions from organisations. The Scottish Council for Development and Industry, for example, is a business organisation that has indicated that it is not convinced by the white paper's proposals.

The best way forward is for the UK Government to engage in negotiations. I am happy to negotiate on the basis that the frameworks are the way forward.

#### **United Kingdom Internal Market (Employment)**

**3. Brian Whittle (South Scotland) (Con):** To ask the Scottish Government what recent discussions it has had with the UK Government regarding the contribution that the internal market makes to levels of employment in Scotland. (S5O-04502)

**The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell):** I do not wish to repeat myself—I have indicated what the engagement is. The proposals were not shared with the Scottish Government, nor with the Welsh Government, nor with the Northern Ireland Executive before they were published, and I have raised that concern with UK ministers.

The UK Government has offered no indication that it recognises the threat to jobs and prosperity across Scotland that the proposals entail. The UK Government wants either a low deal or no deal from the Brexit negotiations.

We need to engage properly to get a solution to a problem that is being created by the UK Government.

**Brian Whittle:** As the cabinet secretary well knows, the UK internal market helps to protect 550,000 Scottish jobs and is responsible for 60 per cent of Scotland's trade—which is, of course, more than its trade with the rest of the world combined. Why are Mike Russell and his Government prepared to put such a significant proportion of the Scottish economy in jeopardy just to push his own party's constitutional grievance?

**Michael Russell:** I could turn the member's question around and ask why he is prepared to put the economy of all these islands at risk to pursue the grievance that is Brexit, as the Tory party has done. I presume that Mr Whittle believes the Tory Government when it says that there is no threat to trade with the EU from our leaving the EU. Why does he believe that there is a threat to trade for Scotland if it has a different constitutional or regulatory arrangement? That is not logical or sensible.

#### **United Kingdom Internal Market (Engagement)**

**7. Oliver Mundell (Dumfriesshire) (Con):** To ask the Scottish Government for what reason it has disengaged from discussions with the UK Government regarding the forthcoming internal market legislation. (S5O-04506)

**The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell):** As I made clear in the debate on Tuesday, my assessment—which now appears to have been absolutely borne out by events—was that what was taking place was an attempt to undermine devolution. I am absolutely certain—or, at least, I hope—that nobody who is an elected member of the Scottish Parliament would want a Scottish Government minister to go along with the undermining of devolution.

**The Deputy Presiding Officer:** Question 8—*[Interruption.]* Did I not take your supplementary question, Mr Mundell? I did not mean it personally—it is my fault. Please proceed.

**Oliver Mundell:** Is it not better to be honest and admit that the Scottish Government does not want the UK internal market to work? It is absolutely fixated on keeping Scotland tied to European Union regulations in which they will have no say, and it is cherry picking from the submissions, because a lot of them recognise that the UK internal market is actually very important to Scotland.

**Michael Russell:** I regret that Mr Mundell has imputed my honesty. I will not impute his sincerity in what he believes, but he is talking balderdash. The reality of the situation is that we are



endeavouring to have a productive, negotiated relationship. It is the UK Government that makes that very difficult. The previous secretary of state made it difficult and the current secretary of state makes it difficult too.

#### **United Kingdom Internal Market (Engagement)**

**8. Fulton MacGregor (Coatbridge and Chryston) (SNP):** To ask the Scottish Government what its latest engagement has been with the UK Government about proposals for a UK internal market. (S5O-04507)

**The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell):** As I said in my answer to the first question in this group, I wrote to Michael Gove about these matters and I raised them at the last meeting of the joint ministerial committee. We responded to the proposals very clearly in the document that we published last week, and the chamber debated the proposals on Tuesday and came to the overwhelming view that they were to be rejected.

We are engaging constructively and positively. Regrettably, it is the UK Government that is absolutely refusing to listen.

**Fulton MacGregor:** I realise that there have been quite a lot of questions in this group, but can the cabinet secretary outline how concerned he is that, under the proposals, Scottish Parliament laws could be challenged in court if they were considered to contravene the new UK internal market legislation that the UK Parliament agrees?

**Michael Russell:** It is absolutely clear that that is the case. Indeed, Lord Callanan, responding in the House of Lords to a question from, I think, Dafydd Wigley, indicated that he expected the courts to be involved in these matters.

We have the prospect of the UK Government permitting, for example, further privatisation of the national health service and that being forced on Scotland by means of court action, possibly from American health providers, without our being able to resist it. That was never intended and should not happen.

I would look to every MSP to stand up for the right of the Scottish Parliament to make decisions in its areas of competence, even if they disagree about having any additional powers. Any MSP, in any party, who refuses to do so really has to take a long, hard look at themselves and ask whether they are in the wrong place.

