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AITHISG OIFIGEIL

Meeting of the Parliament (Hybrid)

Tuesday 22 June 2021

Session 6



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Pàrlamaid na h-Alba

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Tuesday 22 June 2021

CONTENTS

	Col.
TIME FOR REFLECTION	1
CORONAVIRUS (EXTENSION AND EXPIRY) (SCOTLAND) BILL	3
<i>Motion moved—[George Adam]—and agreed to.</i>	
The Minister for Parliamentary Business (George Adam).....	3
Stephen Kerr (Central Scotland) (Con)	4
Alex Cole-Hamilton (Edinburgh Western) (LD)	4
George Adam	5
BUSINESS MOTION	8
<i>Motion moved—[George Adam]—and agreed to.</i>	
Stephen Kerr (Central Scotland) (Con)	8
The Minister for Parliamentary Business (George Adam).....	8
PRESIDING OFFICER'S STATEMENT	11
TOPICAL QUESTION TIME	13
Covid-19 (Travel Ban)	13
Female Prisoners (Remand)	17
European Union Settlement Scheme	19
COVID-19	22
<i>Statement—[First Minister].</i>	
The First Minister (Nicola Sturgeon).....	22
CURRICULUM FOR EXCELLENCE	46
<i>Statement—[Shirley—Anne Somerville].</i>	
The Cabinet Secretary for Education and Skills (Shirley-Anne Somerville).....	46
CORONAVIRUS (EXTENSION AND EXPIRY) (SCOTLAND) BILL: STAGE 1	58
<i>Motion moved—[John Swinney].</i>	
The Deputy First Minister and Cabinet Secretary for Covid Recovery (John Swinney).....	58
Murdo Fraser (Mid Scotland and Fife) (Con).....	63
Jackie Baillie (Dumbarton) (Lab)	67
Lorna Slater (Lothian) (Green)	71
Alex Cole-Hamilton (Edinburgh Western) (LD)	73
John Mason (Glasgow Shettleston) (SNP).....	75
Annie Wells (Glasgow) (Con)	78
Stuart McMillan (Greenock and Inverclyde) (SNP)	80
Pauline McNeill (Glasgow) (Lab)	83
Gillian Martin (Aberdeenshire East) (SNP).....	85
Stephen Kerr (Central Scotland) (Con)	87
Willie Coffey (Kilmarnock and Irvine Valley) (SNP).....	89
Pam Duncan-Glancy (Glasgow) (Lab).....	91
Siobhian Brown (Ayr) (SNP).....	94
Miles Briggs (Lothian) (Con).....	96
Clare Adamson (Motherwell and Wishaw) (SNP)	98
Patrick Harvie (Glasgow) (Green)	100
Mark Griffin (Central Scotland) (Lab).....	102
Jamie Greene (West Scotland) (Con)	104
John Swinney	107
CORONAVIRUS (EXTENSION AND EXPIRY) (SCOTLAND) BILL: FINANCIAL RESOLUTION	113
<i>Motion moved—[Kate Forbes].</i>	
BUSINESS MOTION	114
<i>Motion moved—[George Adam]—and agreed to.</i>	
DECISION TIME	115
MND SCOTLAND (40TH ANNIVERSARY)	118
Bob Doris (Glasgow Maryhill and Springburn) (SNP)	118
Kenneth Gibson (Cunninghame North) (SNP)	121
Craig Hoy (South Scotland) (Con).....	123
Paul O'Kane (West Scotland) (Lab)	124

Emma Harper (South Scotland) (SNP) 126
Gillian Mackay (Central Scotland) (Green)..... 127
The Minister for Public Health, Women’s Health and Sport (Maree Todd) 129

Scottish Parliament

Tuesday 22 June 2021

[The Presiding Officer opened the meeting at 14:00]

Time for Reflection

The Presiding Officer (Alison Johnstone): Good afternoon. I remind members that social distancing measures are in place in the chamber and across the Holyrood campus. I ask members to take care to observe those measures, including when entering and exiting the chamber. Please use only the aisles and walkways to access your seats and when moving around the chamber.

The first item of business is time for reflection. Our time for reflection leader today is the Rev Dr Jenny Wright, who is the convener of the church in society committee of the Scottish Episcopal Church, and associate priest of Christ Church in Morningside.

The Rev Dr Jenny Wright (Convener, Church in Society Committee, Scottish Episcopal Church and Associate Priest, Christ Church, Morningside): Presiding Officer and members of the Scottish Parliament, I thank you for the opportunity to address you this afternoon.

There is a lot about life at the moment that is wearying. Living with uncertainty is exhausting, and we have had almost 18 months of great uncertainty, coupled with great loss and much grief. There have been ups and downs on the journey, most of them unforeseen.

As we turn from the G7 meeting to the 26th United Nations climate change conference of the parties—COP26—we are confronted with headlines that speak of the doom of our planet. Being faced with the destruction of natural resources, flooding, famine and drought in the middle of a pandemic can make even the strongest among us falter.

The human instinct for survival remains, yet life surely is about not only surviving but flourishing. The Hebrew word for peace is “shalom”. It is used throughout the Old Testament for God’s goodness, and is often spoken about in Christian circles as the ideal of what we long for and hope for. However, its translation as “peace” is somewhat of a misnomer, for shalom is not merely the absence of violence; it is the flourishing of all humanity, indeed of all creation. It is a time of rest—a sabbath of joy and wellbeing.

Perhaps we as individuals, as communities and as nations long for that. In the middle of the chaos and uncertainty that is life, we surely all desire the

security of a sabbath of joy and wellbeing. However, that is not something that we expect to receive, handed to us on a silver platter; it is something that every person is called to participate in. It is a state of being, whereby we recognise our mutual reliance on one another and the realisation that our joy can never be complete while others suffer.

Shalom is a characterisation of community and a rule of life that helps us to live well together. It is a recognition that no one is safe until we are all safe, that there is no planet B and that we are all suffering, grieving, anxious and exhausted. We are invited to find, amid all that, a place where our longing for joy and wellbeing can become a reality. Shalom is the space where we match up our needs and our hopes, our fears and our visions in order to, ultimately, find rest along the way.

Coronavirus (Extension and Expiry) (Scotland) Bill

14:04

The Presiding Officer (Alison Johnstone): The next item of business is consideration of Parliamentary Bureau motion S6M-00447, in the name of John Swinney, on treating the Coronavirus (Extension and Expiry) (Scotland) Bill as an emergency bill. Member who wish to speak against the motion should press their request-to-speak buttons now. I call George Adam, on behalf of the Parliamentary Bureau, to move and speak to the motion.

14:05

The Minister for Parliamentary Business (George Adam): As members will agree, over the past weeks I have tried to be reasonable in my work with colleagues on the bureau, but sometimes reason is one sided. As I have previously explained to members of the bureau, the Coronavirus (Extension and Expiry) (Scotland) Bill was introduced on 18 June, and having a stage a day from 22 to 24 June to maximise the scrutiny time is obviously a change from how previous versions of the bill were scrutinised, when all three stages were done over one day. That means that stage 1 will be today, stage 2 tomorrow and stage 3 on Thursday. To create further flexibility, the bureau agreed to 6.30 pm decision times today, tomorrow and on Thursday 24 June.

I believe that the issues around the passage of the bill are not too difficult for members to understand. If we do not pass the bill before summer recess, there will be significantly less time for citizens and public authorities to respond to the changes before they come into effect in September. Taking into account the time needed for royal assent, if the bill is not introduced and passed by the end of June, we run the very serious risk of the provisions expiring on 30 September and temporary measures that enable public authorities to continue to operate in the pandemic falling away. [*Interruption.*]

The Presiding Officer: Colleagues, we will hear the minister.

George Adam: As I have said countless times, the bill does not introduce any new provisions; it merely removes temporary measures that are no longer necessary or extends the expiry date to March 2022 of measures to ensure that public bodies can continue to operate while public health measures remain in place. Officials have engaged

with stakeholders on the on-going use of the temporary measures throughout the reporting periods and have engaged on an informal basis with stakeholders to consider which temporary measures should be extended and which should expire.

It is clear why we must progress with the bill this week. To leave everything else to chance, as others propose, would not be a prudent way forward.

I move,

That the Parliament agrees that the Coronavirus (Extension and Expiry) (Scotland) Bill be treated as an Emergency Bill.

14:07

Stephen Kerr (Central Scotland) (Con): This bill should not be treated as an emergency bill. "Emergency" implies that there is a sense of urgency and that we need to go against established processes of consultation and parliamentary scrutiny. However, we do not have such a sense of urgency, as the powers granted by the Coronavirus (Scotland) Act 2020 do not run out until 30 September 2021. Instead of steamrolling the bill through Parliament in a few short hours over the next three days, the Government should use the summer recess to consult more widely on the proposed extension to the emergency provisions.

The summer recess should also be used to see how Covid develops. Thanks to the United Kingdom's vaccine procurement and the tireless work of national health service staff and volunteers throughout the UK, more people are developing immunity each day. All the data is telling us that the vaccines are highly effective against all the known variants. In the weeks and months ahead, rates of immunity will continue to increase as the vaccine continues to be rolled out at an accelerated rate.

Hopefully, that will cause the rates of transmission and the numbers of people who require to be hospitalised to decline and, if it does, the situation when we return from recess will be more optimistic. As the powers will run on until at least March 2022, it would be appropriate for the Parliament to debate and vote on an extension of the emergency powers only after the Government has held a proper consultation and we have seen the impact of the continued vaccination roll-out over the summer.

14:09

Alex Cole-Hamilton (Edinburgh Western) (LD): I had not intended to rise in this debate but,

as the minister would not take my intervention, I feel compelled to speak.

This bill once again empowers the executive branch of the Government to an unprecedented level. We are being asked to pass in three days a bill for a landscape of the virus that we will not understand for many weeks. We are being asked to give the Government a set of powers that will come into force towards the end of the year and carry on into next year. In any other circumstance, no other party in Parliament would endorse or support the level of powers that we are talking about. As such, I cannot support the timetabling of the bill as it stands.

14:10

George Adam: As I have said to members, we have tried to be reasonable in lodging the bill. We are still living in extremely difficult times. There is still a pandemic happening in Scotland. Not having those powers in place at this stage would put the situation at risk. The idea of putting our hands in our pockets and waiting to see what will happen during the next couple of months is not a way forward.

We need to go through with the bill in the next three days. There will be opportunities for those who are involved in the process to ensure that we have the bill that we all want.

The Presiding Officer: The question is, that motion S6M-00447, in the name of John Swinney, on the Coronavirus (Extension and Expiry) (Scotland) Bill, be agreed. Are we all agreed?

Members: No.

The Presiding Officer: There will be a division. We will have a short technical suspension.

14:11

Meeting suspended.

14:18

On resuming—

The Presiding Officer: Members should cast their votes now.

The vote is now closed

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)

Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)

Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley)
 (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)
 (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on motion S6M-00447, in the name of John Swinney, on the Coronavirus (Extension and Expiry) (Scotland) Bill, is: For 87, Against 31, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Coronavirus (Extension and Expiry) (Scotland) Bill be treated as an Emergency Bill.

Business Motion

14:21

The Presiding Officer: The next item of business is consideration of business motion S6M-00397, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out the timetable for the Coronavirus (Extension and Expiry) (Scotland) Bill.

Motion moved,

That, subject to the Parliament's agreement that the Coronavirus (Extension and Expiry) (Scotland) Bill be treated as an Emergency Bill, the Parliament agrees to consider the Coronavirus (Extension and Expiry) (Scotland) Bill as follows—

Stage 1 on Tuesday 22 June;

Stage 2 on Wednesday 23 June; and

Stage 3 on Thursday 24 June.—[*George Adam*]

The Presiding Officer: Stephen Kerr would like to speak on the motion.

14:22

Stephen Kerr (Central Scotland) (Con): There is no case for bypassing due process. The laws do not need to be renewed, pushed or steamrollered through the Parliament, because the provisions of the acts do not expire until the very last day of September. There should be proper consultation, and Parliament should have adequate time to scrutinise the bill. The Conservatives oppose the motion.

14:22

The Minister for Parliamentary Business (George Adam): I feel as though I am in "Groundhog Day". I will go through the process again.

The process has been discussed at length in the bureau, where we discussed how we would take the bill forward. For Mr Kerr to say that the bill is being bounced and rushed through is complete and utter nonsense. We are wasting time that we could be using to discuss the matter itself—that is more important to the people of Scotland.

The Presiding Officer: The question is, that motion S6M-00397, in the name of George Adam, on behalf of the Parliamentary Bureau, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)

Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)

Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)

The Presiding Officer: The result of the division on motion S6M-00397, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out the timetable for the Coronavirus (Extension and Expiry) (Scotland) Bill is: For 85, Against 31, Abstentions 0.

Motion agreed to,

That, subject to the Parliament's agreement that the Coronavirus (Extension and Expiry) (Scotland) Bill be treated as an Emergency Bill, the Parliament agrees to consider the Coronavirus (Extension and Expiry) (Scotland) Bill as follows—

Stage 1 on Tuesday 22 June;

Stage 2 on Wednesday 23 June; and

Stage 3 on Thursday 24 June.

Presiding Officer's Statement

14:25

The Presiding Officer (Alison Johnstone): Before we move on to the next item of business, I will make a short statement.

Concerns have been raised regarding the use of a Government-initiated question to announce the addition of Manchester and Salford to the list of areas where common travel restrictions apply. I understand that that mechanism has been used on earlier occasions to make such announcements. However, it is notable that, in this case, the announcement was made by GIQ on Thursday 17 June, which was a sitting day when there might have been an opportunity for members to scrutinise the decision in the chamber.

I therefore ask the Minister for Parliamentary Business to reflect on whether GIQs are an appropriate method to use for such announcements on days when Parliament is sitting. In the meantime, I have selected a topical question on the issue to allow members in the chamber to ask questions on the decision at the earliest opportunity.

Stephen Kerr (Central Scotland) (Con): On a point of order, Presiding Officer.

I welcome the statement that you have just made in relation to the respect that the Parliament is due from the Scottish Government. On Tuesday 8 June, I raised a point of order in which I sought confirmation that it is in order for the First Minister to come to the chamber to make Government statements and that it is not in order for her to ignore Parliament by instead making statements in front of television cameras. At that time, I sought your help in making further representations to the Scottish Government—particularly to the First Minister—to the effect that Government statements should be made first in Parliament, to allow for proper scrutiny and to show respect for our Parliament. I was heartened by the answer that you gave on that occasion, and I am further heartened by the statement that you have made this afternoon.

The reality is that, last Thursday at 11:39—20 minutes before First Minister's question time—Scottish National Party ministers used special powers to ban Scots from going to Manchester and Salford. At 12 noon, the First Minister said nothing to Parliament about the new restrictions. The Deputy First Minister, whose name was on the amendment, sat a few feet away from the First Minister. The next day, at approximately 12:15, the First Minister appeared on television at a staged event to announce the travel ban.

Presiding Officer, will you take this opportunity to underline and make clear to all members of the Parliament, especially Government members, that such acts of discourtesy—bordering on contempt—by the First Minister must stop and that the actions of the Scottish ministers must be properly held up to scrutiny by the Scottish Parliament?

The Presiding Officer: I thank Mr Kerr for his point of order. I have asked the Scottish Government to reflect on the use of GIQs when Parliament is sitting. As I have said, in accordance with guidance on ministerial statements, all significant and substantive announcements should be made to the Parliament, whenever that is possible.

Topical Question Time

14:28

Covid-19 (Travel Ban)

1. **Graham Simpson (Central Scotland) (Con):** To ask the Scottish Government on what basis it has introduced a ban on non-essential travel between Scotland and Manchester and Salford. (S6T-00090)

The Deputy First Minister and Cabinet Secretary for Covid Recovery (John Swinney): The common travel area restrictions were introduced in November 2020. Decisions on which areas are subject to the restrictions are made on the basis of incidence and test positivity rates; other epidemiological factors such as the number of hospitalisations, intensive care admissions and deaths; and the presence of variants of concern.

Restrictions on travel to and from Blackburn with Darwen and Bolton, in north-west England, and Bedford, in the east of England, were introduced on 24 May. We removed the Bedford restrictions, as well as restrictions on travel to and from the Republic of Ireland, on Friday 18 June because we judged that the relative risk of travel to and from those areas had reduced.

Additional restrictions were introduced on travel to and from Manchester and Salford from 21 June, because we judged that the risk had increased. Those additions were all linked to severely elevated case rates associated with the delta variant. All the recent changes were notified to Parliament in a written statement through a Government-initiated question and were announced to the public in the First Minister's media briefing, with an accompanying press notice and guidance being placed on the Scottish Government website.

Graham Simpson: I notice that the cabinet secretary gave no figures whatsoever in his answer, so the public will be quite bemused by it.

The legislation is completely incoherent. It says that a person has to leave Scotland with the "intention" of going to Manchester in order to be in breach of the law. I do not know how anyone could prove that. I could set off from my home in East Kilbride, go down to visit my mother in Carlisle, suddenly decide to pop down to see a mate in Manchester and not be in breach of the law. How can it possibly be enforced? Will we have police at the border asking people where they are going? Of course we will not. The law is unworkable and unenforceable.

The Presiding Officer (Alison Johnstone): Will you ask a question, please?

Graham Simpson: How does the cabinet secretary answer the fair point that infection rates in parts of Greater Manchester, such as Bolton, are lower than those in Dundee? Bolton has a Covid rate of 269 cases per 100,000. How is that consistent or fair?

John Swinney: Bolton was added on 24 May. That was announced to Parliament through a Government-initiated question in exactly the same way that the announcement was made about Manchester and Salford.

I completely accept and respect what the Presiding Officer has said today, and the Government will reflect carefully on the points that she has made. We felt that we were notifying Parliament properly because we had used the mechanism before for the Bolton example. If that mechanism is no longer judged to be appropriate, the Government will of course reflect on that, but we were simply using the same mechanism that we used back in May when we announced the decision on Bolton.

The Government will take away what the Presiding Officer has said, because we respect Parliament. We notified Parliament on Thursday afternoon. If members of the Conservative Party could not be bothered to look at their emails at 2.39 on Thursday afternoon then, as the saying goes, you can take a horse to water, but you cannot make it drink.

When Bolton was added, case rates were at 283 per 100,000 people, which was nearly three times the rate in Glasgow at that moment on 24 May. That was the reason: the variation in elevated case rates. Mr Simpson asked me for more data. Manchester was sitting at 348 cases per 100,000, and Salford at 337. Those figures were in excess of any case rates in Scotland and well above the Scottish average.

We took those decisions to try to minimise the contact that we know enables the spread of the virus. That is what all the restrictions have been about and that was the basis of our decision: to protect people in Scotland from the spread of the virus.

Graham Simpson: If the cabinet secretary thinks that an email shows respect to this Parliament, he is looking at it in completely the wrong way, because it does not.

The fact is that case rates in Manchester were very similar to those in Dundee. He has not addressed that point.