#### **Brexit (Powers)**

**4. Graham Simpson (Central Scotland) (Con):** To ask the Scottish Government what its position is on the powers that will come to

Scotland once the Brexit transition period is concluded. (S5O-04503)

**The Minister for Europe and International Development (Jenny Gilruth):** As Graham Simpson must know, those powers are already devolved to Scotland. Environmental standards, food safety, animal welfare—all devolved. If food safety is a new power, what has Food Standards Scotland been doing all these years? If environmental regulation is a new power, what does Graham Simpson think that the Scottish Environment Protection Agency does all day?

What the UK Government is actually proposing is a new, blanket constraint on devolved powers, unilaterally imposed from London, regardless of the views of this Parliament, in place of a European Union system of minimum standards, agreed between sovereign and equal member states on the basis of co-decision, subsidiarity and consent.

**Graham Simpson:** The minister will be well aware that 111 powers will come here. They are in a raft of areas, including regulation of energy efficiency of buildings, air quality and animal welfare. Which of those 111 powers is the minister's personal favourite?

**Jenny Gilruth:** Different standards have been applied across the United Kingdom for many years, with no detriment to businesses or consumers. As I said in Tuesday's debate, in more than four years of discussion with the UK Government, not one example was ever given of where the internal market is at risk from devolution.

What has become clear is that the UK Government's proposals go even further than the powers previously exercised by the EU. For example, the proposals refer to the alleged problems caused by different building regulations in Scotland and England. Such differences have never been directly caught by EU law. This Parliament voted against the proposals on Tuesday, and this Government will continue to resist any dilution of devolution.

**Kenneth Gibson (Cunninghame North) (SNP):** Does the minister agree that Tory assertions about additional powers are, at best, deluded and, at worst, a deliberate attempt to con the people of Scotland? What impact will the removal of powers over state aid have in Scotland—for example, on saving the jobs of people who work for companies such as Ferguson Marine?

**Jenny Gilruth:** The member is absolutely right. The United Kingdom Government's white paper makes it clear that currently devolved state aid powers would be reserved under the proposals—that is, irrefutably, a power grab. Reserving state

aid powers would remove a key devolved tool for growing businesses and creating jobs in Scotland. The Scottish Government cannot support such proposals.

### Independence Referendum

**5. Annie Wells (Glasgow) (Con):** To ask the Scottish Government, in light of the constitution secretary's comments to the Culture, Tourism, Europe and External Affairs Committee on 18 June, whether it has revisited planning for a second independence referendum. (S5O-04504)

**The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell):** As the member is aware, on 18 March, I wrote to the Chancellor of the Duchy of Lancaster to confirm that work related to an independence referendum had paused for the time being, because the Scottish Government was focused on responding to the Covid-19 pandemic. As the member also knows, that pandemic is far from over. The Scottish Government's position remains the same. We will return to the issue when it is appropriate to do so.

However, the refusal of the United Kingdom Government to seek an extension to the transition period, the power grab that is now under way and the rejection of reasonable proposals for extending borrowing and improving the fiscal framework, as necessitated by the pressures of Covid, all illustrate beyond doubt why independence is required, why the work to achieve it needs to be taken forward with vigour and purpose, and why it has increasing support from the people of Scotland.

**Annie Wells:** I am pleased to hear that the cabinet secretary has not instructed work on independence to be revisited. Does he agree that securing people's jobs, protecting public health and restoring our schools should remain the utmost focus for the Scottish Government? Will he commit to continued deprioritisation of Government work on indyref2? Does he agree that independence should not and cannot be the Government's number 1 priority?

**Michael Russell:** The number 1 priority should be ensuring the prosperity, safety and productive future of the people of Scotland. That can lie only in independence; it cannot lie in dependence on the UK, particularly not on the hard-right Government that we are forced to suffer. We are also forced to suffer the internal market proposals, which are designed to undermine Scotland. I am looking to every member in the chamber to stand up for Scotland. So far, it seems that if I look to Annie Wells for that, I will be doing so in vain.

### Fishing Industry (Protection)

**6. Peter Chapman (North East Scotland) (Con):** To ask the Scottish Government whether it supports the United Kingdom Government's position that the UK should be an independent coastal state so that Scotland's fishing industry can be protected. (S5O-04505)

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** Scotland's fishing fleet is a key contributor to the success of our wider seafood industry and coastal communities, and the Scottish Government will always champion their interests. That success, however, has also been built on frictionless trade with the European Union, close partnerships with neighbouring coastal states and access to vital EU labour and funding, all of which are jeopardised by the UK Government's approach. That is why the Scottish Government continues to support a deal with the EU that protects the interests of the whole seafood supply chain in Scotland, not just individual parts of it.

**The Deputy Presiding Officer:** Before I take your supplementary question, Mr Chapman, tedious though it is, I note that the question wording that I have refers to "independent coastline", not "independent coastal state". I thought that I would draw that to your attention.

I now ask you for your supplementary, in which you can, of course, say what you like, as long as it is relevant.

**Peter Chapman:** Thank you, Presiding Officer. I got the wording changed to what I said.

The Scottish National Party's policy is to hand back powers over fishing to the EU and to rejoin the hated common fisheries policy. What will the minister say to north-east fishermen, who have campaigned all their lives to get out of a policy that has decimated their industry, to explain why the Scottish Government's policy is to rejoin it?

**Graeme Dey:** As we know, the Scottish Government's clear priority is for Scotland to become a member state of the European Union. Until such time as we can rejoin the EU, our preference is for negotiations on access and quotas to take place annually under the coastal states framework and in line with international law.

Our policy is to take account of every aspect of the needs of the fishing sector. That is completely at odds with the profoundly disingenuous approach to negotiations that has been taken by the UK Government. It is high time that the UK Government was honest with the fishing industry and the wider seafood supply chain about the implications of its approach. Either it is going to sell out the fishing industry—again—by seeking permanent access and fixed quota shares with no

influence over the common fisheries policy, or it will accept new trade barriers that will devastate the competitiveness of Scottish seafood. To Peter Chapman I say that either would be wrong, wrong, wrong.

**The Deputy Presiding Officer:** There was a point of order, which was not really a point of order, about the fact that back benchers were not being called. If members ask lengthy supplementary questions and ministers give lengthy answers, we cannot get through the questions. My colleague Linda Fabiani is waiting in the wings and will agree with me. We are in your hands a great deal of the time and we are weary of asking for brief supplementary questions and, as far as possible, brief answers. Other members are entitled to ask their questions and we would like to be able to fit them in. Thank you. There will now be a pause while I cool down. *[Laughter.]*

## Tackling Child Poverty Delivery Plan

**The Deputy Presiding Officer (Linda Fabiani):** The next item of business is a statement by Aileen Campbell on the tackling child poverty delivery plan second year progress report. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

15:47

**The Cabinet Secretary for Communities and Local Government (Aileen Campbell):** Tackling child poverty is at the very heart of this Government's ambition, and today I have published the second annual progress report due under the Child Poverty (Scotland) Act 2017.

The report details our progress, in the reporting year 2019-20, on delivering the range of actions that are committed to through "Every child, every chance", our first tackling child poverty delivery plan, and it considers our progress against the challenging targets that were agreed unanimously by the Parliament.

As members will be fully aware, much of this report and the actions that I have described relate to the period before the outbreak of coronavirus and, therefore, before the nationwide lockdown and significant restrictions that were placed on everyone's lives. Those resulted in the delay to this progress report, and, of course, Covid-19 will also have had an impact on poverty levels. I will come back to that issue shortly. Let me provide some details from our comprehensive report first.

The report analyses the latest child poverty statistics, which were published in March and cover the period 2018-19, which was the first year of our delivery plan. The statistics highlight that, once housing costs are taken into account, relative child poverty levels are 7 percentage points lower than the United Kingdom average. However, the fact remains that almost a quarter of children in Scotland were living in poverty in that year, which is absolutely unacceptable.

The figures also show slightly lower child poverty levels across three of the four target measures in the 2017 act, which is welcome, particularly because the independent projections that we published alongside the delivery plan had anticipated sharp increases in rates because of UK Government welfare cuts.

New estimates that were published today highlight that we have increased our investment targeted at children living in low-income households by £144 million to an estimated £672 million in 2019-20. That is part of an estimated

£1.96 billion directed at low-income households through a range of programmes, which represents an increase of £554 million.

Our approach remains to focus on the three key drivers of child poverty reduction, and it has been strongly supported by stakeholders. Let me give a few examples from our progress report of where our action is making a difference to people's lives.

Maximising income through social security is the first of those key drivers, which is why we have increased support from social security across the early years through the best start grant and best start foods. The best start grant and early learning and school age payments were introduced in 2019-20 and offer, through a £250 grant, entirely new support to help families with children to buy the essentials that they need around the time when their child starts nursery or school. More than 75,000 payments were made to families on low incomes through the three elements of the best start grant, backed by an investment of £21 million in 2019-20. By comparison, in 2017-18, the UK Government awarded only 4,300 sure start maternity grant payments with a total value of £2.4 million, which means that, through best start grants, we made 17 times more payments, which were worth almost nine times more.

Increasing family incomes from employment is another key strand of our approach. In February, we launched our new parental employability support fund, which is backed by £12 million from our tackling child poverty fund. The service—which is delivered by local authorities in partnership with the private and third sectors—focuses on providing flexible, person-centred employability support with a particular focus on tackling in-work poverty. It provides wraparound support and advice for parents, helping them to access the essentials, including income maximisation and housing and childcare, and to enter and progress in the labour market and increase their take-home pay.

We have also continued to deliver activity to reduce household costs and support families in other ways, including by delivering a further 9,286 affordable homes, with 6,952 for social rent; supporting 49,000 children through the expansion of early learning and childcare; and consulting on our draft out-of-school care framework, which sets out a bold vision for school-age childcare.

We are proud of what has been delivered to date, and, as the Poverty and Inequality Commission has highlighted,

“all this action will have a positive impact on the lives of children living in poverty”.