I move on to another point. Because of the First Minister's edict, some people have lost hundreds of pounds, but it is not just individuals who have lost out; the travel sector, which has been hollowed out, is also the loser here. Will the

Scottish Government compensate individuals and businesses who have lost money because of the decision?

John Swinney: The Government answered a Government-initiated question on Thursday. I have already gone through the details. Nobody raised an issue about our using a Government-initiated question to set out the restrictions for Bolton, Bedford and other places on 24 May. If the view now is that that is not an acceptable way, the Government will of course reflect on that and address any issues that Parliament wishes to raise.

Mr Simpson raised the issue of Manchester and Salford again. On the case numbers in that area, 337 was the lowest number, which can be compared with the seven-day incidence rate in Scotland at that time. The case numbers and the epidemiological advice are what drives these decisions.

In relation to the question of any compensation, the Government does not believe that that would be appropriate. Travel to the north-west of England was previously prohibited last year, before the local levels regulations were introduced, and no compensation was offered. We are all responsible for putting in place in our respective parts of the United Kingdom the financial support arrangements for business, which is exactly what the Government will continue to do here in Scotland.

The Presiding Officer: There is a great deal of interest in the subject. I would be grateful for short questions and succinct responses.

Jackie Baillie (Dumbarton) (Lab): The cabinet secretary will be aware that the mayor of Manchester is seeking compensation for those people who had booked holidays in Scotland that have now been cancelled as a result of the Government's decision. The tourism industry has had a really difficult time, and losing bookings will come as a bitter blow, whether it is from Manchester or anywhere else. Will the cabinet secretary commit to putting in place an additional support scheme so that tourism businesses do not have to bear the brunt of decisions about travel bans?

John Swinney: As Jackie Baillie knows, the Government continues to keep business support under review. The First Minister will make a statement in a few moments' time that will set out some further developments in relation to the wider context and the strategic framework for the handling of the coronavirus. Some of the issues that Jackie Baillie raises will be addressed in the First Minister's statement, so I will not pre-empt that.

However, the Government has put in place a range of different supports for tourism businesses, as with many other businesses, to take people through these difficult times. We will continue to ensure that we address any issues that are raised by individual sectors to our greatest ability with the financial scope that we have at our disposal.

Brian Whittle (South Scotland) (Con): Mr Swinney was heard in the media saying that decisions by the Scottish Government are now based on vaccination levels and hospitalisation levels, which is contrary to what Nicola Sturgeon suggested, with the ban on travel to Manchester—*[Inaudible.]*—100,000. Is the Scottish Government following the science? What is it? Or is the Scottish Government now just making it up, as many of us think?

The Presiding Officer: I am not sure to what extent the cabinet secretary was able to understand that question.

John Swinney: All that I would say in answer to Mr Whittle's question is that the Government has set out clearly over many weeks and months the focus that we have had on applying restrictions where it is appropriate, based on the development of the pandemic. Increasingly, in the past few weeks, we have begun to focus, as vaccination rates have increased, on the relative balance between case numbers, levels of hospitalisation, levels of intensive care unit presence and admittance, and the level of cases around the country. As we see the effect of the vaccination programme, that will continue to be the basis on which we make our decisions. That has informed the decision making that the Government has undertaken in this particular case as well.

Douglas Ross (Highlands and Islands) (Con): The Deputy First Minister has used a number of times the example of 24 May, saying that a Government-initiated question was used and no issues were raised then. Does he know and understand that 24 May was a Monday and therefore not a parliamentary sitting day, and that last Thursday was a sitting day, when ministers such as he could have announced it to Parliament and been questioned by MSPs?

John Swinney: All that I would say to Mr Ross is that I hear what he has said. The Presiding Officer has made her remarks. We will, of course, reflect very carefully on the points that she has raised. Government-initiated questions are frequently lodged on sitting days on many issues in relation to Covid.

We will reflect on what the Presiding Officer has said in order to make sure that we properly advise Parliament of changes. However, I say to Mr Ross again that Government-initiated questions are an acceptable means—accepted by the Presiding

Officer—of the Government notifying Parliament of particular developments. We have followed that route, but we will of course reflect on the points that the Presiding Officer has raised this afternoon.

Female Prisoners (Remand)

2. Pauline McNeill (Glasgow) (Lab): To ask the Scottish Government what action it is taking to reduce the number of female prisoners on remand, following reports that one in four women in custody are awaiting trial. (S6T-00101)

The Minister for Community Safety (Ash Denham): Decisions on bail, remand and sentence in individual cases are, of course, a matter for the independent courts, based on the circumstances that are before them. Nevertheless, the Scottish Government has made it clear that we believe that the number on remand in our prisons, especially the number of women, is too high. I recognise that an ambition to reduce the use of remand is shared by other parties, and I welcome their support and ideas.

The single biggest factor in the increase in the proportion of prisoners held on remand is the backlog of cases created by the pandemic. We are committed to helping the justice services recover. That includes providing an additional £50 million in this financial year, so that cases involving all accused persons, including those on remand, can be progressed and justice can be carried out in each case.

A number of actions are under way to help reduce the use of remand, and, at the end of last year, the Government introduced regulations to Parliament as the first step in introducing electronically monitored bail. Once all our partners have confirmed that they are operationally ready, the measure will provide the judiciary with another tool to utilise when considering bail and remand.

We also plan to explore how the overarching legal framework in which decisions about remand are made could be adjusted. In line with the findings of the report of the commission on women offenders by the former Lord Advocate, Dame Elish Angiolini, we recognise the disruption that periods of remand cause individuals, their families and their communities. That is why we are continuing to strengthen the provision of credible alternatives—

The Presiding Officer: Thank you.

Ash Denham: —to remand, supported by an investment of £550,000 in bail supervision each year. That is in addition to the £107 million that is invested in community justice services annually, which includes a ring-fenced allocation of £1.5 million for bail support for women.

Finally, as part of my new remit, I welcome the opportunity to work across parties and with key stakeholders and others representing women in the justice system to identify further actions that can help ensure that remand is used only when necessary to protect public safety and where no appropriate alternative is available.

The Presiding Officer: We will require shorter responses, as we have a great deal of business to get through this afternoon.

Pauline McNeill: I thank the minister for that lengthy response. Time spent in prison can have a catastrophic effect on women's lives, causing them to lose their home, custody of their children and their job. Amnesty International reminds us that the detention of individuals who are awaiting trial is a matter of special concern because they have yet to be found guilty of any offence and are therefore innocent in the eyes of the law. However, worryingly, Scottish prisons have a greater proportion of women on remand than prisons in the rest of the United Kingdom. Of those women on remand, three quarters will not get a custodial sentence. I hope that the minister agrees that something is not right.

The minister mentioned that the Government is about to adopt the Angiolini report, but the issue was known about nine years ago and there was a proposition that the provision of bail supervision should be consistently available across Scotland. Why has it taken nine years to bring that forward?

Ash Denham: Our work on issues across this area has been on-going. I say to the member, and to others in the chamber, that we absolutely recognise how destructive periods of remand are to individuals, families and communities. Remand should be used only when it is absolutely necessary to protect public safety and where no appropriate alternative exists.

I am determined to make progress, but I hope that the member will accept that we have made some progress on the issue and on the wider piece for women and justice. For instance, I point to our work on the presumption against short sentences, on the new women's prison estate and on electronically monitored bail, and our investment in community justice. All those things are part of a picture, or a step forward. I will consider what more we can do, and I invite the member to work with me on that.

The member requested an update on bail supervision. We have invested in bail supervision services, which is an important alternative to remand. Obviously, those services are run by local authority justice social work services. Since April 2019, additional funding of £550,000 has been provided to increase capacity for bail supervision. The latest statistics show encouraging evidence of

the impact, with the highest level of use of bail supervision in seven years. In 2019-20, a total of 470 bail supervision cases were commenced, which was a 40 per cent increase on 2018-19.

Pauline McNeill: It is difficult at topical questions if members ask about something and get answers about a whole policy that they did not ask about. I am asking about remand. At the end of April, close to one in four prisoners in Scotland were on remand, and nearly 42.6 per cent of young people aged between 16 and 20 who were in prison were on remand. Of people held on remand, 57 per cent do not go on to receive a prison sentence—either they are found not guilty or they receive a community sentence. I am not confident that the Scottish Government really accepts the importance of the issue and the human rights considerations.

What is the Scottish Government's approach to the issue in terms of human rights? In January last year, the Scottish Government commissioned research into the reasons behind decisions on bail and remand, with the aim of trying to reduce the number of people on remand, but that research was put on hold. I acknowledge that that was due to the pandemic, but when will that research be recommenced?

Ash Denham: There were a number of points in that question. I am not sure that I will be able to cover them all in my reply, but I will follow up with the member if I miss any out.

We absolutely take the issue seriously, but I remind the member that decisions on bail are made by the independent courts, taking account of all the circumstances of the case and according to the statutory framework, which explicitly sets out provisions on public safety and substantial risks of a person committing further offences. In Scots law, there is generally a presumption in favour of bail, and that is a requirement of the European convention on human rights.

I was setting out for the member the wider pieces of work that we have to do to invest in alternatives to remand. We are taking forward work on electronically monitored bail, which will be implemented shortly. We are also investing in bail supervision, with money specifically ring fenced to support women in that, and there is the additional funding that we have put into community justice.

European Union Settlement Scheme

3. Emma Roddick (Highlands and Islands) (SNP): To ask the Scottish Government what discussions it has had with the Home Office regarding the reported backlog in processing applications for the European Union settlement scheme. (S6T-00104)

The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson): It is unacceptable that, with eight days to go to the EU settlement scheme deadline, there is now a backlog of more than 300,000 unresolved cases. The Scottish Government has consistently been clear that the deadline should be extended. On 16 June, the Minister for Culture, Europe and International Development wrote to Lord Frost requesting a discussion on the issue at EU exit committee meetings. We have yet to receive a response. I also requested an extension when I met the United Kingdom Minister for Immigration Compliance and Justice. We will continue to do everything that we can to support EU citizens, including seeking an extension.

Emma Roddick: The settled status deadline poses huge risks to EU nationals, who have contributed so much to our society. It would simply be unacceptable for people to lose their rights overnight. It is of course wrong that EU nationals who live here are being forced by the UK Government to apply to stay in Scotland but, given that they have to do so, what steps is the Scottish Government taking to encourage all EU nationals to apply before the deadline?

Angus Robertson: I completely agree that the upcoming deadline poses significant unfair risks to EU nationals. We have continually requested at the very least an extension to the EUSS deadline. Let me be clear that any refusal to extend that deadline is a choice by the UK Government.

The Scottish Government is supporting EU citizens through our stay in Scotland campaign, through which we have spent more than £1 million on helping people to apply to the EUSS scheme, including through media campaigns across radio, digital and social media platforms, and toolkits that provide information and signposting to be made available to EU citizens. The funding has also been used to offer advice and support through Citizens Advice Scotland, the Citizens Rights Project and JustRight Scotland guidance on the rights of EU citizens.

Emma Roddick: Many key sectors in Scotland—in particular, here in the Highlands—such as hospitality and farming, are already struggling to recruit employees as a result of Brexit. There could not be a worse time to risk compounding that problem if people lose their right to work as a result of the UK Government's deadline. Is the cabinet secretary concerned that this reckless Tory policy could risk damaging Scotland's recovery from the pandemic?

Angus Robertson: Yes, I am very concerned that the policy will harm key sectors across Scotland. It is my view and that of the Scottish Government that EU citizens who live in the UK should not need to apply to retain the rights that

they have had to live, work and study in Scotland. The EU settlement scheme should be replaced with a declarative scheme that automatically allows EU citizens to retain their rights. At the very least, the UK Government should extend the deadline for applying to the EU settlement scheme.

The Presiding Officer: That concludes topical question time. I regret that I have been unable to take more supplementaries.

As we progress through this afternoon's business, I ask colleagues to remain courteous to other members at all times and to keep questions and responses succinct.

Covid-19

The Presiding Officer (Alison Johnstone):

The next item of business is a Covid-19 update by Nicola Sturgeon. The First Minister will take questions at the end of her statement, so there should be no interventions or interruptions.

14:51

The First Minister (Nicola Sturgeon): Today's statement contains several important updates. First, as I indicated last week, I can confirm that no part of the country will change Covid level next week. Apart from some minor amendments that I will cover later, from Monday, restrictions in all parts of the country will be unchanged. I will also provide an update on vaccination milestones and set out indicative dates for the further lifting of restrictions as we hope to move into and beyond level 0 and back to normality.

I turn first to today's statistics, which demonstrate why, at this stage, caution is still required. Yesterday, 2,167 positive cases were reported, which represents a positivity rate of 9.1 per cent. The total number of confirmed cases is now 257,742; 171 people are currently in hospital, which is 12 more than yesterday; and 18 people are receiving intensive care, which is three more than yesterday. Sadly, four deaths were reported yesterday, and the total number of deaths under the daily definition is now 7,696. Again, I send my condolences to those who have lost a loved one.

On vaccination, I can report that, as at 7.30 this morning, 3,664,571 people have received a first dose, which is an increase of 17,134 since yesterday. In addition, 15,783 people received a second dose yesterday, so the total number of second doses that have now been administered is 2,602,753.

The news on vaccination continues to be extremely positive, but that must be balanced against the continued rise in cases. The number of new cases recorded over the past week increased by almost 40 per cent on the week before. That total is seven times higher than it was in early May, and it is higher than it has been at any point since late January.

That reflects the fact that the faster-transmitting delta variant is now dominant. Obviously, we cannot be complacent about that. However, we have evidence that the link between new cases and serious health harm is weakening. The number of people who are being admitted to hospital with Covid has fallen from around 10 per cent of reported positive cases at the start of the year to around 5 per cent now and, on average, Covid patients are spending less time in hospital, although we should remember that even if they do

not need hospital treatment, some people will suffer significant health harms, including long Covid.

However, overall, the evidence that vaccination is helping to protect people from serious health harms is allowing us to change how we respond to the virus. Today's total of new positive tests is the largest that we have seen since the peak in January. The numbers still shock. The virus is still with us, but the vaccines are protecting more of us.

I will never regard any single death from this virus as other than a human tragedy, and as cases rise, we can expect to see more deaths in the coming weeks. Back in January, however, we were seeing daily figures of more than 50 people dying. I expect, and profoundly hope, that the link between cases, hospital admissions and deaths will continue to weaken as more and more of us are fully vaccinated.

In making decisions about when we lift restrictions further, progress with vaccination is a significant factor, so I will now set out the milestones that we will reach in the coming weeks—assuming, of course, that supplies are as expected. By this Sunday, we will have vaccinated with two doses everyone in the Joint Committee on Vaccination and Immunisation's top nine priority groups. Of course, some people might not be able to attend an appointment this week and so will get their second dose a bit later; further, some people—very few, I hope—might not attend their scheduled appointment. Those caveats apply to the other vaccination milestones that I am about to set out.

Essentially, by the end of this week, we will have completed vaccination for priority groups 1 to 9. Those groups include everyone over the age of 50 and all unpaid carers and people with underlying health conditions, and they account for well over half the adult population. It is also estimated that, prior to the vaccination programme, those groups accounted for 99 per cent of all Covid deaths, so the fact that virtually all of them will be fully vaccinated by the end of this week is hugely significant.

The next milestone will be 18 July. By then, all adults will have had the first dose of vaccine, which is significantly ahead of schedule. By 26 July, we expect to have given second doses to all 40 to 49-year-olds, and by 20 August, all 30 to 39-year-olds will have had a second dose. Finally, we expect to have completed second doses for all adults by 12 September. We are also planning for possible future vaccination programmes. Depending on the advice that we get from the JCVI, those programmes could include booster jags this autumn and the potential vaccination of 12 to 17-year-olds.

Vaccination offers us the route out of this pandemic. We know that getting both doses provides good protection, including against the delta variant, so the milestones are important and inform the decisions that I will set out today.

We are publishing two substantive new papers today that underpin those decisions, too, and provide more context for them.

The first is our revised strategic framework for tackling Covid. Central to the framework is an updated strategic aim for our pandemic response. Up until now, the Scottish Government's strategic intention has been to

“suppress the virus to the lowest possible level and keep it there”.

From now, our aim will be to

“suppress the virus to a level consistent with alleviating its harms while we recover and rebuild for a better future”.

That change reflects the fact that vaccination is reducing—significantly, we hope—the harm that the virus causes. Vaccination means that it is now possible, and perhaps necessary, to shift our strategic aim and reduce the wider health, social and economic harms that strict lockdown measures cause.

The second paper that we are publishing today is our review of physical distancing. Physical distancing has been an important mitigation against the virus but it is also burdensome for individuals and costly for businesses. Therefore, as vaccinations bear more of the load of controlling the virus, we need to consider when and to what extent we can reduce the legal requirement for physical distancing. Ultimately, we hope to remove the legal requirement for it, even though we might continue, for a period, to advise people to think about safe distancing when interacting with people outside their close contact groups.

I turn to the changes that we hope to make in the weeks ahead. At the moment, the high number of new Covid cases that are being recorded is a significant consideration. To use the race analogy that many have used previously, we must not allow the virus to get too far ahead of the vaccines. Therefore, as we indicated last week, we intend to maintain the current restrictions that are applicable in each part of Scotland for the next three weeks.

Within those levels, though, we will make some minor but important changes to the rules on weddings and funerals, which will take effect from Monday 28 June. For example, suppliers of wedding services and other people who are employed by a couple who are getting married will no longer count towards the cap on numbers; those who accompany a wedding couple down the

aisle will no longer need to wear face coverings; and live entertainment at receptions will be possible, although people will still need to be seated at tables.

We will also change the guidance for funerals so that people from more than one household can help carry a coffin and take a cord when lowering it.

We expect those changes to have a relatively minor impact on transmission—they are relatively minor changes—but I hope that they will make some difference to the people organising and attending weddings and funerals, ahead of the more substantive changes that we hope to see at level 0 next month. With the exception of those changes, our assumption, based on recent case numbers, is that current levels will remain in force until 19 July, although we continue to keep that under review.

Let me turn now to when we hope to lift remaining restrictions. I want to be clear that what I am about to set out represents our best judgment at this stage of what is likely to strike a sensible balance. It is intended to give as much clarity as possible. However, it is contingent on meeting our vaccination milestones and, of course, the revised strategic aim of alleviating the harms of the virus.

If the data in the coming weeks suggests that we can go faster, we will do so. Conversely, if the data says that we need to slow down, we will do that, too, although I very much hope that that will not be necessary. The next scheduled review point will be 19 July, but we will confirm the position a week in advance, as usual. By 19 July, three weeks will have elapsed since the completion of the vaccination programme for over-50s, which means that the vaccine will be giving everyone in that age group a significant level of protection.

Therefore, assuming that we are meeting the revised strategic aim, we hope that all parts of Scotland that are not currently in that level can move to level 0 on 19 July. That means, for example, that the limits for household gatherings indoors will increase from that date and that up to 200 people will be able to attend weddings and funerals. We also hope—assuming that the data supports this—that the general indoor physical distancing requirement can be reduced from 2m to 1m from that date and we also hope to lift altogether the outdoor requirement to physically distance.