That is why we will continue to deliver at the pace and scale required to lift children out of poverty, and we will do that in the light of the impact of

coronavirus. The impacts of the virus on the health and wellbeing of individuals and on our economy have been unprecedented. The Office for National Statistics last week confirmed that the UK has officially entered the largest recession since records began. As financial supports such as the UK job retention scheme are removed and the virus continues to take its toll on our everyday lives, the impacts on individuals and incomes will be even greater.

We also know that the effects of this awful virus have been felt unevenly across the country and particularly keenly by the most disadvantaged people and communities—for example, women and young people. We are committed to tackling that head on, and we have already announced a £100 million package of employment measures including a youth jobs guarantee, which is supported by our new job start payment for eligible young people who have experienced unemployment.

More than ever, the pandemic has highlighted the need to tackle child poverty and to support families in need, so I will turn to the ways in which we will do just that. Building on the holistic support model of our parental employability support fund, I confirm today that we will make a further £2.35 million available this financial year as a boost to the £5 million that is already allocated. That additional investment will focus on supporting local delivery in three key ways. First, £1 million will be invested to improve alignment with early learning and childcare with local parental employability support. Secondly, a further £1 million will be targeted at supporting disabled parents to progress towards employment and to compete for suitable jobs. Thirdly, we will support young parents—who, we know, will be at a particular disadvantage as a result of the pandemic—to get help and support on matters such as housing and income maximisation.

That investment builds on the £100 million of employment measures that have been announced by the Cabinet Secretary for Economy, Fair Work and Culture, and it will provide vital support to parents who may have seen their hours and earnings reduced as a result of Covid. Importantly, it will help young and disabled parents who face additional barriers to the labour market to progress towards employment and access the opportunities that are available.

I will turn next to how we will tackle the digital divide in Scotland, which has been shown in sharp focus during the pandemic, when physical ways of staying in touch and contact have been restricted. Earlier this week, I announced £15 million of new funding to expand our ambitious connecting Scotland programme. Building on the success of the programme that we introduced in May, more

than 30,000 low-income households will now receive support to get connected through access to a device, data, skills training and technical support. Our focus is on low-income families with children and on young care leavers, and we will work closely with our partners in local authorities, the Scottish Council for Voluntary Organisations and the third sector to deliver the support by the end of spring 2021. That is just one way in which we are, in the coming year, increasing our support for families with children.

The Scottish child payment will provide £10 per child per week, and, combined with the best start grant and best start foods, it means that low-income families are eligible to receive over £5,200 of support for their first child by the time the child turns six. That support continues, with up to £4,900 available for each and every subsequent child, with no limit to the number of children supported—that is unparalleled across the UK.

However, the Cabinet Secretary for Social Security and Older People updated the Parliament on 1 April about the major impact that coronavirus would inevitably have on Scotland's social security. She committed to making sure that we prioritised delivery of the benefits that were already in place, which has been done. We have also now delivered the job start payment. In addition, she said that, in recognition of the major role that the Scottish child payment plays in tackling child poverty, the delivery of that important benefit would be prioritised and we would aim to open applications for eligible under-sixes by the end of this year, with the first payments being made in 2021.

That vital support is even more critical now as many families are struggling and facing hardship as a result of the pandemic. Despite the significant pressures of Covid-19, we have worked at pace and focused resources on ensuring that families get extra money in their pockets as soon as is practically possible.

Therefore, I am delighted to announce today that the Scottish child payment will open for applications for under-sixes in November 2020 and that the first payments will be made to eligible families from the end of February 2021. That is only two months later than was originally planned, which is a significant achievement given the unprecedented challenges for social security and other areas of life stemming from Covid-19. Of course, we know that any further lockdowns or a rise in the prevalence of the virus that could reduce staff numbers could put that at risk. We are working in a time of pandemic and, as for other programmes, we need to be aware that it continues to be a major challenge.

The 2019-20 progress report makes clear the range of actions that are under way across the

Government to deliver reductions in child poverty. We have increased our investment for low-income families and we are on track to deliver the infrastructure for lasting change—not least through the new Scottish child payment.

Although the coming year presents challenges in abundance, it also offers opportunities to learn from the response to Covid and to “build forward better”, reducing child poverty at every level across Scotland. As a Government, we remain totally committed to delivering the action that is needed at the pace and scale required. Working together, we will reduce and ultimately eradicate child poverty in Scotland.

**The Deputy Presiding Officer:** The cabinet secretary will now take questions on the issues raised in her statement.

**Annie Wells (Glasgow) (Con):** I thank the cabinet secretary for advance sight of her statement. I welcome a great many of the cabinet secretary's announcements. As she is, I am concerned that about a quarter of children are living in poverty. However, it is encouraging to see the direction of travel in the action that is being taken.

Having said that, I want to ask about early learning and childcare provision, which has been identified as a key pillar of the Scottish Government plan. I will ask in particular about the delay to the flagship policy on provision of 1,140 hours of early learning funding. Ministers have said that the delay is because of the need to divert resources to tackle coronavirus. However, in reality, the Scottish Government was on track to miss the target before the pandemic occurred.

In the report, ministers have confirmed that the promise will not be delivered during this academic year, and will be fulfilled only when they judge that it is reasonable to do so. Will the cabinet secretary provide some certainty for families across Scotland and set out a firm timetable for when the policy will be delivered?

**Aileen Campbell:** I welcome Annie Wells to her new role and I look forward to working with her. However, from the get-go she has something wrong: in March 2020, Audit Scotland confirmed that we were on track to deliver the 1,140 hours expansion, in partnership with local authorities. I urge Annie Wells, as she gets used to her new brief, to engage with the facts of the matter. We will continue to work hard to support families in that respect.

We know and acknowledge how critical early years provision is for families. It enables women and parents to access work and learning opportunities, as well as enabling them to find a balance in order to support their household budgets. That is what I saw today in Penicuik

when I went to visit one of the early years centres there. I heard directly from the mothers whom I met about how important that is, which is why we will continue to work hard.

I know that the Minister for Children and Young People, Maree Todd, and the Deputy First Minister will continue to work hard to make sure that we can get back on track with the expansion of hours. From 15 July, as part of phase 3 of Scotland's route map, early learning and childcare providers were reopened. Many centres have chosen to reopen alongside schools. Already, throughout the pandemic and lockdown, the children of key workers and vulnerable children have been able to access childcare. That includes children who usually access free meals in other childcare settings.

We will continue to work hard, but, at this point in time, it is difficult to pinpoint a date, although the commitment and the funding are there. A number of local authorities and providers are already providing the additional hours. We will work with our local authority partners to make sure that we can continue to deliver for the families who so desperately need that support.

**Pauline McNeill (Glasgow) (Lab):** Child poverty is too high across the world and is a tragedy for every single child. In Scotland, a quarter of our children live in poverty. We can all agree that that is unacceptable. Scottish Labour welcomes a lot of the Scottish Government's work on alleviating poverty, such as the best start plan, the sure start maternity grant and the employability support fund.

Like the Joseph Rowntree Foundation, Shelter and others, we recognise the link between housing costs and poverty, and we believe that a larger intervention is therefore needed. We agree with the Joseph Rowntree Foundation's call for conditionality such that employers must pay the living wage when they are in receipt of Government money.

Scottish Labour has one big question and one simple message for the Government today, which is around the Scottish child payment. We believe that it is the Government's centrepiece anti-poverty policy, and we regard the six-month delay as significant—parents stand to lose £260 between now and February. We therefore call on the Government to open the scheme to applications as soon as possible and to review that decision in the light of the fact that the furlough scheme is coming to an end and, unfortunately, families will fall into poverty.

We recognise the difficulties, but we think that February is too late. All we are asking is that the Government review whether it can bring the child

payment forward, because it is the Government's big policy.

**Aileen Campbell:** Pauline McNeill mentioned a six-month delay, which is not accurate. I said in my statement that the delay has been two months and that we will open applications in November in the drive to ensure that we can get that key policy up and running as quickly as possible, despite the significant pressures that have been faced by the agency as a result of Covid.

The agency has worked phenomenally hard, led by my colleague Shirley-Anne Somerville, to make sure that we can prioritise the Scottish child payment. That is why we are able today to set out the timeframe according to which we will make payments available to families.

It is also important to note that, through the pandemic, we did not leave a gap. We have doubled the Scottish welfare fund, progressed best start foods and best start grants. We have, where we can, enabled families to access resource and help. We will continue to do what we can for families, to the best of our ability. That includes making sure that we get the timetable right for the Scottish child payment, so that we do not leave people waiting too long in a backlog. The timetable has been set out to make sure that families get their applications in and get the payment when they need it.

**The Deputy Presiding Officer:** We move to open questions. If we have succinct questions and answers, please, we will get through them.

**Alison Johnstone (Lothian) (Green):** The cabinet secretary is right to affirm that it is absolutely unacceptable that almost one in four children in Scotland lives in poverty. Those children have never needed our help more.

The cabinet secretary might be aware that some studies have shown that for every £1 that we invest in benefits advice, £25 can be received. However, it is projected that thousands of poor Scots will still miss out on the best start grant and the Scottish child payment, while other payments—for example, child benefit—have much higher uptake. What is the Scottish Government doing to ensure that every poor family is supported to claim the payments to which they are entitled?

**Aileen Campbell:** We have a good record of trying to maximise household budgets by making sure that people can access the support that they deserve, and which they need and are entitled to. That is why the money talk team has, over the past year, been doing what it can to maximise household budgets.

There have been other ways in which we have tried to ensure that people get access to the support that they deserve. We will not just sit back

and hope that people apply. We will send out invitations; we will invite people to ensure that they know that they are entitled to the Scottish child payment, and that they apply, and we will support them in that process. Fundamentally, that is a shift. It is driven by the fact that we want people to access the Scottish child payment, because it is vital to families on low incomes that they access that money. We will invite them in a proactive way to apply, as opposed to just waiting for it to happen. The points that Alison Johnstone made are critical.