In addition, in recognition of the reduced risk of outdoor transmission and the desire, therefore, to encourage people to stay outdoors as much as possible, especially over the summer, we hope that limits on informal outdoor social gatherings—in private gardens, for example—will be removed

at that stage and that, rather than retaining the current rules for level 0, which state that up to 15 people from 15 households can meet outdoors, informal social gatherings of any size will be allowed. We will, however, keep in place temporarily the rules and processes that are currently applicable at level 0 for organised outdoor events, given that those can attract much larger crowds.

If we can, as hoped, move to level 0 on 19 July, that will be a significant step back to normality, but we have always been clear that level 0 cannot be an end point. Some of the restrictions that it entails are still significant—for example, the household limit for indoor gatherings—so we want to move beyond level 0 as quickly as it is prudent to do so.

The updated strategic framework sets out what that means. In short, while we are still likely to need some baseline measures, it means the lifting of the remaining major legal restrictions. In reaching a view on when that can be done, we have considered the harm to health and the strain on the national health service that could be caused if Covid cases continue to rise. I must stress to Parliament that, even with a reduced ratio of cases to hospitalisation, case numbers at the level that is being recorded just now could still put significant pressure on the NHS. We must be mindful of that.

However, we have also considered the wider harms that restrictions cause and how reasonable and proportionate it is to require people to comply with those legal restrictions as we meet vaccine milestones and if evidence continues to show, as we hope that it will, that vaccination is protecting more and more people from serious health impacts. I mentioned earlier that we expect to have completed second doses for all over-40s by 26 July. We know that the protective effect of the second dose takes a bit of time to build up, but within two weeks, by 9 August, we would expect the vast majority of over-40s to have a significant level of protection.

We need to remember that vaccination does not provide 100 per cent protection and that it will not be until later in September that all adults will have the protection of full vaccination. However, our assessment, on balance and assuming that we meet the necessary conditions on vaccination and harm reduction, is that it would be possible and proportionate to lift the major remaining legal restrictions on 9 August. Nearer the time we will consider and make a final assessment of whether, as we hope, that could include the lifting of the legal requirement to physically distance indoors, as well as outdoors.

The move beyond level 0 will be a major milestone and it will signal a return to almost complete normality in our day-to-day lives. Of

course, although that is a longed-for moment, it is important to recognise that we still have a difficult path to navigate over the next few weeks to meet those milestones and that, even assuming that we do so—we hope that we will—the pandemic will not be completely over at that stage. As our strategic framework update paper sets out, basic mitigations will still be required as we move through summer and into the autumn, when we face the risk of a further resurgence in cases. Measures such as rigorous and regular hand washing, cleaning surfaces and good ventilation will continue to be vital.

Even if we lift the legal requirement, as we hope to do, we may still advise keeping a careful distance from people outside our close contact groups, especially if they are not fully vaccinated. At least for a period, we are also likely to require the continued wearing of face coverings in certain settings—for example, shops and public transport. Test and protect will remain a vital part of our approach. Regular testing will still be advised for a period at least and, while we are considering the impact of vaccination on self-isolation, isolation will continue to be necessary in certain circumstances, especially for those who test positive.

There will also be a need to manage outbreaks as and when they arise. The levels system will still be available to help us to do that if necessary. We all hope that we will not see a further variant against which our vaccines are less effective, but we need to retain the ability to respond if that happens with updated vaccines and, if necessary, other measures.

We will not advise an immediate return to full office working on 9 August. Instead, we will continue to work with business to agree an appropriate phasing of that, beginning when we enter level 0 on 19 July, we hope. However, I think that many would agree that, as a general principle, home working should be more possible post-Covid than it was before. Therefore, although we recognise that a return to the workplace will be right for many, we will encourage continued support for home working where that is possible and appropriate. That will not just assist with control of the virus; it will help to promote wellbeing more generally.

We will continue to keep the need for travel restrictions under review, but it is likely that some targeted restrictions will be needed after 9 August, as new variants continue to pose the biggest threat to our progress.

We will work over the summer to plan for the return of schools, colleges and universities. For the moment, I want to say a heartfelt thank you to everyone in education. Most schools and many early learning and childcare settings are about to break for the summer holidays. Colleges and

universities are also nearing the end of term. For everyone working in education, this year will have been the toughest and most distressing of their professional career. I am grateful for everything that they have done to keep nurseries and childcare facilities, schools, colleges and universities going in such difficult circumstances. We will work to do everything possible to minimise any further Covid disruption in the next academic term.

We must remember that it is a global pandemic. It will not be completely over here until it is over across the world and, unfortunately, the world is still some way from that. However, in Scotland, although transmission is causing concern at the moment, vaccination is giving us much of the protection that only harsh restrictions have been able to give us so far. That means that we can now plan to move much more firmly and with much greater confidence from the need to control the virus through tough restrictions to being able to live much more freely. That is good news. We must still be careful but, from 19 July and then more substantially from 9 August, assuming that we are meeting our revised strategic aim of alleviating the harm of the virus, life should feel much less restricted for all of us. A very significant degree of normality will be restored for individuals and businesses.

As I said earlier, the dates are indicative, but they allow us to plan ahead with more clarity. As always, we all have a part to play in keeping us on track. I will end with a reminder of the key asks of everyone across the country.

The first key ask is vaccination. Please get vaccinated when invited to do so, and please attend for both doses. If you need to rearrange or if you think that you should have had an invitation by now, please go to the vaccinations section of the NHS Inform website. If you had your first dose of the vaccine eight weeks or more ago, check on the website to see whether you can bring forward your second dose.

Secondly, please test yourself regularly. Free lateral flow tests are available through NHS Inform. They can be ordered through the post or collected from local and regional test sites, and also now, of course, from community pharmacies. If you test positive, please self-isolate and get the result confirmed through a polymerase chain reaction test.

Finally, please continue to stick to the rules where you live and follow all the public health advice. That is still really important. The virus is still out there and spreading, so please continue to follow advice on physical distancing, hand washing and face coverings.

Try to meet others outdoors as much as possible. No environment is entirely risk free, but being outdoors is much less risky than being indoors. If you meet indoors, please stick to the limits for now and make sure that the room is well ventilated.

That applies when watching the football, too. We all know that tonight's game is absolutely massive. On behalf of all of us, I am sure, I wish Steve Clarke and the Scotland team well. We will all cheer Scotland on this evening, but please do it safely and within the rules.

When I confirmed to Parliament that tough restrictions were being reimposed six months ago, it was the day after the winter solstice—the shortest day of the year. That was one of the darkest moments in the pandemic. For the past 15 months, we have endured restrictions that would have been considered impossible just two years ago. The pain that has been suffered and the people who have been lost along the way must never and will never be forgotten.

In a global pandemic, we cannot be certain that there will not be difficult moments to come, but I hope and believe that today's statement—made a day after the summer solstice—marks a positive turning point. We live in more hopeful times. We can now see a route to lifting restrictions and to enjoying again the simple but precious pleasures that we have all missed so much.

I do not pretend that the path ahead is obstacle free, but it is clearer now than at any point so far. Thanks to vaccines, normal life is much closer and is within sight. Let us all stick with it and do whatever is required to get us there.

The Presiding Officer: The First Minister will now take questions on the issues that her statement raised. I intend to allow about 40 minutes for that.

Douglas Ross (Highlands and Islands) (Con): I, too, express my sympathies and condolences to everyone who has lost a loved one in the past 24 hours and throughout the time that we have dealt with this awful virus.

The penultimate sentence of the First Minister's statement started, "Thanks to vaccines". I am pleased that she acknowledged that there is more evidence that the success of the Scottish and United Kingdom vaccination scheme is significantly reducing hospitalisations. We all welcome that.

We also welcome the fact that we will finally have changes to wedding and funeral guidance, although it is disappointing that that has come late, after many occasions have been affected. After the statements in the past two weeks, I stood in the chamber and asked the First Minister to

consider making immediate changes to the numbers who could attend funerals and weddings, but neither MSPs nor the businesses in the sectors that made such requests got a response.

The changes are welcome, but the First Minister called them minor, which they are not—they are major changes for the couples who asked for them and the businesses that sought them. For too many, the changes will come too late and will not be in time for ceremonies.

It is welcome to have more of an indication of when we will be free from restrictions; I will come on to that in a moment. In speaking of welcomes, I echo the First Minister and say that I hope that we will all welcome a solid Scotland win tonight. I wish Steve Clarke and the team all the best for kick-off at 8 o'clock.

I will ask the First Minister about the basic mitigations that will remain in place after 9 August. Will those mitigations include social distancing, particularly in hospitality venues? *[Interruption.]* The First Minister asks whether I listened to what she said. I listened carefully; she made clear what will happen when we move to level 0 and what she hopes will happen when we come out of restrictions on 9 August, but the statement made it clear that basic mitigations will remain in place.

It would be useful to have clarity on three points. Under the basic mitigations, will social distancing remain in place in hospitality venues? Will limits continue on indoor social gatherings? After 9 August, will the mitigations include wearing masks in offices and schools?

The First Minister: I will try to address those points as briefly as possible.

The evidence is strong and increasing that vaccination is reducing the harm of the virus, in terms of reducing the number of people who are going to hospital and the length of time that they are in hospital. That is partly reflective of the fact that, as vaccination pushes down the impact of the virus, the age range of people who go into hospital will be younger than was the case earlier in the pandemic.

That is really good news, but I want to reiterate a point that I made in my statement, because it is important that the Parliament is aware of this. Back at the start of the pandemic, we dedicated almost the entirety of the health service capacity, apart from that of urgent healthcare, to potentially dealing with Covid cases. We are not able to do that again, because we are trying to catch up on a backlog and to ensure that people get non-Covid treatment. Our margins in terms of what will and will not put pressure on the NHS are narrower than they were before, which means that even if the ratio of hospitalisation is falling—we think that it has probably halved or perhaps reduced even

more than that—the going to hospital of 5 per cent of a big number of cases is still going to put significant pressure on our health service. The link is weakening, which is good news, but it does not mean that we can be completely complacent about case numbers. That is why continued caution is required over the next three weeks.

On weddings, I hope that I was not misunderstood—if I was, I apologise. I was not trying to suggest that the changes were not important. When I called them minor, I meant relative to the changes that I think that people really want to see for weddings, which is a significant increase to the current cap on numbers. If, as I hope, we go to level 0 on 19 July, that number will be increased to 200. What I am announcing today will slightly ease up the numbers, because certain people will not be included in the cap, but I am not announcing an immediate increase in the cap. If I had described it as a major change, people would have suggested, more justifiably, that I was overstating it. It is an important change, but the major change will come when the cap increases on—I hope—19 July. Over the past two weeks, as Douglas Ross has been asking me these questions, case numbers have been rising, which I am sure that he concedes, so there is a need to continue to balance these things carefully.

On basic mitigations, what I set out in my statement and what we hope will be the case—remember that this is all caveated, because we must assess the data nearer the time—is that as we go to level 0 on, I hope, 19 July, the legal indoor physical distancing requirement will reduce from 2m to 1m. In hospitality, it is already 1m. We hope to remove the legal outdoor physical distancing requirement at that point. If we go beyond level 0 on 9 August, we hope that the legal requirement to physically distance will be removed indoors as well as outdoors, although we will have to assess the data.

If all goes according to plan, there will be no legal requirement for physical distancing when we go beyond level 0. Our advice to people might still be that, if they are with someone who is not fully vaccinated or who is more vulnerable, or if they are in a place where the ventilation is not particularly good, it would make sense to continue to pay attention to safe distancing with people who are not in their close contact group. However, that would be advice and not law or regulation. Further, although no final decision has been taken on this yet, it may be that, in some settings, which might include schools, for example, we ask people to continue to wear face coverings for a period longer.

Those are the kind of basic mitigations that we might require once we lift the major legal

restrictions that are currently in place. However, when compared with what we have lived with over the past 15 months, many of us will think that basic mitigations such as washing our hands regularly, ventilating a room and cleaning surfaces are, although not insignificant, a relatively small price to pay to keep the virus under control.

Anas Sarwar (Glasgow) (Lab): I send my condolences to all those who have lost a loved one in recent days or at any time throughout the pandemic. I share the concern about the increase in the positivity rate and the continued spread of the virus across Scotland. We all hope that we continue to make progress so that we can return to a version of normal by 9 August.

To maintain wider health and wellbeing, we must make sure that the last lockdown really was the last lockdown, and to maintain public trust and confidence through the pandemic, we have to make sure that we maintain effective communication and consistent decision making. I am sorry to say that that has frayed in recent weeks.

I welcome what the Government has said about setting a clear timetable in relation to the vaccine, but can we get a commitment that, if supplies allow, we will ramp that up much faster? Can we replicate what has happened in London, for example, where there are walk-in vaccination centres for those who are not registered with a general practitioner? That would ensure that we spread the vaccine as much as possible.

Are there still hotspots where we are targeting resources? If so, we are still waiting for the publication of those hotspot protocols. Can we get a recognition that there is frustration, particularly among lots of business sectors, about a lack of communication and working together with the Government? Can we have much clearer financial support protocols and much clearer communication with those sectors, to recognise the specific challenges that they face, so that we can give confidence to the public, employees and employers and come through the crisis together?

The First Minister: Intensive work continues on all those things. Local public health teams will continue to take action in relation to hotspot initiatives as appropriate—for example, at the moment we are doing a much higher rate of polymerase chain reaction testing than other parts of the UK. That partly reflects some of the surge testing that is being done in local areas; it is for local public health teams to decide what is appropriate while following the protocols that are in place.

We are vaccinating as fast as supplies allow. Yes, if supplies allow it, we will accelerate that further, but there is one important caveat to that

that has to be understood, particularly as we go on to second doses, which is that there is a recommended eight-week gap between the first and second dose. Clinically, we cannot accelerate that, which will to some extent limit the pace that we are able to go at with second doses. That is clinical advice that it would be not be appropriate for us to change, but we will use supplies as quickly as possible within the clinical advice that is available to us.

Health boards are using drop-in clinics where they think that that is appropriate; obviously that is more important, and is being used in other places, for younger people. All four UK nations are much of a muchness in terms of vaccination uptake, but we are clearly ahead of England and Northern Ireland on first-dose vaccinations, which suggests that we are doing all the things that everybody else is doing and getting through the population quickly.

We will work with health boards to make sure that they have the support that they need. The finance secretary will continue to work with businesses to make sure that the financial support that is available is understood and, more important, that it is accessed by businesses as we continue the journey back to, I hope, significant normality.

Patrick Harvie (Glasgow) (Green): I join others in once again expressing my condolences to those who have lost a loved one and those whose health and wellbeing has been seriously harmed for the long term by the virus. I also share the sense of hope that we might, finally, after such a long and difficult period, be coming to the end of the restrictions.

I want to ask about the change of strategic approach from the Scottish Government—in particular, about the fact that the strategic intention to suppress the virus to the lowest possible level is no longer the Government's position. Does that imply that the Scottish Government is open to what Matt Hancock proposes, which is ending the requirement of international travel quarantine for vaccinated people and replacing self-isolation with lateral flow testing, which has been criticised by public health experts? Or does the First Minister share my concern that, wherever in the world more dangerous variants emerged, that approach would almost guarantee that those variants would be imported and spread?

The First Minister: The latter does not automatically follow from the former. The change in the strategic intent recognises the way in which, and the extent to which, vaccination is changing the reality of the impact of the virus. When there was no vaccine, it was essential, in my view, to suppress cases of the virus to the lowest possible level because there was no other way of reducing

the harm. Although the restrictions that were necessary to achieve that did other harm, the harm that would have been done by the virus outweighed that.

The balance changes when there is a vaccine that helps to mitigate the harm of the virus. Therefore, to continue seeking to suppress cases of the virus to the lowest possible level becomes potentially disproportionate, because the harm that has been done by the restrictions that were necessary to achieve that outweighs the harm of the virus. That is the reason for the shift in strategic intent. Both approaches are about reducing harm from the virus, but, with a vaccine, there are different ways of doing that than was the case previously.

We want to see testing and vaccines progressively reduce restrictions domestically and, in time, on travel in and out of the country. We must consider that carefully, because we must be satisfied that there is a degree of effectiveness in those substitutes that will allow us to move forward. As I said in my statement, we will consider whether testing coupled with vaccination can, in the future, lead to a different approach to self-isolation, particularly for contacts with positive cases even if not for positive cases themselves. We are not yet at the stage at which we can make that decision, but it is under active consideration.

We all want to look to a point—hopefully in the not-too-distant future—at which vaccines can open up travel. We know, however, that the biggest risk that we face is a variant of the virus undermining the vaccine's effectiveness at some point, which means that we need to continue to take care and look at all the issues carefully before we come to final decisions. All of those things are, and will continue to be, under active consideration.

Willie Rennie (North East Fife) (LD): Every week, families of adults who have special needs ask me when their day services will reopen. Every week, I ask the First Minister the same question and, every week, nothing changes. Last weekend, those families witnessed thousands of football fans travelling hundreds of miles to gather on the streets of London against the Government's advice. The families were surprised that there were few words of criticism, especially from the First Minister. Can the First Minister understand how angry they feel? They feel that they have been left behind, as do others. All they want is fairness and their services to be reopened. Will the First Minister agree to that today?

The First Minister: I am sure that Willie Rennie was paying close attention, so he will have heard something today that might make the biggest practical difference.

First, however, I could not have been clearer that I advised against football fans travelling to London—as I advise against football fans gathering in groups outwith the limits. I have spent the past 15 months trying to persuade people to stick to the rules that are there to keep them and their loved ones safe, and the majority of people have complied with them. I get frustrated when people do not do that, but we all have personal responsibility and we are moving into a phase in which that personal responsibility will become more important as we ease the legal restrictions. Every day, I will continue to seek to persuade people to behave in a way that is within the spirit and the letter of the rules, to keep us safe and as firmly on the right track as possible.

As I said last week, it is not the case that services for adults with learning disabilities cannot open. Local authorities must consider how they can open safely. At the moment, the biggest restriction is the 2m physical distancing rule, and we are keen to reduce—to the point of completely eliminating—the need for a legal requirement for physical distancing. If we go to level 0 on 19 July, and if that allows us to reduce indoor physical distancing to 1m, that will significantly increase capacity in services for adults and in many other settings. That does not mean that such services are closed between now and then. It does mean, however, that local authorities or the providers of such services can continue to plan for increasing capacity further.

No matter how frustrated we might get when people, whoever they are—football fans or anyone else—are not complying with the advice, the response to that is not to reduce protection for other people, including, and in particular, vulnerable people. I understand that the situation is really difficult for people who are in that category, but getting everybody through as safely as possible continues to be most important.

Kenneth Gibson (Cunninghame North) (SNP): I welcome the First Minister's statement. Wearing face coverings in shops, while travelling and at work has become second nature to many and continues to be necessary, but doing so is neither pleasant nor particularly comfortable. One or two public health advisers are even suggesting that face coverings should become permanent. Although no change is envisaged at present, does the First Minister agree that, ultimately, we should aim to return to being mask free once it is safe to do so?

The First Minister: Yes—I do not want to have to wear face coverings for longer than is necessary and I cannot imagine that there are many people across the country who do. I want us to get to a position where we do not have to think about Covid in our day-to-day lives in any respect.

We are much closer to a position where we can lift legal restrictions, and that is welcome. However, if we want to continue in that way, we might all have to accept basic mitigations for a longer period. I hope that the period is not significantly longer, but if measures such as wearing face coverings, washing hands and—even if it is not legally required—keeping a careful, safe distance from other people in certain circumstances are required in order that we can live without limits on having people in our homes or limits on what we can do in the more fundamental parts of our lives, such as in services for adults with learning disabilities, I think that people are willing to pay that price. Nevertheless, we all hope that it will not be for any longer than is necessary.

Liz Smith (Mid Scotland and Fife) (Con): Scottish universities are reporting that the number of students who are likely to arrive from red-list countries for the start of the new academic term in September is likely to exceed the hotel quarantine allocation, and they are complaining that the issue has not been addressed in good time. Why is that the case and what will be done to address those serious concerns?

The First Minister: We are working with universities and I will ask the education secretary to write to Liz Smith on that specific point. Of course, universities also have an obligation to make sure that they have in place the services and support that international students, who are fee paying, need. We are also giving access to the vaccination programme to international students who arrive here having not already been vaccinated in their country.

We will take such issues very seriously. We learned a great deal—not all of it good—from the experience of university return last year, and a lot of work has gone on to make sure that the right arrangements are in place this year.

Gillian Martin (Aberdeenshire East) (SNP): A constituent of mine has got in touch to point to studies in other countries of vaccine efficacy in people who are solid organ transplant recipients. Those studies indicate a much lower efficacy rate among those people than there is in the rest of the population. What has been done to ascertain the efficacy of the vaccines in people whose immune systems are suppressed, and what steps have been taken to maximise their protection?

The First Minister: As I said in my statement, the JCVI priority list represents 99 per cent of preventable mortality from Covid. Those who are clinically extremely vulnerable were prioritised for vaccination, and around 95 per cent of those in the shielding list have now received both doses. The JCVI considered emerging advice that suggested that people who are severely immunosuppressed

might not always get the same protection from vaccination as others. However, households with adults who are severely immunocompromised should now be vaccinated, alongside JCVI priority group 6, in order to gain additional protection. Of course, there are on-going studies—I am sure that there will be for some time—into the efficacy of the vaccines, both generally and in relation to particular groups.

Jackie Baillie (Dumbarton) (Lab): This week, Dumbarton academy completely closed due to an outbreak of Covid and it will remain closed for the final week of the term. The situation is bad at the Vale of Leven academy and it is concerning that parents and pupils were advised late—in one case, four days after contact with the person who tested Covid positive. Pupils had also visited elderly relatives over the weekend. A local gymnastics club, which has 40 members, was not told of a positive Covid case until seven days later. Does the First Minister agree that, unless we speed up the time in which people are notified by test and protect—or, indeed, the school—the virus will continue to spread?

The First Minister: The length of time that test and protect takes to contact and trace people is published on a weekly basis, so people can look at that. Test and protect performs a very good service to short timescales but, in some circumstances—particularly in complex outbreaks—it takes time to go through all contacts, and it might take time for some contacts to come forward, although I am not saying that that is the case in the situation that Jackie Baillie mentioned. Speed is of the essence, but different characteristics in different outbreaks will determine the complexity of that. I cannot comment more on the specific cases, because I do not know the specific details.

John Mason (Glasgow Shettleston) (SNP): As the First Minister knows, churches and other places of worship have been keen to follow the guidelines. However, they are also keen to reduce social distancing and to sing again. Can she clarify when that will happen?

The First Minister: I know that singing, particularly congregational singing, is important to faith communities. The guidance for the safe use of places of worship advises that congregational singing can take place from level 1 and that small groups, such as a choir or a band, can sing and play from level 2. At all other levels—3 and 4, which no part of the country is in at the moment—singing should be avoided because of the heightened risk of transmission.

From 19 July, we will be in a position to reduce physical distancing in all indoor spaces, including places of worship, to 1m, assuming that that is supported by the data. We will continue to engage

with and support faith and belief communities as we move forward. I know that they are very keen to get all aspects of worship back to normal.

Jackson Carlaw (Eastwood) (Con): One welcome success of the pandemic has been the support offered to the First Minister by signers. On behalf of the deaf community of my constituency, I thank the signers for the outstanding and sustained job that they have done. However, that belies a much more complicated pathway for the deaf community to public services and particularly to general practitioner services.

Initially, many members of the deaf community received letters saying that they should make telephone appointments—I assume that was inadvertent. Subsequently, online appointments have often taken place without a signer. When a signer is provided, they can join the consultation from anywhere in the UK. Sign language, just as any other language, has nuances and many in the deaf community are concerned that very delicate matters relating to their health are not being properly translated. They are looking to have the right to direct face-to-face contact with GP services once again. They look to the First Minister to champion that, so that they can enjoy that right at the earliest opportunity.

Many people have put off seeking a GP consultation for far too long. Will the First Minister intervene to allow such consultations to take place?

The First Minister: As I have done before—and no doubt will again—I thank the signers who have worked so hard and so well to help people to access the Scottish Government's health messages during the pandemic. There has been justified criticism that the same provision has not been made for number 10 press conferences—perhaps that is something that Jackson Carlaw might want to champion on behalf of the deaf community. It is the deaf community, among others, who have made that criticism.

The comments on the difficulties that many in the deaf community face in accessing services, particularly through the pandemic, are legitimate. As we get services back to normal, that should be alleviated. However, right now, services should be catering for those needs.

I responded to a question last week on the subject. GPs should already be offering face-to-face appointments where that is appropriate. As we go down the path that I have set out today and as physical distancing is reduced—and then, hopefully, removed altogether—and more restrictions are eased, we will see a much greater return to face-to-face services. The Scottish Government will certainly be championing that.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I welcome the continued positive roll-out of the Covid-19 vaccination programme in Scotland. However, we must not be complacent. Australia, for instance, which has been highly successful in managing the initial spread of coronavirus, has experienced a series of small outbreaks in recent months. Those are related to a slow vaccine roll-out and vaccine hesitancy.

Does the First Minister agree that that highlights the absolute importance for as many people as possible to take up the vaccine when offered their appointment, not just for their safety and the protection of others, but because there is a clear link between vaccine uptake and Scotland continuing to ease restrictions?

The First Minister: I could not agree more—I am sure that everyone across the Parliament agrees.

I appeal to everyone—as I do almost every day—to get vaccinated when they are invited to an appointment and particularly to get the second dose. We know that the first dose of the vaccine gives some protection, but it is the second dose that gives significant protection, including protection against the delta variant. Please turn up for the vaccine appointment.

The more people who are fully vaccinated, the more the link between cases, serious illnesses, hospitalisation and death will weaken, hopefully to the point of being broken almost completely. Every person who is not vaccinated is someone who is still vulnerable to the virus. As a way of protecting yourself, but also as part of the collective civic duty that we owe to each other, please come forward for the vaccine.

We have seen an extraordinarily high uptake so far. Uptake is not as high in younger groups as it is in older and frailer groups, but it is still high in comparison with other vaccination programmes. Every one of us can play a part in encouraging everybody we know to get double vaccinated. That is absolutely the way out of this for us all.

Colin Smyth (South Scotland) (Lab): The First Minister referred to the importance of the clinical advice on an eight-week period between first and second vaccine doses. We are seeing an increase in the number of errors in the letters that invite people for vaccination. For example, in Dumfries and Galloway, some 800 children were invited for vaccination despite being too young, and we know that thousands of people in Glasgow have recently been invited for a second dose less than eight weeks from their first dose. Will any review into such errors cover all health boards to ensure that, as we move towards potentially providing booster

jabs, procedures are tightened up to avoid future errors?

The First Minister: All administrative glitches in the system are quickly identified and rectified. We do not want them to happen, and lessons are learned from them all. It is important to put the issue in context, not least for those who are working round the clock to deliver the vaccination programme. This is the biggest ever population vaccination programme that the country has delivered, and it is going exceptionally well. In that context, the administrative glitches that have been mentioned are tiny. They are not unimportant, but let us not take away from how well the vaccination programme is going. It is running smoothly, and it is accessible. We will learn all lessons as we, potentially, go into a booster period in the autumn and a further round of vaccination next year or the year after.

I pay tribute to everyone who is running the vaccination programme. Yesterday, I got my second dose at the NHS Louisa Jordan, which was running like clockwork. All the people who are delivering the programme deserve our grateful thanks.

Joe FitzPatrick (Dundee City West) (SNP): Local businesses and charities in Dundee have been in touch to ask about bulk ordering lateral flow devices to support their efforts to drive down case numbers in the city. What opportunities are there for such organisations to obtain bulk orders of lateral flow devices to support our Covid recovery?

The First Minister: In the event of an outbreak, a broad range of testing interventions are available to local authorities and health boards to deploy quickly, as many are doing. Businesses that have been identified as being high risk or that have been nominated by local health board leads are also considered for inclusion in workplace testing. At the start of June, we wrote to local health boards to invite them to nominate businesses that could be considered for targeted testing. Such nominations are at the discretion of health boards; they need to use local judgment and their engagement with local authorities to decide which businesses they think will most benefit from such testing.

In addition, lateral flow tests are universally accessible. People can collect test kits from test sites or pharmacies, or they can order online for home delivery. We will keep all aspects of the testing policy under review. There is no need for businesses or individuals not to have access to lateral flow tests, because they are widely accessible on a universal basis.

Jeremy Balfour (Lothian) (Con): I welcome the First Minister's statement, particularly the parts

relating to the festivals and the fringe, which will start in Edinburgh in a couple of months. Will she confirm that the 1m rule will be introduced for all cultural venues, whether they are standing or seated, and that there will be no restrictions at all for any outside venues? Is she confident that theatres and cinemas will be able to have no restrictions come the autumn, so that they can plan for productions that are taking place?

The First Minister: I will insert the caveat that I have inserted throughout my remarks today: that is all dependent on meeting the vaccination milestones that we have set out and on meeting the strategic aim of keeping cases at a level that allows us to alleviate the harms. If we do that, I hope that by 19 July, the legal requirement for physical distancing outdoors will be removed and the requirement on indoor premises, including those that do not already have a 1m dispensation, will be reduced from 2m to 1m.

If the data allows it—and I stress that “if”—our intention is to completely remove the legal requirement for physical distancing indoors and outdoors by 9 August. As I said, we may still advise people to take care with safe distancing, but we want to bring the legal requirement to an end as soon as it is safe to do so. We are setting out those expectations today so that businesses, including those in the culture sector, can begin planning along those lines. We will keep people as updated as possible as we review the data in the weeks ahead.

The Presiding Officer: There is still a great deal of interest in asking questions of the First Minister. I would be grateful if colleagues could pick up the pace whenever possible.

Rona Mackay (Strathkelvin and Bearsden) (SNP): Last week, I met my constituent, Kevin McPhillips, regarding his soft play business, which is in my constituency. He is concerned that although competitors in level 1 areas can reopen, his business is without income. Will the First Minister outline the support that is available for soft play centres in Strathkelvin and Bearsden? Is the Scottish Government re-examining the position of soft play centres within the protection levels?

The First Minister: I do not underestimate the significant impact that the pandemic has had on soft play centres. In recognition of that, the finance secretary announced additional funding for the 14 local authority areas, which include East Dunbartonshire, that remain in level 2. That funding includes £100,000 for soft play centres that remain closed, which receive funding each week.

We keep plans under review and, as I have said today, we will accelerate the lifting of restrictions if possible. I hope that what we have set out today

regarding the move to level 0 for the whole country will also be positive for the soft play sector.

The funding that I have spoken about is in addition to rates relief, funding through the contingency fund and closure grants. We will continue to do everything that we can to get as quickly as possible to a position where soft play centres are able to open again.

Jackie Dunbar (Aberdeen Donside) (SNP): While recognising that any—*[Interruption.]*

The Presiding Officer: I will call Sharon Dowey.

Sharon Dowey (South Scotland) (Con): I hope that I will not freeze, too, Presiding Officer.

For more than a year, patients the length and breadth of Scotland, many of them vulnerable and elderly, have been suffering from chronic foot pain. Podiatry treatment used to be provided by the NHS, but since the pandemic, GPs have turned patients away, sending them instead to the private sector, where bills for simple procedures can stretch to hundreds of pounds. After a tough financial year, patients have had to choose between paying for private medical treatment or enduring chronic pain, lack of mobility and the associated strains on their mental and physical health. Many have been forced to choose the latter option, confined indoors while the rest of Scotland enjoys newly found freedoms.

Now that NHS workers and those in vulnerable groups have had both jags, and with all of us placing so much importance on staying active, why is podiatry treatment still not available on the NHS? When will those urgently needed services resume?

The First Minister: Podiatry services, like all the health services that people require, should be available on the NHS. The member raises an important issue. As she has said, podiatry services can make the difference between being able to get out and about and be active and not being able to do so. I will ask the health secretary to write to the member in more detail about specific plans and the work that is under way to get podiatry and other services back on track as quickly as possible.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I note that free lateral flow home testing kits can be made available online, but not everyone is online. The statement says that tests can be collected from community pharmacies, but I have a constituent who is unable to do that. Is it possible to provide a list of the community pharmacies where people can uplift those tests for themselves, rather than having to go online?

The First Minister: More than 90 per cent of community pharmacies have opted into providing that service. Not all community pharmacies will be able to do so, but I think that 93 per cent are. Since the community pharmacy service was launched at the start of June, more than 18,000 free home test kits have been collected from more than 1,100 community pharmacies. At least 87 per cent of the population live within a 30-minute walk of a pharmacy collection point, and the journey will be much shorter in urban areas.

We will continue to work to try to open up access and make the process as flexible as we can, but I think that the system and the service that community pharmacies now provide have been a step change in making test kits accessible to people across the country.

Daniel Johnson (Edinburgh Southern) (Lab): A number of constituents have been in touch with me who are concerned that, although they are looking forward to starting their university careers this autumn, they will not be eligible for their first vaccination until after September because they will not turn 18 until then. I understand the importance of JCVI guidance, but does that situation not require flexibility at the margins of the guidance? Will the First Minister look at finding a way for people who have not yet turned 18 to receive their vaccinations before they start university in the autumn?

The First Minister: No Government in the history of devolution has done anything other than base its vaccination and immunisation decisions on JCVI advice. I will be corrected if I am wrong in any way here, but I think that that is a statutory requirement in England and Wales, although not in Scotland.

As members know, I spent many years as health secretary. One of the most difficult things that politicians can be asked to do, and one of the things that any politician should resist doing, is to interfere with that advice when it comes to whom to vaccinate. I understand the point that has been made, but we are eagerly awaiting the JCVI's advice and will act on that advice.

There has been speculation in the media about what direction the advice might go in, but it is likely that the vaccination programme will not be a one-off and will continue. Regardless of what the JCVI advice is right now for younger age groups, those at the margins are likely to be vaccinated in a future programme anyway, even if the advice is not to lower the age recommendation.

I understand all those points and the reasons why calls such as Mr Johnson's are made, but it is such an important principle that we follow clinical advice on vaccination, given the need to maintain

public confidence and address some of the sensitivities and concerns around the issues

Stuart McMillan (Greenock and Inverclyde) (SNP): Although the vaccination programme is going well, we know that it is likely that booster vaccinations will be required. Can the First Minister indicate when she expects to receive guidance about that from the JCVI?

The First Minister: We expect to receive JCVI guidance on that point over the next few weeks, but I do not know when exactly that is likely to be. I very much hope that it will be sooner within those few weeks rather than later. I know that all UK Governments are in that position.

In a small number of cases, those who were vaccinated at the earliest stage of the vaccination programme got their first dose of the vaccine in December and January, so a booster campaign might well be needed through the autumn. We are making sure that we are planning for that right now so that, whatever the advice may be on whether to do booster vaccinations in the autumn, we are ready to get going with that as soon as possible. We hope to get the advice within the next few weeks.

Tess White (North East Scotland) (Con): Regarding the Coronavirus (Extension and Expiry) (Scotland) Bill, external groups such as Amnesty International and Inclusion Scotland have expressed concern that the timetable will mean that there is no time for consultation on plans to extend ministers' extraordinary powers for up to another year. Given that the powers do not expire until the end of September, why is the bill being rushed through in the next three days with no consultation and limited parliamentary scrutiny?

The First Minister: I was not in the chamber earlier, but I understand that the Parliament had a vote on that matter and that members of the Conservative Party, rightly, had the opportunity to make their views known. Such things are always a difficult balance. I do not want to have to take emergency legislation through the Parliament if that can be avoided, and I do not want to have emergency powers in place. In fact, the legislation will allow some emergency powers to expire because we do not think that they are necessary any more.

Given that the Parliament is about to go into recess for two months and that, although we face a much more hopeful prospectus on Covid because of the vaccines, we still face an uncertain period ahead, I think that it is prudent that, with the debate and deliberation that will take place today, tomorrow and Thursday in the Parliament, we have those contingent powers, should they be necessary. However, they are used only if they are absolutely necessary, and Parliament has the

opportunity to scrutinise them over the next three days.

The Presiding Officer: That concludes the First Minister's Covid-19 update. I apologise to those members I was unable able to call.

There will be a short suspension before we move on to the next item of business.

15:55

Meeting suspended.

15:56

On resuming—

Curriculum for Excellence

The Deputy Presiding Officer (Annabelle Ewing): I remind members that social distancing measures are in place in the chamber and across the Holyrood campus. I ask members to take care to observe the measures, including when entering and exiting the chamber. Please use only the aisles and walkways to access your seat and when moving around the chamber.

The next item of business is a statement by Shirley-Anne Somerville on the Organisation for Economic Co-operation and Development's report on curriculum for excellence. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

15:57

The Cabinet Secretary for Education and Skills (Shirley-Anne Somerville): Further to yesterday's Government-inspired question, I will update Parliament on one of the key deliverables in our 100 days commitments—the Government's response to yesterday's publication of the OECD's independent review of the implementation of curriculum for excellence.

I thank the many stakeholders, including the Scottish practitioner forum, who shared their experiences with the OECD and whose feedback has helped to shape the report and its recommendations. I also thank the OECD, which has, as many members will recall, worked with Scotland on previous reviews. It has wide-ranging international experience and credibility in the area.

In my statement to Parliament earlier this month, I made clear this Government's commitment to ensuring the best possible educational experience for children and young people as we emerge from the pandemic. I also signalled my intention to consider a reform process and underlined the importance of the OECD's findings and recommendations in shaping our approach to improving the way in which Scotland's curriculum is implemented.