**Alex Cole-Hamilton (Edinburgh Western) (LD):** Access to funded childcare can mean the difference between a family making a living and keeping it. As we have heard several times today, the delay in rolling out 1,140 hours of childcare will only perpetuate the cycle of child poverty.

I want to ask the cabinet secretary two questions. First, given that the decision to delay the roll-out of the 1,140 hours was based on the science from March, when was the science behind the delay last reviewed? Secondly, given that universal funded childcare does not work for everybody, will the cabinet secretary revitalise the MacLean commission review of funded childcare and consider some of the flexibility options in that report?

**Aileen Campbell:** I recognise the real interest that Alex Cole-Hamilton has had in the issue for a long time. In fact, we worked on it when he was in his previous role and I was the Minister for Children and Young People. I know that he has a long-standing interest in ensuring that we do the best for our children.

As I said in response to Annie Wells's question, unfortunately and regrettably, the pandemic has meant that the 1,140 hours provision has not happened within the time that everyone hoped for. However, we were on track to deliver that, and we continue to work with local authorities to ensure that all three and four-year-olds and eligible two-year-olds can, from August this year, access their statutory entitlement to 600 hours. We will continue to work hard to ensure that we move to support them to access the 1,140 hours as quickly as possible.

However, that is not the totality of our work. There is the child poverty plan and the work that we have been doing to try to maximise its impact, and to align our parental employment support with access to childcare, in order to ensure that we can deliver flexibility and that we can really make that work for families. That is because, as Alex Cole-Hamilton said, we need to ensure that families get the work and employment opportunities that the policy was designed to enable, while ensuring quality provision for individual children, as well.

I set out in the report some of the areas of activity. There is also continuing work across the Government to ensure that the approach can deliver at pace. However, I will endeavour to look at some of the points on the science that Alex Cole-Hamilton asked about and will get back to him on some of the specifics.

**The Deputy Presiding Officer:** The first two back-bench questions and their answers were overlong. We will never get through the questions unless members have a thought for their colleagues.

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** I would welcome further details of how Covid-19 has impacted on the delivery of the Scottish child payment. In giving those details, will the cabinet secretary comment on whether there is now sufficient capacity and resilience in the delivery team so that the Scottish child payment will be delivered under the revised timetable and vital cash will be delivered should there be another local or—heaven forbid—national lockdown?

**Aileen Campbell:** I outlined in my statement that, although we set out the timetable as we hope it will progress and that we are working hard to progress in that way, sometimes when there is such a pandemic there will inevitably be—although I hope there will not be—spikes in the virus or further decisions that might impact on different policies. However, we will ensure that successful applicants will not lose out financially, even if there were to be a delay to their payments beyond February. Unfortunately, we must recognise that we are operating in a climate of uncertainty, but we are working hard to ensure that we can deliver to that timescale. Again, I give Bob Doris the assurance that we will ensure that any applicants will not lose out financially.

**Jeremy Balfour (Lothian) (Con):** I note that there is a two-month delay before the Scottish child payment comes into play. Will the cabinet secretary use something like the best start grant for that two-month period to increase the amount for two months and help the most vulnerable with that payment?

**Aileen Campbell:** I understand Jeremy Balfour's point and why he asks that question. However, some of these things, in exploration, are technically very difficult and it is not possible to do some of them. I also point to the fact that we have doubled the Scottish welfare fund and that there are ways in which we are trying to support people financially through the progress of this pandemic. We will continue to make sure that people are supported.

**Ruth Maguire (Cunninghame South) (SNP):** Good-quality affordable homes, as well as being

good for health, support valuable local jobs; that is a good example of creating a wellbeing economy. What plans are there to ensure that our affordable housing programme meets those aims and continues to contribute to eradicating child poverty?

**Aileen Campbell:** Ruth Maguire makes an excellent point. We will set out our housing to 2040 strategy later this year precisely because of the point that she makes, which is that housing is about much more than bricks and mortar; it hits a number of my colleagues' portfolio aspirations and those that are set out in the national performance framework.

In the most recent reporting year of 2018-19, relative child poverty after housing costs was 7 percentage points lower in Scotland than the UK average; that is a significant impact delivered by housing. Again, that articulates why it is so important that we continue to progress affordable housing across the country.

**Rhoda Grant (Highlands and Islands) (Lab):** Constituents are telling me that children who are entitled to free school meals are receiving very little to eat for lunch in school due to Covid restrictions. One child had received a quarter sandwich and a little piece of cheese. For many children, a free school meal is the only hot, wholesome meal that they will receive all day. Will the Scottish Government now legislate for a right to food? Will it also ensure that all children now receive an adequate and wholesome school meal?

**Aileen Campbell:** We have taken proactive steps over the past five months to make sure that food insecurity is tackled. From memory, we have, to date, committed over £100 million to that, which included ensuring that young people could access free school meals over the summer months. We did that precisely because of the points that Rhoda Grant raised about ensuring that people can get nutritious meals when they need them, because that might be the only time when they can access food.

I am therefore concerned to hear about those reports from Rhoda Grant and I would be keen to know a bit more, if she were able to engage with us on that. We see school meals as being really important; that is why the Government legislated to give children in primaries 1 to 3 free school meals, why we committed to ensuring that we tackle food insecurity and why we take a rights-based approach. All of that together shows our commitment to ensuring that people do not suffer the challenges of food insecurity. Of course, that comes back to poverty and that is why we need to tackle it in the round.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** What impact has Covid-19 had on plans to tackle child poverty, not only for the Scottish Government but for local authorities and the organisations and the third sector that work in this area?

**Aileen Campbell:** Although some of our previous child poverty plans, which were developed before the pandemic, might have been put on hold, we continue to work to support families impacted by poverty. That is why, for instance, we recognised very early on back in March that the people who were most financially vulnerable would be impacted most; why we committed the £350 million community response to the pandemic; why we have committed to covering the cost of free school meals during the summer holidays; and why we have committed £110 million to tackling food insecurity over the course of the pandemic.

Some of the policies that we developed before the pandemic have been paused, but that has certainly not stopped the effort to support people. Again, what we can learn from that about what has worked will be critical for enhancing our work going forward, making sure that we work collectively with local authorities, the third sector and the communities that have shown remarkable resilience over the past five months.

**Alexander Stewart (Mid Scotland and Fife) (Con):** I welcome the extra funding announced in the statement that will be targeted at supporting disabled parents to progress towards employment and compete for suitable jobs. However, in reality, an employment gap already existed prior to the pandemic, so what assurances can the Government provide to protect those individuals in the job market and how will we measure whether that money closes the disability employment gap?

**Aileen Campbell:** Alexander Stewart raises some critical points. Disabled families are among our priority families, and we know that they disproportionately suffer levels of poverty. That is why we need to target our support in the right way, to ensure that that gap can be closed. We want to provide extra support, wraparound support and key worker support to people who require that extra bit of help to access job opportunities so as to close that gap as best we can.

We have therefore been working closely with Fiona Hyslop on the wider employability package, so that, given the job challenges that will exist, vulnerable people will not be left further behind, which is something that we do not want to see. While we have announced some money today, I will look at the bigger, wider package to ensure that the collective effort goes towards tackling the problems that Alexander Stewart rightly highlights.



**Fulton MacGregor (Coatbridge and Chryston) (SNP):** While the economic impact of Covid-19 is at the forefront of everyone's mind, we must not forget that worsening poverty levels are likely only to be exacerbated by the impending Brexit. What work is being done to model that impact with regard to both inequalities and poverty?

**Aileen Campbell:** Fulton MacGregor is right to point out that, while we have been coping as a country with the impact of the pandemic, further challenges will be ahead on the horizon, not least Brexit.

In January, we published an analysis of the social impacts of Brexit. I highlighted that food and energy price rises after Brexit, especially with no trade deal, were likely to hit the poorest households hardest. We also outlined how that would particularly hit low-paid people in low-skilled sectors, which employ a high number of people on low incomes. We therefore already knew just how negatively impactful Brexit would be—we had done a lot of analysis about it. All those concurrent risks mean that we will have to work even harder to ensure that we can protect people who require even more support. That is why we would make calls to the UK Government to make some changes to a welfare system that exacerbates some of that.

The UK Government has shown through the pandemic that it can be swift and can make changes. Those are welcome, but they are not big enough or wide enough—and they need to continue. We will continue to work with the UK Government on that, and we will push as hard as we can, but Brexit is undoubtedly a huge challenge. We will continue to ensure that we understand that as best we can.

**Mark Griffin (Central Scotland) (Lab):** The Department for Work and Pensions sends data on exactly who qualifies for the Scottish child payment on a weekly basis. In the light of that, why can the payment not be made automatically and straight away?

**Aileen Campbell:** We have set out the timeframe. It was always going to require time to get the arrangements in place and to ensure that we could get to the children and families who are entitled to the payment. We have set out that we are going to be proactive in ensuring that people apply for it. There are lots of technical reasons why some of that is not quite as possible as I think Mark Griffin is suggesting. We are endeavouring to work at pace to ensure that we can get the child payment into families' pockets as quickly as possible, because of the impact that it will have as the "game-changer" that charities described it as when we announced it last year.

There is no reluctance on our part; we want to get it done as quickly as possible. The pandemic has knocked the timescale that we wanted to apply, but we are continuing to work at pace to ensure that families can get the payment into their pockets as quickly as possible.

**Stuart McMillan (Greenock and Inverclyde) (SNP):** With one in four children in my constituency living in poverty, can the cabinet secretary outline what future plans the Scottish Government has for tackling food insecurity, in particular where any measures will actually benefit families?