The Government accepts the OECD's 12 recommendations in full and we have published today our initial response to each of the recommendations, setting out how they will be taken forward. This afternoon's statement is an opportunity to outline some key points in our response.

First, it is worth highlighting that the OECD has endorsed the continued relevance and ambition of

CFE as the right approach for Scotland. Its vision—to achieve excellence for all learners, embodied in the four capacities—remains fit for purpose. The report highlights CFE's bold and aspirational future-oriented approach, and states that it continues to be viewed internationally as an inspiring example of curriculum practice. I hope that we can all unite behind that endorsement.

Furthermore, the OECD acknowledges the efforts to engage stakeholders throughout our curriculum's life cycle. That engagement has created the necessary conditions for shared ownership and support for the vision for CFE, which has given teachers and practitioners the ability to shape and deliver it to adapt to local needs.

It is 10 years since CFE was established, so it is right and proper that we review how it is being implemented. We must also seek to learn from the events that have been brought about by the pandemic. The OECD report notes that there are areas that we need to work on to ensure that our curriculum remains fit for now and the future. I have already made clear my intention to work with all those in education to deliver the reform that is required to improve outcomes. We must ensure that our children and young people can fully benefit from a coherent learning experience from the age of three up to the age of 18.

I am absolutely committed to putting the voices of young people, parents, teachers and schools as well as other stakeholders at the centre of our education policy, as the OECD has recommended. That is why I am announcing today that I will reconvene the Scottish education council with a refreshed membership and renewed purpose to support the delivery of the OECD's recommendations as well as wider education policy as we move on from Covid-19.

Young people will of course have seats on that council, but to ensure that the voices of those who are most affected by any changes in education are always heard loudly and clearly in strategic discussions, I am also establishing a children and young people's education council to sit alongside the Scottish education council. I will chair both councils, and their input and advice will have parity of esteem. I want consideration of the lived educational experience of young people, current teachers, leaders and other practitioners to be fundamental to the work that I do and the decisions that I take as education secretary.

It is essential that we take a rights-based approach and that we achieve genuine parity of esteem for young people's views. We will therefore work with children and young people's organisations over the summer on the details of our new arrangements. The councils will ensure that impactful and representative engagement

happens throughout our work to implement the OECD's recommendations and will allow us to demonstrate that the engagement shapes the changes that we wish to make.

We know that we must simplify our policies and institutions so that there is maximum coherence. That includes the need to clarify the roles and responsibilities of the national and local bodies that are involved in delivering and supporting Scotland's curriculum, and to ensure that the teacher workforce has the skills, time and capacity to lead, plan and support CFE on the ground. I will come back to our national bodies in a moment.

In response to the OECD's recommendation that dedicated time should be provided to school staff to lead, plan and support CFE at school level, the Government has already committed to teacher class-contact time reducing by 1.5 hours per week, and we will work with our partners in the Scottish Negotiating Committee for Teachers to take forward discussions as to how that can best be achieved.

The OECD also identifies a need for better articulation of assessment methods through the broad general education and into the senior phase, with methods that better align with the aims of curriculum for excellence and its four capacities. We await with interest the outcomes of the OECD's comparative analysis, which is due to be published by the end of August. That will allow us to have initial conversations as to the future of our senior phase qualifications and awards, but I want to make clear that I am open to change, if change is recommended.

To step away from the OECD for a moment, I would like to give a short update on qualifications. We know that learners, teachers and lecturers are keen to understand how qualifications will be awarded in 2022. Feedback from the national qualifications 2021 group's discussions suggests that there are a range of views on the issue and a recognition of the need to carefully reflect on and learn from the on-going experience of this year.

The examination diets in 2020 and 2021 were cancelled on the basis of public health advice. I want to be in a position to confirm our central planning assumption for awarding qualifications in 2022 for the start of the school term in August, in order to give as much certainty as possible for learners, teachers and the system. That will take account of the state of the pandemic.

Last week, the First Minister committed to reviewing our approach to self-isolation for young people who are identified as contacts. Any changes to that could have a significant bearing on the extent of disruption for individual learners in the next school year and, in turn, on our decision on whether to hold an exam diet or use an

alternative model of certification. I know that many stakeholders support our approach of taking the next few weeks to think through the issues and take account of the latest public health advice before we confirm our central planning assumption at the start of the new school term.

In my speech to Parliament on 3 June, I announced that we will be considering options for reform so that schools get the best possible support to provide the highest quality of learning and teaching for our children. We need to accelerate the pace of reducing the attainment gap and to reduce variability in the outcomes that are achieved by young people in different parts of the country. With that in mind, I signalled my intention to reform Education Scotland and the Scottish Qualifications Authority. I want to be clear that that is not reform for reform's sake. All the changes that we will make will be guided by the central principle of improving the experiences and outcomes of children and young people in Scotland's education system.

I assure learners and candidates across Scotland that those plans will not affect certification and awarding processes in the current or the coming academic years. To that end, I acknowledge and thank all those who are working in the SQA and the wider profession who are going above and beyond to ensure that learners receive the recognition that they deserve.

The OECD review includes important recommendations on the clarity and coherence of the institutions that support our education system. It highlights the "unusual configuration" of having the inspectorate as part of an organisation that is also responsible for supporting school leaders, curriculum design and teacher professional learning. It also invites us to explore assigning responsibility for curriculum and assessment to a stand-alone agency.

I therefore confirm my intention to do two things. First, we will move the inspection function out of Education Scotland. As the OECD highlights, such a separation can help to balance the dual need for local flexibility of provision alongside national consistency in outcomes. In addition, I am minded to accept the OECD recommendation to create a new specialist agency that will be responsible for curriculum and assessment, which will replace the SQA. That will help to improve alignment and coherence in those functions, as recommended by the OECD.

We will progress implementation with the pace that it warrants. Although change is clearly necessary, I want to move decisively to avoid unnecessary uncertainty. I also want everyone who is affected to have a chance to inform the way in which we respond. I am therefore pleased to announce that we will appoint Professor Ken Muir,

who was until recently chief executive of the General Teaching Council for Scotland, as an adviser to lead that work. I am delighted that Professor Muir has agreed to take up the position, given his knowledge and experience of Scottish education.

In progressing that work, Professor Muir will be supported by a dedicated and diverse advisory panel, which will be drawn from academia, practitioners, organisational change experts and others. Together, they will lead wide engagement that will ensure that our agencies are designed in a way that maximises the supporting of excellence and equity for our children and young people. I make it clear that the process is about designing how to implement the proposed reform; it is not another review. The OECD has already completed its review, which gives us a clear sense of direction. I expect Professor Muir to begin his work in August and to conclude it in around six months' time.

It is clear to me from reading the OECD's report and listening to the debate on education since I took up the post of education secretary that there is a clear need for a system-wide response. Neither the Scottish Government nor the teaching profession can do this alone. I therefore welcome the statement from the Association of Directors of Education in Scotland, Education Scotland and the SQA—all of which have been involved in this work throughout—which outlines their shared commitment to work with the Government to realise the OECD's recommendations. The Scottish Government will now work alongside all partners to co-design a more detailed implementation plan for the OECD's recommendations, with a view to publishing it in September.

Putting aside political differences, if we can, I hope that members can agree on the importance of us working together, as we emerge from the pandemic, to maintain our relentless pursuit of excellence and equity in education and to ensure that our young people realise their aspirations. I look forward to considering the review's recommendations with my colleagues across the chamber and with learners themselves, alongside everyone who is involved in delivering and supporting our young people to succeed in their chosen paths.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues raised in her statement. I hope to allow around 20 minutes for that, after which we must move to the next item of business. It would be helpful if members who wish to ask a question were to press their request-to-speak buttons now.

I remind members and the cabinet secretary that, if we get succinct questions and answers, I

will be able to call everybody; otherwise, that will not be possible.

Oliver Mundell (Dumfriesshire) (Con): There can be no doubt that the exam system has been a disaster in recent years. Young people know that the SQA has screwed them over and it is right that the SQA should pay the price for its incompetence, but the SQA must not be used as a scapegoat for 14 years of Scottish National Party failure.

Historically, rigorous exams have been a strength of Scotland's education system—a cornerstone of how we help young people to succeed in life. The problem is leadership, not the foundations, yet this morning the cabinet secretary said that she was very open to a debate that could lead to the wholesale scrapping of exams. No Government that is serious about raising standards in our schools can contemplate such a radical break from tradition. It would further diminish our international standing and remove one of the last hallmarks of Scotland's world-leading system. Will the cabinet secretary clarify whether scrapping exams altogether is seriously on the table?

Shirley-Anne Somerville: I thank Oliver Mundell for his question—I think. Let me be clear: as I said in my statement, a second OECD report that specifically considers qualifications will come out by the end of August. It is fair and reasonable for the Government to say that we are open to a discussion about what is in that report—if I did not say that, I am sure that Oliver Mundell would be one of the first to criticise me. I do not know what is in that report at this point but, given that we have invited the OECD to undertake a review, for me to then say that I will not be open to whatever it suggests would seem mighty strange.

I ask Oliver Mundell to have faith, as I do, that the OECD has come up with reasonable proposals and suggestions of a way forward, which we can then discuss with young people and teachers. We can then come up with something together that I hope Oliver Mundell and others will truly support. As I said in my statement, this is not reform for reform's sake but listening to internationally renowned experts and implementing their suggestions—if they are right for us—after consultation.

Michael Marra (North East Scotland) (Lab): The OECD report is welcome. It is right to praise our education workforce, and we welcome the Government's acceptance of the recommendations in full. We have the review; now is the time for urgent action. After two years of disarray and disastrous leadership, we must immediately rebuild confidence in our education institutions.

Later this afternoon, I will lodge a motion in Parliament for the Government to make the inspectorate independent, this week, by executive arrangement. The Government must put in place interim leadership to bring together the curricular functions of Education Scotland and the SQA by the middle of July, so that arrangements for 2022 assessments can be on teachers' desks when they return.

Given the central role of contact time in holding back the curriculum for excellence, the Government must begin negotiations on a new teacher agreement with the Convention of Scottish Local Authorities and teaching unions immediately, and unlock the funds to restore the cuts to teachers that the cabinet secretary's Government has made. Will the cabinet secretary sign my motion?

Shirley-Anne Somerville: I will consider the motion carefully, as I always do any motion that Michael Marra lodges. I said in my statement today that Professor Muir is coming in to work for a specific period—six months—to ensure that we work with stakeholders to design the right system. As in many, if not all, areas of education, there are differing views on where inspection and other areas should sit. Should it be independent of Government or in it, as other inspectorates are? The OECD's recommendations do not define one solution, and there is not one shared agreement among all stakeholders about where the inspectorate should be.

I share Michael Marra's urgency to move forward on the issue, which is exactly why I have asked Professor Muir to work with stakeholders to design that system. We will have six months to ensure that we get that system right, taking young people and teachers with us and allowing them to co-design it.

With the greatest respect to Michael Marra's motion, I do not think that he will have gone through the due consultation that I will ask Professor Muir to go through to move forward with this work. As I said in my statement, we will seriously consider what will happen in 2022 this summer—due to potential changes in self-isolation, for example, among children and young people—and we will use the public health advice to move forward as quickly as possible with determining what will happen with 2022 qualifications. That is not dependent on any of the changes that we are about to make but sits separately from them.

I assure Michael Marra that we are already having discussions about reduced contact time with teachers. That is on the agenda and we hope to move forward with that work at pace.

Ross Greer (West Scotland) (Green): There is a lot to welcome in the statement. For 10 years, completely unnecessary misalignment between the exam system and the curriculum in Scotland has let students down, and the bodies that are responsible for both have consistently failed to deliver or even to listen.

This work needs to be more than just a rebrand. The structural, cultural and policy failures of the SQA must be left behind, alongside the body itself. Given that the Government has committed to accept all OECD recommendations, what is its response to the report's criticism of primary 1 to secondary 3 standardised assessments and the recommendation that a sample-based evaluation system be reintroduced instead? Will the failed Scottish national standardised assessments testing system now be scrapped too?

Shirley-Anne Somerville: I reassure Ross Greer that this is certainly not a rebranding exercise but is a serious piece of reform, as I hope has been demonstrated by the Government-initiated question yesterday and my statement today.

What Ross Greer said in his question about Scottish national standardised assessments was not a specific recommendation in the OECD's report. Assessment was mentioned and I am aware that the issue was mentioned in the webinar yesterday, but national standardised assessments are a key element of our improvement agenda as part of the national improvement framework. They allow us to have consistent, objective and comparable information. Ross Greer will be well aware of the independent review that took place in 2019, which concluded that assessments have a valuable potential and should be continued, albeit with some important changes that we will take forward.

Beatrice Wishart (Shetland Islands) (LD): The OECD's recommendations are infuriatingly familiar. The shortcomings could have been addressed long ago. Teachers, pupils and the Scottish Parliament should have been listened to earlier. Teacher workload was front and centre of the OECD's concerns. Scottish teachers spend more time in front of their classes than teachers almost anywhere else in the world and, before the pandemic, teachers reported that the pressure of the job led directly to them developing mental health problems. Therefore, will the cabinet secretary commit to a full review of teachers' terms and conditions?

Shirley-Anne Somerville: I say to Beatrice Wishart that Parliament and others called on the Government to look seriously at the curriculum for excellence. As part of that, we invited the OECD in and we have brought forward our initial response to its report on the day of publication. I genuinely

think that you could not ask for a quicker Government response to a report than what we did yesterday.

On teacher workload, we are, as I said earlier, looking to ensure that we fulfil our manifesto commitment to reduce teacher contact time by one and a half hours per week. That will assist with workload pressures and ensure that teachers have more time to develop lessons and plan for the curriculum. I also point out to Beatrice Wishart the commitment in our 100 days document to increase teacher numbers by 1,000 and classroom assistant numbers by 500 as part of our commitment to provide 3,500 additional teachers and classroom assistants over the parliamentary term.

Kaukab Stewart (Glasgow Kelvin) (SNP): I welcome the publication of the OECD report and, as an ex-teacher, I thank our current teachers, parents and young people as they prepare to break for the summer holidays. As we know, this has been a particularly challenging year for so many. I have already been contacted by many educators, including in my Kelvin constituency, to whom the recommendation to replace the SQA is particularly significant. I ask the cabinet secretary how she will ensure that the concerns, views and voices from across universities, schools and further education colleges will be heard during the process of creating a new organisation, so that it is informed by personal and professional experiences and is fit for purpose?

Shirley-Anne Somerville: I, too, thank teachers and young people once again, as the First Minister did during her statement, for everything that they have done over the past 15 months. The support that teachers and support staff have given to young people has been extraordinary and young people's ability to persevere through some of the most difficult circumstances that any of us can imagine has been fantastic to see. We will continue to support them during the process.

As I said in my statement, I will reconvene the Scottish education council. Importantly, we are looking to refresh the membership and give it a renewed purpose so that it looks clearly at the delivery of the OECD's recommendations as well as at wider education policy. In addition, and very importantly for me, we will establish the new children and young people's education council, which will have parity of esteem with the Scottish education council. The council will, at least to begin with, work alongside the Covid education recovery group. I reassure Kaukab Stewart that the organisations and stakeholders that she mentioned will play an important part in the process. We will make sure that we are engaging with all stakeholders as closely as we can.

Pam Gosal (West Scotland) (Con): The OECD's report points out a lack of clarity in the curriculum around the role of knowledge, and Professor Lindsay Paterson has even said that the report did not go far enough in stressing the importance of knowledge creation being firmly included in the curriculum. Does the cabinet secretary agree that knowledge creation is an important part of an effective education system? Will she therefore commit to ensuring that that importance is made explicit throughout Scotland's curriculum?

Shirley-Anne Somerville: I am sure that Lindsay Paterson and others will strongly express their views over the next six months—and, indeed, beyond that—on how we can take forward the reform. There is an important opportunity for everyone with strongly held views on education to take part in the process and to ensure that there is wide engagement in it.

At this point, it is fair for me to leave the work of Professor Muir to develop. However, I am sure that he will listen very carefully to voices across education, regardless of who they are and what particular areas they think we should go further on, and ensure that we take cognisance of that as we move forward. I am also sure that other stakeholders will come forward with ideas through the Scottish education council to make those voices heard.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Is the Scottish Government open to considering expanding the use of continuous assessment and embedding teacher judgment within certification in the senior phase more generally, reducing the overreliance on high-stakes exit exams for final grades and, where exit exams continue, challenging previous assumptions on matters such as the waterfall effect, which can often constrain the grades of young people, particularly in my constituency?

Shirley-Anne Somerville: As I said in my answer to Oliver Mundell's question, we will look very carefully at what the OECD says about qualifications and assessments, and particularly at the fact that we need to develop approaches to ensure that they align better with the four capacities and the curriculum for excellence philosophy. We await the outcomes of the OECD's second report, which is expected in the autumn.

I have said that I am open to change, but I have also said that the process will not be simple. There are many different views on the best way forward—I think that we have heard at least two in the chamber so far today—but I am cognisant of the fact that the OECD talked about a 19th century model that we seem to have while we still move forward with the curriculum for excellence. It is

only right that we see what we need to do to reform that, if that is what the OECD recommends.

Martin Whitfield (South Scotland) (Lab): It is disappointing that young people do not get a mention in respect of the advisory panel that is being drawn up to assist Professor Muir.

My question relates to the thanks that the cabinet secretary has given to the SQA. I want to ask about a Government-initiated question that was released at 3.02 pm yesterday afternoon, which announced that last year's outstanding exam appeals for those who sat in 2020 cannot be reopened. Will the cabinet secretary be writing to each of those appellants, whose appeals sit on her desk, to tell them that their appeal is going nowhere, which is just another blow to young people's rights?

Shirley-Anne Somerville: The advisory panel has not been drawn up yet, so bear with us. Please do not assume that young people will not be on it.

It is very important to say that Professor Muir has just been asked to take up the post. He will begin the work in August, and it is only right that he is involved in the question of who is on the advisory panel. That is not for me to set up. Given what I said in my statement about the importance that I place on the views of children and young people, I am very open to that, but Professor Muir will have his views, and we will, quite rightly, take forward that discussion with him.

Martin Whitfield pointed to the GIQ on exam appeals yesterday. I have looked very carefully and seriously at that issue since I took up the post. It is exceptionally difficult to see how we can have a fair and credible appeals system at this point, but anyone who still thinks that they should have had an appeal on the grounds that the SQA had in place for the 2020 year qualifications has the ability to take that forward at this time.

Gillian Martin (Aberdeenshire East) (SNP): I will ask about learners with additional support needs. What work will the re-established Scottish education council undertake to ensure that plans for the qualification and assessment processes also benefit learners who require additional support—particularly those who are in the senior phase?

Shirley-Anne Somerville: As always, Gillian Martin raises an important point. When we work through the Scottish education council or through any policy and practice in education, that must work for every child and young person, including those who have additional support needs. We will engage widely to ensure that plans and assessments hold to that and are accessible for all learners. Any reforms will be informed by the OECD's comparative analysis that I mentioned,

which is expected in the autumn. Reforms will be fully impact assessed in relation to equality and children's rights and wellbeing.