**Aileen Campbell:** In answering some of the earlier questions I described why food insecurity in Scotland is intolerable. In particular, as we are blessed with natural resources and phenomenal producers, it seems ironic that food insecurity continues. That is rooted in a lack of income that is caused by the three drivers of child poverty.

That is why the Scottish child payment will be critical, as it puts more money back into people's pockets. That is why we advocate the cash-first approach to local authorities, which help and support families with entitlement to free school meals, as that approach gives families the autonomy and agency to tackle the issue on their own terms. That is also why, over the course of the pandemic, we are investing more than £110 million to tackle the food insecurity that is caused by the crisis. We will continue to take the dignified cash-first approach and will work with local authorities, the third sector and communities to tackle food insecurity properly.

Ultimately, it comes back to not having the means to purchase one of the basics of life: food. That is why the child payment is important, but it is also why the UK Government needs to look closely at what it does and how it supports families that do not have the financial means to afford food.

## Parliamentary Bureau Motions

16:20

**The Deputy Presiding Officer (Linda Fabiani):** The next item of business is consideration of Parliamentary Bureau motions S5M-22456, on committee membership, and S5M-22457, on substitution on committees.

### *Motions moved,*

That the Parliament agrees that—

Donald Cameron be appointed to replace Murdo Fraser as a member of the COVID-19 Committee;

Maurice Corry be appointed to replace Adam Tomkins as a member of the COVID-19 Committee;

Dean Lockhart be appointed to replace Gordon Lindhurst as a member of the Culture, Tourism and Europe and External Relations Committee;

Michelle Ballantyne be appointed to replace Gordon Lindhurst as a member of the Delegated Powers and Law Reform Committee;

Maurice Golden be appointed to replace Dean Lockhart as a member of the Economy, Energy and Fair Work Committee;

Gordon Lindhurst be appointed to replace Michelle Ballantyne as a member of the Economy, Energy and Fair Work Committee;

Liz Smith be appointed to replace Annie Wells as a member of the Environment, Climate Change and Land Reform Committee;

Alexander Stewart be appointed to replace Maurice Golden as a member of the Equalities and Human Rights Committee;

Dean Lockhart be appointed to replace Donald Cameron as a member of the Finance and Constitution Committee;

Donald Cameron be appointed to replace Miles Briggs as a member of the Health and Sport Committee;

Adam Tomkins be appointed to replace Margaret Mitchell as a member of the Justice Committee;

Alexander Stewart be appointed to replace Jeremy Balfour as a member of the Local Government and Communities Committee;

Annie Wells be appointed to replace Graham Simpson as a member of the Local Government and Communities Committee;

Graham Simpson be appointed to replace Liam Kerr as a member of the Public Audit and Post-legislative Scrutiny Committee;

Oliver Mundell be appointed to replace Rachael Hamilton as a member of the Rural Economy and Connectivity Committee;

Rachael Hamilton be appointed to replace Graham Simpson as a member of the Social Security Committee; and

John Scott be appointed to replace Alexander Stewart as a member of the Standards, Procedures and Public Appointments Committee.

That the Parliament agrees that—

Dean Lockhart be appointed to replace Maurice Golden as the Scottish Conservative and Unionist Party substitute on the Economy, Energy and Fair Work Committee;

Alison Harris be appointed to replace Liz Smith as the Scottish Conservative and Unionist Party substitute on the Education and Skills Committee;

Annie Wells be appointed to replace Miles Briggs as the Scottish Conservative and Unionist Party substitute on the Equalities and Human Rights Committee;

Miles Briggs be appointed to replace Annie Wells as the Scottish Conservative and Unionist Party substitute on the Health and Sport Committee;

Margaret Mitchell be appointed to replace Maurice Corry as the Scottish Conservative and Unionist Party substitute on the Justice Committee;

Jeremy Balfour be appointed to replace Alexander Stewart as the Scottish Conservative and Unionist Party substitute on the Local Government and Communities Committee;

Graham Simpson be appointed to replace Dean Lockhart as the Scottish Conservative and Unionist Party substitute on the Rural Economy and Connectivity Committee; and

Liz Smith be appointed to replace Liam Kerr as the Scottish Conservative and Unionist Party substitute on the Standards, Procedures and Public Appointments Committee.—[*Graeme Dey*]

## Decision Time

16:20

**The Deputy Presiding Officer (Linda Fabiani):** If no member objects, I propose to ask a single question on the two Parliamentary Bureau motions.

As no member objects, the question is, that motions S5M-22456 and S5M-22457, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, be agreed to.

*Motions agreed to.*

*Meeting closed at 16:21.*

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.

---

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

---

All documents are available on  
the Scottish Parliament website at:

[www.parliament.scot](http://www.parliament.scot)

Information on non-endorsed print suppliers  
is available here:

[www.parliament.scot/documents](http://www.parliament.scot/documents)

For information on the Scottish Parliament contact  
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: [sp.info@parliament.scot](mailto:sp.info@parliament.scot)

---



The Scottish Parliament  
Pàrlamaid na h-Alba