Meghan Gallacher (Central Scotland) (Con):

The cabinet secretary confirmed that the SQA will be reformed. Given that the SNP Government was aware of the OECD's report months ago, why did it wait until this point to announce that the SQA would be scrapped, especially when our young people have endured yet another exam fiasco this year because of the incompetence of the SQA and the SNP Government?

Shirley-Anne Somerville: As I hope Meghan Gallacher agrees, we should move forward when we have a report's final conclusions, rather than a draft—particularly when a group such as the OECD continues to work with stakeholders to see whether any changes will be made. We move quickly when we have reports, but it is also imperative to wait for final recommendations, rather than make assumptions. We moved quickly when we had the OECD's recommendations, and we have quickly established an independent adviser to take forward the recommendation that has been mentioned.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): What impact will the OECD review's recommendations have on the Government's wider work on closing the attainment gap, to ensure that pupils from our most deprived backgrounds have the greatest opportunity to achieve better outcomes and guarantee that we deliver excellence and equity for all pupils?

Shirley-Anne Somerville: The Scottish Government welcomes the OECD review's recognition of improvement in tackling poverty-related attainment issues and of the fact that the impact of socioeconomic status on performance is among the lowest levels across OECD countries. We also note that there is a greater proportion of resilient young people from less well-off backgrounds who perform at high levels. The Scottish Government has demonstrated its continued commitment to closing the poverty-related attainment gap through, for example, the £1 billion that we will invest over the parliamentary session.

The Deputy Presiding Officer: While the front benchers change position before the next item of business, I remind members that social distancing measures are in place in the chamber and across the Holyrood campus. I ask members to take care to observe the measures, including when exiting and entering the chamber. Please use only the aisles and walkways to access your seats and when moving around the chamber.

Coronavirus (Extension and Expiry) (Scotland) Bill: Stage 1

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-00446, in the name of John Swinney, on the Coronavirus (Extension and Expiry) (Scotland) Bill at stage 1.

16:29

The Deputy First Minister and Cabinet Secretary for Covid Recovery (John Swinney):

I wish that we were not in the situation in which I am required to introduce legislation to extend the temporary measures to respond to the pandemic, but I am pleased to present the bill and to set out its general principles. Before I turn to the principles of the bill, I will set out the reasons for the timing of its introduction and passage.

As members will understand, the path of the pandemic has been unpredictable and, in response, we have needed to take action to tackle the public health threat that it has created. Part of our response was to introduce temporary measures through the Coronavirus (Scotland) Act 2020 and the Coronavirus (Scotland) (No 2) Act 2020. The temporary measures in those acts will expire on 30 September 2021. Given the pre-election period and upcoming summer recess, it is necessary that the bill complete its passage before recess in order to ensure that a number of the measures that we consider to be essential can continue beyond that date.

I appreciate that that means that there is limited time to consider the content of the bill, but I reassure members that the primary purpose of the bill is to extend measures only temporarily. The bill does not introduce any new provisions, it does not modify or amend any of the temporary measures that are already in place and—I say to be crystal clear—it does not relate either to international travel or to regulations that impose restrictions on our day-to-day activities.

Progressing a bill under the emergency procedure is never a decision that the Government takes lightly. However, passing the bill this month will not only take account of the time that is needed for it to come into effect but will, crucially, give public services and people in Scotland more time to plan for what the extension or expiry of measures will mean for them.

It is, quite understandably and appropriately, for the Presiding Officer to determine the scope of the bill and admissibility of amendments, but I consider it very unlikely that it will be possible to amend the bill to add new or amended temporary

measures. I appreciate that that might be frustrating for members who wish to introduce new topics, but it is not the appropriate bill for that purpose. The place for that will be in the coming months, when there will be an opportunity to consider fully what further legislative changes might be required.

Jamie Greene (West Scotland) (Con): Is the reason why we are not able to add to the bill simply that we will not have enough time to debate any additional provisions, amendments or issues that members want—justifiably—to bring to the table? If they were to do so, we would be sitting here until midnight tomorrow. Is that the only reason why we are being limited in such a way?

John Swinney: No—that is not the reason, in any respect. This is an extension and expiry bill on existing provisions for which Parliament has already legislated. I have made it clear that the Government will consult on what we are referring to as a permanence bill, which will look at longer-term issues. The Parliament has already looked at all these questions and has considered how the statute book should be amended to handle the impact of the pandemic. I am simply introducing—

Jackie Baillie (Dumbarton) (Lab): Will the cabinet secretary take an intervention?

John Swinney: If Jackie Baillie will forgive me, I will continue for a moment.

I am simply introducing a bill that either extends or expires conclusions on which the Parliament has already decided. There will in due course be scope for the Parliament to legislate on other issues that it considers to be appropriate, but there is no scope for that in the context of this narrowly defined bill.

Jackie Baillie: I understand the limitations of the bill, and the cabinet secretary is absolutely right that the situation is deeply frustrating. The proposed permanence bill is some way off, so what will happen in the intervening period, when there is a gap in provision?

John Swinney: If Jackie Baillie will bear with me for a couple of paragraphs, she might be encouraged by what I have to say—as, I know, she always is. [*Laughter.*]

Some members have expressed concern about whether the temporary ban on evictions that was in place in areas that have been in levels 3 and 4 should be extended to areas that are in level 2 and below. Through the extensive range of protections and support that we have already put in place, including the ban on evictions, we have been seeking to encourage landlords and tenants to work together to ensure that sustainable tenancies are secured, and that evictions are prevented altogether and not just delayed.

The Scottish Government has taken action from the outset of the pandemic to support tenants. I am delighted to announce that we will go even further by committing to introduce a new £10 million grant fund to support tenants who have fallen into rent arrears as a direct result of the pandemic. We will work towards making the grant fund available later in the year, and we will work with stakeholders over the coming weeks to develop the details. We will deliver a new national awareness-raising campaign to ensure that all tenants are aware of their rights. Those crucially important interventions will help tenants and landlords to move towards a sustainable and fair recovery from the impact of the coronavirus.

Since developing the bill, we have listened to the views of stakeholders. As a result of that engagement, I confirm that I will lodge a stage 2 amendment to extend rather than to expire the anti-irritancy measures in relation to commercial leases. It is clear from discussions with the Federation of Small Businesses that extending that measure will assist small businesses that might face short-term cash-flow difficulties over the summer, into the autumn and beyond.

Over the summer, we will consult on proposals to make permanent some of the temporary measures that have been put in place by the coronavirus legislation, where that will improve delivery of public services without any significant detrimental impact. As part of the wider lessons that we have learned from the pandemic, we will consider whether further legislation is required as we seek to recover and rebuild. I encourage all parties in the chamber to contribute their thoughts to that process.

Murdo Fraser (Mid Scotland and Fife) (Con): In relation to future legislation, particularly the proposed permanency bill that the Deputy First Minister talked about, will he give an assurance that it will not be introduced as an emergency bill and that there will be proper parliamentary scrutiny and consultation?

John Swinney: I certainly give the assurance that the bill will not be introduced as an emergency bill. I anticipate that the consultation period will be of the order of eight weeks. I know that ordinarily there would be a consultation period of 12 weeks, but that eight-week period will be to enable us to move on to a permanent footing before the temporary legislation—if I can use that terminology—expires. The clock ticks too fast to allow us to do that and allow for proper time for parliamentary scrutiny in the normal fashion. I confirm what Mr Fraser has asked about, with the exception that I expect the consultation period to last for eight weeks, not 12, in the first instance.

Pam Duncan-Glancy (Glasgow) (Lab): I appreciate and welcome the offer of consultation

on the proposed permanency bill. Inclusion Scotland gave us briefings ahead of the debate and highlighted that it feels that disabled people have been excluded from the serious decisions that have affected their lives over the course of the pandemic. Will the cabinet secretary commit to involving disabled people specifically in that consultation, and to taking extra steps to ensure that their human rights are adhered to in the proposed permanency bill?

John Swinney: I am very happy to give that assurance. In the discussions that I am taking forward in my wider responsibilities for Covid recovery, I include the voices of disabled people at all stages, as part of the consultation exercise that I am undertaking.

I think that Graham Simpson wanted to intervene, but I will take guidance from the Presiding Officer.

The Deputy Presiding Officer: It would be helpful if we could have brief interventions, questions and answers and brief speeches that stick to their time limit, because we are very pushed for time today.

Graham Simpson (Central Scotland) (Con): Is the proposed permanency bill—this is the first that I have heard of it; I apologise—likely to cover things such as travel restrictions and wearing of face coverings?

John Swinney: No.

Presiding Officer, I turn to what the bill seeks to achieve.

Coronavirus continues to pose a significant threat to public health in Scotland, and the continued response to that threat requires the parties in Parliament to come together to agree necessary actions to ensure that our public services can continue to operate, in that context.

Liam Kerr (North East Scotland) (Con): Will the cabinet secretary take an intervention?

John Swinney: I had better make some progress. I will be happy to give way in my closing speech.

Progress has been made in our fight against the pandemic, which enables us to expire some measures by way of the bill, but there remains a need for some measures that were introduced by the Scottish coronavirus acts to be extended. The bill will expire a range of measures whose continuation has been deemed to be unnecessary beyond 30 September. The bill will also extend the Scottish coronavirus acts, initially for up to six months. The bill provides for the acts to be extended once more up to 30 September 2022, should that be needed in order to respond further

to the pandemic. That will, of course, be subject to Parliament's approval of the required regulations.

I emphasise to members that the bill will ensure that the safeguards of the first two Scottish coronavirus acts will also be extended. That means that the Government will continue to report every two months to Parliament on the use and status of provisions, and on the relevant equality and non-discrimination duties. The Government will also be required to keep under continual review whether provisions are no longer necessary and can be expired early.

I believe that that is a strong package of protections that will ensure that Parliament and the public will be informed about use of the powers, and that the powers will not last longer than is proportionate or necessary.

As I have already made clear, the bill will not add any new temporary measures, nor does it seek to amend any of the measures that were introduced in the Scottish coronavirus acts.

Let me first cover expiry. The bill will, on the basis that they are no longer necessary, expire some of the measures that were brought in to respond to the immediate emergency that was created by the pandemic. We seek to expire 12 of the measures through the bill. I note that all 12 of the provisions are contained in the two Scottish acts that have already been expired in line with the Government's commitment to remove provisions that are no longer required in our response to the public health emergency.

Extension is being sought for measures that have been used or, for measures that have not been used, for when expiring them would have a significant impact if they were to be needed—for example, in respect of emergency directions for care homes. Extension is also being sought when it is necessary because of direct or indirect impacts of the pandemic, such as in the case of the backlog in courts, and when there is broad support of key stakeholders for extension.

The bill seeks to extend part 1 of each of the Scottish acts, thus extending the measures for enabling hearings in criminal and civil courts and tribunals to be held remotely, and continuing an increased notice period of six months to protect private and social sector tenants from eviction up to the pre-pandemic 28-day notice period.

The bill represents one part of a wider range of measures that the Scottish Government is putting in place to protect the people of Scotland. It includes some important protections that are essential for those who most need them, and it is important that they continue to be available after 30 September.

I move,

That the Parliament agrees to the general principles of the Coronavirus (Extension and Expiry) (Scotland) Bill.

16:41

Murdo Fraser (Mid Scotland and Fife) (Con): I start by reminding members of my entry in the register of members' interests, which states that I am a member of the Law Society of Scotland and I own property from which I derive rental income.

The bill seeks to extinguish certain measures that are contained in the coronavirus acts that were passed by the Parliament in spring last year and to extend other provisions. Before coming to the detail of the bill and our view on its various provisions, I would like to set in context the decisions that we are being asked to take today.

Covid-19 has been an unprecedented challenge for us all in the past year and more. I suspect that there is not one person in Parliament who has faced anything as serious during their lifetime. We have not previously had to make such difficult choices about the provision of health services, the need to support individuals and businesses from the public purse, and restrictions on our everyday lives.

Last spring, the Parliaments at Holyrood and Westminster passed emergency legislation giving ministers an unprecedented and extraordinary set of powers allowing them to pass regulations to prevent people from leaving their homes, restrict travel, force businesses to close and redirect public services. Those regulations amounted to an enormous imposition on the lives of individuals in a free, liberal and democratic society. However, we agreed that the restrictions were necessary because of the unprecedented health crisis that Covid presented and the real risk of the national health service being overwhelmed.

The original coronavirus legislation gave ministers those exceptional powers for a period of six months, with an option to extend for two further periods of six months. At that time, I do not think that any of us thought that that 18-month period would be insufficient. Sadly, Covid has proved to be an even greater threat than we originally foresaw.

That said, excellent progress has been made. The success of the United Kingdom vaccination programme means that substantial protection is now in place for the majority of the population, and certainly for the most vulnerable groups. By midsummer, all those who wanted to be vaccinated should have had that opportunity. That means that Covid is no longer the serious threat to health that it was this time last year, and that the risk of overwhelming the NHS is now substantially reduced, if it has not gone away altogether.

John Swinney: I want to caution Mr Fraser about his assessment of the pressure on the NHS. In her statement today, the First Minister made it clear that the NHS is resuming a great deal of operational activity, which is creating congestion, so there is not the spare capacity that there was when all that activity was paused. Mr Fraser is a public figure, and people need to be properly informed about the pressures that the NHS could face because of the resumption of routine health service activity should there be an upsurge in the number of Covid hospitalisations.

Murdo Fraser: I am grateful to the Deputy First Minister for that intervention, although the point that he addressed was not really one that I made in my remarks. I accept his point that Covid recovery will involve a massive catch-up within the NHS and that, if there was a risk of another spike in cases leading to hospitalisations, that would be a matter of concern. However, I do not think that that risk is substantial at present, because of the progress that we are making in relation to vaccination.

Covid will still be with us: there will still be cases, some people who catch it will need to be hospitalised and, very sadly, some people will die. However, as we heard from the First Minister earlier, because of the progress that we are making, we are looking at the restrictions being lifted in August, and that would not be the case if we were not confident that the NHS could cope.

Against that backdrop, it is right to ask how long the extraordinary, unprecedented powers that have been given to ministers should continue. Will they be necessary beyond the end of September, which is still more than three months away? In fairness, I do not think that we can answer that question at this point.

However, I should acknowledge that most of the powers that restrict our lives derive from legislation that is passed not in this Parliament, but at Westminster. The travel bans, the closure of businesses and the requirement for people to stay in their houses are powers that the Scottish ministers have as a result of Westminster legislation, and those are not the provisions that we are discussing extending or extinguishing in the bill before us.

However, significant powers are contained in the two Scottish coronavirus acts, and it is fair to discuss the extent to which those powers should continue, given the progress that we are making in tackling Covid, as the First Minister accepted just a few moments ago.

The bill before us is being introduced under emergency powers. It was first published on Friday afternoon, so there has been no time for public consultation and very little time for

parliamentary scrutiny. No committee of this Parliament has been asked to consider the bill in detail, take evidence or produce a report on its provisions. Yet, over the course of the next three days, Parliament will be expected to consider and amend the bill and, if appropriate, pass the bill into law. It is our view that that is insufficient time for parliamentary scrutiny of very significant powers being extended beyond the end of September—initially for a six-month period and, potentially, for six months thereafter. The provisions in the bill could mean that the Scottish ministers will have had extraordinary and unprecedented powers for two and half years from when they were first granted, which would be truly remarkable.

It is not just us who take that view; in submissions in advance of the debate, groups such as Amnesty International and Inclusion Scotland have expressed concern about the lack of consultation with various groups prior to the bill being introduced. As Pam Duncan-Glancy reminded us a moment ago, Inclusion Scotland makes some significant points about how it believes that a lack of consultation with disabled people falls foul of the United Nations Convention on the Rights of Persons with Disabilities, and we should pay attention to those concerns.

The Scottish Government claims that the bill has to be passed this week because the powers run out at the end of September, but I simply do not accept that argument. Parliament is sitting for the month of September. If the bill was brought to us in the first week back, that would, at least, provide a period for broader consultation and discussion over the summer.

John Mason (Glasgow Shettleston) (SNP): One of the Conservatives' criticisms of the Government is that it makes decisions too late and does not give enough notice. Does the timing of the bill not give more certainty to everyone?

Murdo Fraser: Not if there is not time for scrutiny or consultation. The point that I made to the chamber, and will repeat to Mr Mason, is that those powers do not expire until the end of September. Parliament is sitting in the first week in September, so it would be possible to consider the bill—even as an emergency—then, which would give us eight or nine weeks over the summer to properly consult.

By the time that we get to September, we will be in a much better position to understand more clearly where we are with Covid, where the risks are to the health service, what the other risks are to public services and whether the extension of the powers is necessary. There would still be time for the bill to achieve royal assent by 30 September.

As to whether the powers that are contained in the bill are necessary and appropriate, the

Scottish Government's approach of trying to push the provisions through Parliament in the last few sitting days prior to the summer recess, when there is no necessity for it to be done, is simply not required. We cannot support this rush to legislate, particularly given that external stakeholders are telling us that they have not had the opportunity to give any input into our serious discussions.

I turn to the detail of the bill. We welcome the expiry of several of the provisions that were in the previous coronavirus act. Those who were in Parliament at the time remember that there was a heated debate around the provisions that restrict the opportunity for couples to marry or enter civil partnerships—my former colleague, Adam Tomkins, was particularly exercised about that issue. It is welcome that those restrictions are now being removed. Equally welcome is the proposal to remove the restrictions on freedom of information requests—a matter that was also the subject of heated debate last year. The Scottish Government has now accepted that the powers that were granted were used on a very limited basis. Accordingly, it is welcome that they are being expired.

On the provisions that are to be extended, there are several areas where we have concerns. Later in the debate, my colleague Jamie Greene will say more about the provisions on justice, where there is a raft of measures. We have concerns about the extraordinary powers held by the Scottish ministers to release prisoners early being extended by potentially up to another 12 months. At a time when the Scottish prison population should be vaccinated against Covid, we question whether the powers are still necessary, particularly given the fact that they have not been used—as far as I am aware—in the past 15 months.

On the question of tenancies, which the Deputy First Minister referred to in his speech, there is a proposal to continue the six-month period protecting a tenant before an application can be made by the landlord to repossess the property for non-payment of rent. We have had representations from landlords' groups and registered social landlords about the impact of the extension of the provisions on them. In its briefing for the debate, the Glasgow and West of Scotland Forum of Housing Associations expressed a lot of concern about the impact that the measure will have on its members. No one wants to see tenants losing their homes, and there is no doubt that many tenants are in financial difficulty due to Covid. However, as the housing association forum points out in its briefing, extending the evictions ban is essentially tackling the problem from the wrong end: all it will do is postpone the eviction, rather than find a long-term solution.

We welcomed the establishment of the tenant hardship loan scheme by the Scottish Government when it was announced last November. Unfortunately, it has had a very limited impact: of the £10 million pledged, less than 5 per cent of the total has been paid out and two thirds of the applications have been rejected. I am aware of tenants who have been refused financial support because of having poor credit scores—their poor credit score has occurred only because they are in financial difficulties due to Covid. The Scottish Government needs to address that area. I welcome the Deputy First Minister's comments about a grant scheme and I look forward to hearing more detail on that in due course.

I will bring my remarks to a close and let my colleagues go into more detail about our views on the provisions. We will lodge amendments at stage 2 tomorrow to address our concerns. Our overall view is that the bill is simply not necessary at this time. By September, we will be much clearer about whether the extensions are required and we will be in a far better position to judge whether the extraordinary powers should be extended, potentially for one further year, and there would also be time for greater public consultation on the bill, which was published only on Friday afternoon. There is no need for this rush to legislate in the last few days of the term. For those reasons, the Conservatives will oppose the bill at decision time.

16:53

Jackie Baillie (Dumbarton) (Lab): Scottish Labour supports the general principles of the bill. However, we have concerns about several areas, which I will set out to Parliament.

There is no doubt that we have lived through the most extraordinary 15 months. Although my job in the Opposition is to hold the Government to account, I think that the Government has acted swiftly in putting emergency legislation in place, building on provisions derived from the UK Government's legislation. The context for that emergency legislation was the coronavirus pandemic—the severity of which we could only imagine at that point. It was a time when the country was effectively shut down, schools and businesses were closed and Parliament was suspended. Much has changed, although we are not back to normal yet.

I consider the extension of emergency powers to be justified, in part. However, it is unfortunate that the bill has been, in my view, deliberately constrained to focus only on extending or expiring existing provisions, not on anything new, and there are policy gaps.

My first concern, though, is about process. Covid-19 regulations currently define the entirety of social interactions—everything from the number of people who can meet up in households to whether businesses can open and under what circumstances. It is not appropriate for ministers to sidestep Parliament when exercising what are far-ranging powers, or for them to enact criminal offences while avoiding democratic scrutiny and debate. What has changed is that Parliament is sitting and committees have been established. Members expect to be able to scrutinise the Scottish Government's decisions in the chamber.

Gillian Martin (Aberdeenshire East) (SNP): Does Jackie Baillie agree that, if the committees had not been established six or seven weeks after we had all been elected, we would have had more time for scrutiny?

Jackie Baillie: I could not agree more. I had hoped that the Government would concede the position of every other party in the Parliament about the need to set up committees quickly, but there we go.

Let me illustrate the point that I was making. The regulations on the ban on cruises embarking or disembarking in Scotland will not be considered by the Parliament until September, but the decision was made by the Scottish Government at the end of May and beginning of June. There was virtually no debate or scrutiny. There was no opportunity for ministers to explain the rationale. There was no meaningful opportunity for members to ask questions and to represent the interests of their constituents. To be frank, the average cruise ship customer is probably over 50 so will have been vaccinated twice, and they would be tested on arrival and on return. Cruises are safer than many other recent events that have been allowed to take place, but we could not scrutinise the decision.

We can all agree that it is important that laws are clear, consistent, understandable, fair and justified by the data. I genuinely worry that, in recent weeks, the Scottish Government's approach has undermined those fundamentals. Different groups in different parts of the Government are making different rules, and there is no sense checking of whether the rules form a coherent whole. The education recovery group advises on the rules for nurseries and says no, while Jason Leitch, the national clinical director, has taken his occasional appearances on "Off the Ball" to heart and says yes to different rules for football. I do not begin to underestimate the difficulties, but I offer those comments because I am concerned that, if people do not see the logic of the regulations, compliance will become an issue. The contrast between 6,000 fans a day in a fan zone with alcohol and 12 parents and children,

socially distanced, at a nursery is such that the rules do not make sense. Prohibiting travel to and from Manchester but not Dundee when case rates are similar does not make sense.

We are learning to live with the virus, but we should seek a better way of shaping our response in the future. Scottish Labour wants the bill to be used to improve the transparency and scrutiny of the Scottish Government's Covid-19 strategy. It is right that Parliament should sense check the regulations. That is why we sought to lodge a reasoned amendment to the bill at stage 1. It was not selected, but we will persist, because we do not believe that the powers in the bill should automatically be extended beyond March 2022. Such a decision, if it is necessary, should require parliamentary legislation.

I turn to the substance of the provisions. There is much that we supported in the original emergency acts. Indeed, we sought to improve and shape them. Provisions from Monica Lennon provided for a support fund to prevent financial hardship for social care staff if they fell ill from Covid. My amendments on bankruptcy and debt made it easier for people who were struggling to get assistance. Additional reporting on domestic abuse was proposed by my colleague Pauline McNeill. There were amendments from Mark Griffin on inclusive information and from Neil Findlay on freedom of information provisions. We will work with the Government when we believe that its measures can be improved.

Covid-19 has, without a doubt, cost lives and livelihoods, and it is still doing so. It has exacerbated inequalities in our society. If someone is poor, their chances of survival are statistically worse, they are more likely to lose their job and they struggle to cope. The position with regard to levels of poverty was not great prior to the pandemic, and it is worse now.

Although restrictions continue and the economy has not fully opened up, the furlough scheme is about to unwind. No one can say with any certainty whether those who are on furlough will have jobs to go back to or will be underemployed. That adds up to an enormous potential crisis in jobs and income, the likes of which we have not seen for generations. I hope that that will not be the case, but I worry that it might be.

In that context, it falls to the Government to act to protect the interests of the country. As I said, the scope of the bill is drawn in such a way that we can only extend or expire the existing provisions of the emergency acts. That is disappointing, because there are gaps in the protections that are afforded to people.

John Swinney: I reassure Jackie Baillie that the legitimate issues that she raises do not all require

legislation. They require policy action and leadership from Government. The Government is focusing on that and is actively engaging with members from across the Parliament to ensure that we have a Covid recovery strategy that addresses the substantial issues that Jackie Baillie raises.

Jackie Baillie: I am grateful for that and I look forward to debating those issues in the next couple of days and in the future.

It falls to the Government to protect the country's interests—a point that I can illustrate by talking about the eviction ban. That should come as no surprise to John Swinney; I have consistently raised the issue of the ban in the Covid recovery steering group and my colleague Mark Griffin has raised it in and outwith the chamber.

The existing ban, which rightly does not apply to evictions for antisocial behaviour or criminality, covers tenants who live in areas that are in levels 3 and 4. All of Scotland is now in level 1 or 2. People are still struggling to pay their rent. Some lost their jobs at the start of the pandemic; some are on furlough and have not received 100 per cent of their salary; some are back at work but underemployed; some are still on furlough with no guarantee of work when that ends. The future is uncertain and financially precarious.

Landlords are already in court seeking eviction orders. In some cases, that will be because of rent arrears caused by the pandemic. We should not remove the safety net at this stage. We heard from Murdo Fraser that the Scottish Government has established a tenant hardship loan fund of £10 million, which offers loans to help people who are in financial difficulty. The fund's criteria are so tight that less than 5 per cent of the fund has been allocated and twice as many applications have been rejected as have been approved. It is entirely wrong at the best of times to place people in more debt and put them in danger of losing the roof over their heads and it should not be happening in a crisis.

Scottish Labour will lodge an amendment to extend the eviction ban to areas that are in levels 1 and 2. We would have lodged amendments to turn the loan fund into a grant fund so that we can offer people protection when it is most needed, so I welcome the cabinet secretary's announcement. I congratulate him on listening to and accepting Labour's suggestion. I hope that he will continue to accept our suggestions. I hope that we will be able to debate the eviction ban at stage 2, because there is no other legislative opportunity to close the gap and people might lose their homes as a consequence of the current approach. The grant fund must have flexible eligibility criteria. Will the cabinet secretary convert the loans that have

already been awarded by that fund into grants, to make the system fair across the board?

There is much to welcome in the bill. The Government intends to expire provisions on freedom of information and on changes to social security determinations. We support all of that. There is a balance between continuing emergency measures and having more scrutiny in Parliament. Labour members do not believe that the legislation should continue beyond six months and we will lodge amendments to ensure further scrutiny, but we support the general principles of the bill at stage 1.

17:04

Lorna Slater (Lothian) (Green): The emergency presented by the Covid pandemic has, in some senses, brought out the best in us. We have seen the Government act quickly to implement practical measures to tackle the pandemic, keep our public sector functioning and protect people who are struggling. I hope that the Government and members of the chamber will remember what an emergency response looks like: it might come up again.

The response to an emergency must be swift, practical and dynamic, always prioritising human lives and livelihoods and supporting our public sector. The Scottish Greens agree that we are not yet at the end of the pandemic and that it is right that the emergency legislation be extended so that it does not lapse and expose gaps in the cover and provisions provided by the legislation.

We also agree that the Coronavirus (Extension and Expiry) (Scotland) Bill should be considered as emergency legislation due to the timings involved. We support the extensions to allow continued operation of the public sector during the pandemic in areas such as children's hearings and court proceedings. Some of the measures to be extended in the legislation are intended to make easier the lives of people who are going through hard times—for example, people who are struggling with debt—and some measures to be extended have the effect of making it easier to access public services and functions. I am pleased that those measures are being extended, but it makes me think that if we can make life easier for struggling people during hard times, surely we can make life easier for them during good times. Society does not have to be heartless. I hope that we will be able to make some of those measures permanent when the pandemic is over, so that our society becomes that little bit more equal and supportive.

The main measures that we are disappointed have not been extended are around the right to housing. Even before the pandemic, the

protections that we had in Scotland for tenants were poor compared with the protections that tenants enjoy in the rest of Europe. Evictions here have resumed and people are losing the roof over their heads and being made homeless through no fault of their own, but because we are still in the middle of a pandemic, as the emergency nature of the bill attests. People are still out of work and are struggling to find work. If the UK Government winds down the furlough scheme as planned, another huge wave of redundancies might come over the next few months. Struggling to pay rent under those circumstances is not a personal failing.

People's human rights, including their right to housing, should not be at risk due to economic circumstances beyond their control. The tenant hardship loan fund was not working. It was a cruel joke to ask people who had lost work or whose jobs were at risk to take on debt just to make sure that their landlord did not realise any risk on the investment that they had made. Protecting landlords from the risks of their investments and seeing them rewarded by inflicting further hardship on tenants—always with the threat of homelessness hanging over their heads, forcing them to pay up—was poor policy. I am therefore pleased to hear about the new grant fund for tenants, although I expect that we will burn through £10 million quickly as it might be insufficient, given the potential level of redundancies that we might face as furlough ends. I would like that matter kept under review.

The Scottish Greens largely agree with the bill's proposals on which measures should be extended and which should expire.

We have the opportunity now to think about what aspects should be kept for the longer term. The Scottish Greens were pleased when the Parliament supported our amendment that business support grants should not be given to companies that use tax havens. That is the kind of conditionality that we should apply to all forms of public funding and support to ensure that we support good business: businesses that pay their fair share of taxes, pay their workers living wages and have fair working practices; and businesses that take their responsibilities to their communities and the planet seriously.

The state's role in supporting Covid recovery represents an unprecedented opportunity to reshape the economy along ethical and sustainable lines. It does not have to cost the earth to make the world a better place. We can use mechanisms such as conditionality of support to nudge our economy and society in the direction that we would like them to go and, as so much of the Covid legislation has done temporarily, make

our society fairer, more accessible and a little less heartless.

The Deputy Presiding Officer: I call Alex Cole-Hamilton. You have around six minutes, Mr Cole-Hamilton.

17:09

Alex Cole-Hamilton (Edinburgh Western) (LD): I rise for the Liberal Democrats to offer guarded support for the bill's provisions. Before I continue, I put on record my and my party's thanks to all those on the front line of this emergency. It is much easier to come to the chamber and debate Covid-19 than it is to face it head on every day of one's working life.

I echo other members' discomfort about the bill's timetabling. As a legislature, we are being asked at the end of June to empower the Executive to deal with the virus as it will be at the turn of the year. To rush through such an important piece of legislation in the last three days of a parliamentary term is not a welcome precedent to set.

Some 14 months ago, when the Coronavirus (Scotland) Bill was first brought to the Parliament, the Liberal Democrats supported it, along with all the other parties. I will say now what I said then: there are virtually no other circumstances in which our party would have supported the bill. The restrictions on personal liberties and freedoms jar against the very fabric of liberalism, but exceptional times require exceptional measures.

Earlier today I opposed the timetabling of the Coronavirus (Extension and Expiry) (Scotland) Bill, because scrutiny matters. Indeed, without the intervention of my party, in collaboration with others, the Coronavirus (Scotland) Bill would have allowed the suspension of trial by jury. That would have interrupted an unbroken tradition in Scottish justice that has lasted nearly 800 years and upended with it a cornerstone of our human rights.

Remote jury centres enabled 197 evidence-led trials to proceed in the latter part of 2020. That brought us to a return to pre-pandemic throughput, demonstrating that the cessation of trial by jury that the Government proposed in the Coronavirus (Scotland) Bill at the behest of the Lord President was, indeed, unnecessary.

I welcome the continuity of several aspects of the Coronavirus (Extension and Expiry) (Scotland) Bill, and I associate myself with Jackie Baillie and Lorna Slater's remarks in relation to why many of the provisions have given comfort and security to people who would otherwise have been made destitute in the teeth of the crisis.

However, we in the Liberal Democrats have serious concerns that continuing other aspects of

the legislation beyond 30 September could still have serious consequences for human rights across society. For example, the bill in its current form proposes to continue with the suspension of certain time limits in criminal proceedings under section 5 and schedule 4 to the Coronavirus (Scotland) Act 2020, which allow for an increase of the maximum time period that an accused person can be held on remand prior to trial.

Of course, people are often held on remand, because it is the most practical way of keeping them and the public safe. However, 90 per cent of prisoners are still awaiting trial. Delays caused by the provisions of the Coronavirus (Scotland) Act 2020 have seen the untried remand population rise by 35 per cent. We need to resource the judiciary and the criminal justice system sufficiently to handle the backlog.

Reports from the Law Society of Scotland paint a very concerning picture that increased periods of time in remand threaten to skew the outcomes of criminal cases. For example, accused persons who might wait 12 or 18 months on remand had they pled not guilty might instead choose to enter a plea of convenience and plead guilty in the expectation of a discounted sentence, rather than face the long wait behind bars for trial. The continuation of increased time limits allows that drift to happen in the first place. There were backlogs before the pandemic and the continuation of the measures will only exacerbate the situation. It poses a threat to the very integrity of our criminal justice system.

The purpose of the original legislation was to protect Scotland's most vulnerable from a disease that, 18 months ago, we barely understood. There are provisions in the legislation that I have always spoken out against because of the potential harm that they could do to some of those vulnerable citizens. The legislation offers ministers the power to increase emergency detention on mental ill-health grounds from 72 hours to 120 hours and suspends the need for a medical practitioner to consult, or get the consent of, a mental health officer before granting a short-term detention certificate. In short, if activated, the power would make it easier to secure compulsory treatment orders. That was done at a time when we did not know what pressures would befall the national health service and what healthcare professionals would be available. However, we now know that we can cope with the situation.

The provision is dangerous. I am sure that that is why the Scottish Government has never chosen to activate the powers. That begs the question why we need to retain them in the first place. As long as the provision remains in place, it presents a potential assault on the rights of those experiencing a mental health crisis and puts us out

of step with our commitments to the United Nations Convention on the Rights of Persons with Disabilities. I hope that the Government will work with me to put those powers beyond use.

I echo what others have said in and beyond the chamber about the need for transparency. Transparency is one of the most important tenets of our democracy—without it, we would not have been able to access the information that reveals the true extent of the tragedy in our care homes—but the Government has repeatedly undermined that transparency and disrespected the supremacy of the Parliament in the way that it often announces dramatic changes to Covid regulations.

I am gratified that, this afternoon, the Presiding Officer challenged the Government's use of Government-initiated questions for major policy announcements—in this case, on the Manchester travel ban. GIQs are never accompanied by commentary or information to increase public understanding of a decision, and they afford no opportunity for parliamentary cross-examination. In taking that approach, the Government undermines not just the Parliament and its members but members' staff. Caseworkers and researchers are put in a position in which they have to attempt to help or explain things to constituents but do not have access to information or the chance to raise concerns before the ban is due to come into place.

Whether it is in relation to how the Government announces policies or the unprecedented powers that the bill affords the Government to control how we live our lives, there is not a free pass for Government to ignore the Parliament's democratic mandate. Although we in the Liberal Democrats will support the bill as it transits through the Parliament, we do so in hope and expectation of the time when its provisions can finally fall away.

The Deputy Presiding Officer (Liam McArthur): We move to the open debate. The first speaker will be John Mason.

17:15

John Mason (Glasgow Shettleston) (SNP): I believe that we need to legislate at this time, and that September would be too late. When we passed the coronavirus legislation in spring 2020, most of us hoped that Covid would be sorted by now but, sadly, that has proved not to be the case. It was sensible to review the legislation after the election in case the people of Scotland had perhaps wanted a change of direction. However, the people of Scotland said in the election that they have confidence in Nicola Sturgeon and the Scottish National Party, so it is right to continue some of the legislation for at least a few more months.

Liam Kerr: The First Minister is increasingly confident that, in the race between the virus and the vaccines, the vaccines will win. Does John Mason agree with her and, if that is the case, why is the extension necessary?

John Mason: I think that we all agree that the vaccines will win—we certainly very much hope that they will—but we have not yet caught up with the virus. The issue is at what point we will catch up and overtake the virus. That has not yet happened, and we are pretty sure that it will not happen by 30 September. It is worth reiterating that the bill means a reduction in powers for Government ministers and that the powers that are continuing are not being changed, so it is difficult to see why there should be much fuss about any of it.

I recently looked back at the legacy report of the COVID-19 Committee. I appreciated being a member of that committee towards the end of the previous session, and I think that I am the only member of it who will be a member of the new COVID-19 Recovery Committee. The legacy report said that the enhanced scrutiny arrangements had generally worked well, and referred to

“the opportunity to take evidence from Scottish Ministers and public health officials at its weekly meetings”.

The report recommended that a similar committee should continue

“in the early part of the new session”,

as should that opportunity to take evidence.

In some ways, it is disappointing that committees are starting only this week, as Gillian Martin pointed out. I am still not exactly clear which issues the new COVID-19 Recovery Committee will deal with and which issues will be for the Health, Social Care and Sport Committee. For example, which committee will deal with new variants and vaccination rates?

The legacy report also refers to post-legislative scrutiny and suggests a review before new legislation is implemented. I accept that that will not be possible with the bill, but the point holds good for the future. The Law Society of Scotland has raised a query about whether we should rely more on civil contingencies legislation than on coronavirus-specific legislation.

Throughout the pandemic, the Conservatives have argued for more certainty and more decisions to be made further ahead so that businesses and everyone else can have time to plan properly. That is a fair argument, but if decisions had been made further ahead, that would probably have meant that schools, businesses, pubs and restaurants would all have been closed for longer. The Government has

always had a difficult balance to strike between, on the one hand, trying to make the best decision with the latest available data—even if the decision had to be made late on—and, on the other hand, giving longer notice periods and making earlier decisions based on less complete data.

I think that the Conservatives understand that dilemma, but they seem to have chosen to ignore it for the sake of simplistic messaging about how bad the SNP Government is. With the bill, we are being offered more certainty, because we are dealing with it before the summer recess, but the Conservatives still complain that they want more flexibility and to leave decisions on legislation until later.

Human rights are clearly a factor in our reaction to Covid. Like other members, I am sure, I have had many emails from constituents arguing that children have the right to be at school and that visiting family members in care homes or meeting friends and relatives are also human rights.

However, it has been necessary to curtail all our rights temporarily to ensure that as many of our fellow citizens as possible—especially our most vulnerable fellow citizens—have their right to life and health better protected. I do not think that any of us wants to be dealing with the bill this week—we all wish that it was not necessary—but it is necessary, and we have a duty to take it forward, while perhaps improving it through the course of the week.

On the subject of our rights, I want to mention churches and religion in my speech. In Scotland, we have a long tradition of the separation of church and state, unlike in England, where the Queen is head of the Church of England. Within the church in Scotland, the Queen is a citizen like anyone else.

We all have the right to worship God or not as we choose, and the state does not have the right to stop us doing so. Therefore, the state must be very wary of interfering with the churches or, for that matter, with any religion. Similarly, I accept that the churches and other religious groups should not seek to dictate to the elected Government. Broadly speaking, churches accept health and safety and employment law, and similar healthy and practical legislation.

However, we still need to be careful about the dividing line between religion and the state. I was critical of some of the churches just before lockdown, when many did not meet on Sunday 22 March last year, even though lockdown did not start until Monday 23 March. I think that that sent out the message that the churches would do whatever they were told, which was unfortunate.

By contrast, earlier this year, some of the churches challenged the Government rules that

said that they should be closed and, in broad terms, they won in court. I did not agree with that particular legal challenge, nor did many other churches. Despite that, most are still sticking to the other rules and guidelines on maximum numbers, social distancing, the absence of singing and so on. It is encouraging that those limits are to be relaxed over the next few weeks.

None of us wants emergencies and none of us wants emergency legislation, but the pandemic is continuing—indeed, many countries are only starting their vaccination programmes now. Therefore, although we might not like having to pass such legislation, I strongly believe that we have a duty to do so.

The Deputy Presiding Officer: Before I call Annie Wells, I advise the chamber that we are 23 minutes or so behind schedule, for very understandable reasons. However, I do not want to truncate the debate or to discourage members from making or taking interventions. The business managers are currently consulting on a revision to decision time, and I am sure that the Presiding Officer will inform the chamber of the decision.

I call Annie Wells, to be followed by Stuart McMillan.

17:22

Annie Wells (Glasgow) (Con): At the beginning of the Covid pandemic, when a new crisis threatened to engulf the globe, Conservative members of the Scottish Parliament supported the Scottish Government's emergency powers as a necessary and justified response to protect public health. Sixteen months later, I am unconvinced by the case that the cabinet secretary has put forward on the necessity of an urgent extension to the emergency powers beyond 30 September.

I want to put to one side for a moment the content of the bill and look at the nature of the way in which it has been brought before the Parliament. In the final week before recess, as the term draws to a close, the bill is being rushed through at incredibly short notice, with little time being allocated for scrutiny or debate. We have been provided with only three parliamentary days to debate a bill that, if it is passed, could result in emergency Covid legislation staying with us until September 2022. It is no wonder that several organisations, such as Inclusion Scotland and Amnesty International UK, have raised concerns with the Scottish Government, particularly over the lack of formal consultation on the bill. I share those concerns.

As my colleague Murdo Fraser highlighted, there would have been ample time during the summer recess for a proper consultation with the relevant stakeholders who will be impacted by the

emergency legislation. We could then all have worked together on a cross-party basis to consider any new legislation in September, after Parliament had returned from the summer recess on 31 August. However, as I mentioned, the Government has insisted on rushing the bill through Parliament by the end of the week, thereby extending its wide-ranging powers, which is alarming.

The bill before us is not the only recent example of the Government's seeking to frustrate the ability of MSPs to properly scrutinise its actions.

Gillian Martin: Does Annie Wells agree that people who are worried about homelessness and losing their homes would welcome the certainty of knowing that they are protected by the bill?

Annie Wells: They are protected just now until 30 September. We are saying that now is not the time to debate the legislation because no consultation is taking place.

Only last week, it was revealed that the SNP Government had agreed the Manchester and Salford travel ban on Thursday morning and— notwithstanding the cabinet secretary's remarks about emails—the First Minister announced it only on Friday. The SNP failed to come before Parliament to justify its decision, despite Thursday being a sitting day.

As parliamentarians who are elected to represent our constituents, it is our duty to hold the Scottish Government to account by robustly scrutinising in the chamber its decision making. That process is a healthy and essential part of our democracy, and the Scottish Government's conduct in recent weeks in that regard has regrettably fallen far short.

As I said in the chamber a fortnight ago, the SNP's case for why the powers must be extended is weak, and that remains true today. As such, the Scottish Conservatives will oppose the extension of the emergency powers.

John Swinney: In response to my colleague Gillian Martin, Annie Wells advanced the argument that she would want to see protection in place for tenants should they face eviction. However, she then said that we should delay the legislation until September. If there was not enough time by 30 September to secure the parliamentary passage of and royal assent to the legislation, how would tenants be protected?

Annie Wells: There will be time to get the legislation through and to gain royal assent.

John Swinney: There will not be.

Annie Wells: Yes, there will.

Wide-ranging powers that were introduced as temporary measures should not be in place for a minute longer than necessary. With the success of

the UK's vaccination programme, Scots have clear reasons to be hopeful that they will soon be released from the clutches of the pandemic. Although the delta variant has undoubtedly presented itself as a new challenge given that it has led to a rise in cases and hospital admissions, we know that adults who are fully vaccinated have significant protection from serious illness.

The First Minister herself has repeatedly said that the vaccination programme in Scotland is the route out of the restrictions. With the confirmation in her statement today that, by the end of the week, over-50s, carers and those who are clinically vulnerable will be fully vaccinated, there is reason to be highly optimistic. After all, it is the Scottish Government's own target to have all adults vaccinated by mid-September. By then, the state that we are in with Covid could look considerably different.

Despite the substantial progress of the programme's roll-out and the optimism that is associated with it, the bill will give the SNP Government extensive emergency powers for an additional six months until March 2022—and possibly for even longer, as we have heard. As more people are vaccinated and life in Scotland starts to return to a state that resembles pre-pandemic life, people will rightly be perplexed as to why the Government is in such a hurry to extend the emergency powers. It surely makes more sense for the SNP Government to use the time that it has over the summer recess to consult experts, stakeholders and the public to ascertain whether such an extension is required. For that reason, an extension to the emergency powers is both inappropriate and unnecessary at this stage, and I will vote against the bill at decision time.

17:28

Stuart McMillan (Greenock and Inverclyde) (SNP): First, I do not believe that any of us wants to stand in this chamber today to speak about the extension of the Covid legislation. The fact that we are doing that—and must do so again—is a stark reminder that we are still living with Covid.

I know from speaking to constituents that they are fed up with how we are living. We are all fed up. We also know, however, that we have to find a way to live with the coronavirus. We all know that the numbers are on the rise, with a stronger mutation of the virus—who knows what we will get in the future?—and that now is not the time for letting our guard down.

I believe that the bill is necessary to ensure that our public sector can continue to do what it needs to do once the current regulations come to an end, on 30 September. Were the regulations to end then, the public sector would have a vast job to

undertake in planning, preparing and delivering any changes that would be required thereafter.

The facts are clear. We are still in the midst of this global pandemic and we are not yet in a place to relax all restrictions. Some measures are no longer needed, which is the reason why they are not in the bill. That is a good thing, and it maintains the commitment that the Scottish Government gave when the bill was introduced. First and foremost, we need the safest possible route out of the pandemic. We all want to reopen the country as quickly as we can, but that must be done safely.

Stephen Kerr (Central Scotland) (Con): Great play has been made by the Deputy First Minister of the fact that things are being left out of this legislation. We heard a fairly optimistic prognosis, I think, from the First Minister earlier today. Can Stuart McMillan not imagine that we could be in the first week of September with the measures in the bill no longer being necessary? If that is the case, would he support a repeal of the bill if—as seems likely, let us be frank—it gets through Parliament this week?

Stuart McMillan: I will not answer the question immediately, because I am about to come on to some of those points in the rest of my speech.

Earlier today, the Minister for Parliamentary Business, my colleague George Adam, highlighted the necessity of the emergency legislation being introduced and debated this week. I note that Mr Adam used the phrase of not leaving anything “to chance”. I am not a member of the Parliamentary Bureau, so I am not privy to the discussion that takes place there, but after listening to Mr Kerr’s comments and his reply to the parliamentary business manager, I now understand why Mr Adam said what he said.

Stephen Kerr indicated that double vaccination is providing “immunity” from “all known variants”—I am sure that he will correct me if I am wrong about that. However, I suggest to Mr Kerr that that is exactly why we need this legislation: all known variants are one thing, but those still to come are another. Who knows what the variants that are ahead of us will be like? *[Interruption.]* Maybe Mr Kerr knows. If he does, will he please talk to the Scottish Government’s scientists?

Stephen Kerr: That is an argument for keeping the restrictions in legislation for ever, which is not acceptable. We cannot operate on that basis in a free society. What I actually said was that the vaccines have been proven to be efficacious with all the known variants. While we are talking about things that we do not know about, we could be talking about this legislation being with us for ever, and that is not acceptable.

Stuart McMillan: I am sure that Mr Kerr will read the *Official Report* later, but he did use the word “immunity” in his earlier comments. *[Interruption.]* I am afraid that it does matter, Mr Kerr.

Mr Kerr also suggested that we should be more optimistic, and Annie Wells touched on that. Certainly, we all need to be more optimistic about the future, and we heard some positive comments from the First Minister in her address to the chamber earlier. However, the reality of the situation is clear: the numbers are still going up, and we heard about that, too. The virus is not going away but is increasing and having an impact on what Scotland is doing right now.

The bill in front of us does not deal with any of the measures in the UK Coronavirus Act 2020—the lockdown powers, for example—and it does not provide for any extension to public health guidance on restrictions on travel, as those are not legislated for under the Scottish acts. The bill continues the reporting requirements that exist in the first two Scottish acts and it gives the Scottish Parliament the power to extend the Scottish acts for a further six months, to 30 September 2022, if necessary.

In recognition of the far-reaching and unprecedented nature of some of the provisions in the Scottish acts, they contain a number of safeguards, including that the relevant provisions in the acts automatically expire less than six months after they come into force, although the period can be extended by the Scottish Parliament for two further periods of six months. That is a very strong safeguard, along with the Scottish ministers having the power to bring provisions in the acts to an end earlier when they consider that they are no longer necessary.

The fact that we have the bill in front of us today deals with the first of those points: Parliament, sadly, must extend some powers. However, the second point, about provisions being brought to an end earlier when they are no longer needed, was discussed by the Parliament’s Delegated Powers and Law Reform Committee today. We spoke about the Coronavirus (Scotland) Act 2020 (Early Expiry of Provisions) (No 2) Regulations 2021 (SSI 2021/236), and we agreed to draw the instrument to the attention of the Parliament on reporting ground (j), as it had been laid less than 28 days before coming into force, in breach of section 28(2) of the Interpretation and Legislative Reform (Scotland) Act 2010.

The Presiding Officer (Alison Johnstone): You should conclude your remarks, Mr McMillan.

Stuart McMillan: I will, Presiding Officer.

In effect, the Scottish Government, in using the safeguard in the Covid legislation by removing the

powers that are no longer necessary, will take a small hit under another piece of legislation.

I will support the bill, and I hope that it passes through the Parliament this week.

17:35

Pauline McNeill (Glasgow) (Lab): I will begin by stating the obvious. We MSPs have been protected somewhat from the financial issues that others face and that many of our constituents have. I always try to see things from the point of view of the Government in managing the worst crisis of our time, but we must be alive to the fact that we—MSPs, ministers and even the First Minister—can easily lose touch with the devastation out there. We need to show that we understand that we must, if necessary, meet in the summer recess. We also need access to decision makers in the next eight weeks so that we can work hard on behalf of all those who are concerned about the legislation and the regulations and try to bring the country together.

The nation is distressed and tired, and it is losing a lot of trust in decisions. Indeed, some people are cynical. Businesses feel that they have complied only to find that the Government has changed its position. People are rightly asking harder questions about the inconsistencies in the approach that we are taking, and the narrowness of the bill will reduce our role as representatives. As Jackie Baillie said, the Parliament should not be sidestepped.

The Deputy First Minister has suggested, in a casual way, that we can make any additions that we think are necessary in September. However, there is no way that I, as an elected politician, am going to rubber-stamp any legislation—that is not what I am elected to do. It is important to see what the public think of that.

I would, of course, welcome the fund for tenants. That is a really positive announcement, and I consistently called for that over a year ago.

Today's announcement by the First Minister at least gives some hope to some sectors about the restrictions being relaxed. I speak on behalf of thousands of musicians, solo artists and bands from various sectors who feel forgotten about. Their livelihoods have been lost and their mental health is in steep decline. They can now be hopeful about 9 August and 19 July, and about live music being played at weddings under level 0. That is great news, but I still want the chance to amend the legislation where I think it is failing.

We need clarity on the announcement that there will be no social distancing after 9 August if, as the First Minister said, the vaccine roll-out and so on go as planned. Can there be bands at weddings?

Has socially distanced dancing at level 0 been considered? Can pubs and events have a live band? It sounds as though they can, but I would like further clarification on that, and I hope to get that in the coming days.

Why are we not able to amend the bill? We have many questions about the regulations. Murdo Fraser said that we are taking away freedoms and liberties in the interests of public health, and a huge number of people have questions about that approach. The night-time industry is asking whether it can plan for the date now, whether it can open up and whether it can take out the necessary insurance to plan for when restrictions are relaxed, on 9 August.

I want to concentrate on some concerns that I share with other members about the extension of justice provisions. The rationale behind introducing fiscal fines was to free up the courts to deal with more serious offending behaviour, but I am not clear what offending behaviour would attract such fines, and that should certainly not become a permanent change. I am interested to know whether the Government would consider reporting to Parliament on the range of offences that might be so identified by procurators fiscal.

I have deeper concerns about time limits. Certain time limits will be disapplied so that there is a period during which they will not apply and the court can adjourn a case for such a period as it considers appropriate. Beltrami & Co said:

“the amendment is unnecessary—the existing laws already provide for the extension of time limits.

The amendment serves only to extend the strict time limits within our existing framework, without the need for the court's prior approval.”

A more serious concern is the extension of time limits on remand. At topical question time today, I said that Scotland's remand figures are of deep concern. The Howard League commented on that in its report entitled “The Scandal of Remand in Scotland”. I understand the reasons for using emergency powers to extend the time for which people can be held in custody, but we must monitor that closely to ensure that we comply with health and welfare considerations. I hope to raise such concerns tomorrow.

The provisions on hearsay evidence are probably my biggest concern. The 2020 act allows evidence by statement when there would be

“a particular risk ... to the person's wellbeing attributable to coronavirus, or ... of transmitting coronavirus to others”.

A statement cannot be cross-examined by the defence. Are we talking about the situation for the complainant or for other victims in the process? Why can we not use Zoom, for example? Through amendments at stage 2, tomorrow, I hope to

examine such questions and other aspects of the legislation that are not well drafted.

I regret that there is not more scope to amend the bill in the way that I have outlined, but I look forward to stage 2.

17:41

Gillian Martin (Aberdeenshire East) (SNP): I will open by talking about scrutiny and agility. In spring last year, the Parliament responded to the coronavirus in an agile and robust manner. The 2020 act was put in place at haste because everything that was in it demanded such haste. In session 5, all parties in the Parliament rose to the challenge and did important and swift work, which has carried the country through one of our worst years ever.

The COVID-19 Committee was set up to continually scrutinise the Government's response and how the legislation and other policies that affected our Covid response were working. The committee had the ability to meet during the parliamentary suspension for the election period, if that was deemed necessary, but thankfully it was not.

The First Minister takes questions on Covid in the chamber every week, often for more than an hour. She is open to parliamentary scrutiny every Thursday at First Minister's question time. She gives almost daily briefings on national television and takes questions from the media on the detail. Party leaders have the opportunity to comment straight after that.

The First Minister has appointed John Swinney as the dedicated Cabinet Secretary for Covid Recovery, in addition to the relevant cabinet secretaries who appear frequently in the chamber to be questioned on all aspects of the impact of Covid. Every detail of the legislation and other policies for the Covid response and recovery is constantly up for scrutiny, yet people would not know that that was the case if they listened only to Opposition members today.

I gently suggest that if Boris Johnson had put himself up for the same level of parliamentary and media scrutiny on all things Covid, we might have a better general situation with regard to the impact of decisions that are taken at the UK level, particularly about people entering the UK. Stables and horses and the locking and bolting thereof come to mind.

John Mason was right to point out to Murdo Fraser that getting the changes through now gives more certainty. The Conservatives' criticism is often that the Government does not go fast enough—that was the thrust of Douglas Ross's questions to the First Minister today.

For as long as the legislation is in place, the Scottish Government will continue to meet its commitment to publish reports and to give Parliament the opportunity to scrutinise them. The committee on Covid has reconvened at last. As I said in my intervention, if certain members had not denied the election results and delayed decisions on committees, we might have had a fighting chance of at least stage 2 going through the committee and of evidence being taken. However, we are where we are, and three days of debate await.

Today, we move another inch forward towards getting back more of the freedoms that we once took for granted. That is the cheering part. It has been a long 18 months—some have felt that more keenly than others. We must be mindful that the pandemic continues, so keeping in place the safeguards that we need is essential.

The virus continues to fox us with new variants, and we must acknowledge that the lack of caution and the slowness to act on people from spiking parts of the world coming into the UK have been a problem. I worry that those who make border-based decisions do not seem to have learned that lesson.

It is only right that we maintain emergency operational measures in respect of children's hearings and child protection to ensure that children's rights are protected throughout the pandemic. It is right that people who are being hit financially have a safety net and that tenants continue to be protected. If they are not, we face a potential homelessness crisis further down the road.

The grant fund is welcome. It will protect vulnerable people and families who, as Lorna Slater rightly said, are in financial difficulty through no fault of their own. Those who are in debt will have more protection through the increase in the minimum debt level that an individual must owe before their creditor can make them bankrupt.

Safety nets such as that save society money. People in desperate debt situations can find it hard to get a foothold again and may suffer extreme mental health complications. We must be preventative whenever we can. We all know the cost to wellbeing for those who lose their homes and, consequently, the enormous amount of public money that it can cost to address that trauma. Often, we cannot completely address the trauma, but we could prevent it.

We need to be fleet of foot when it comes to Covid. We did it before and we can do it again. We are affording people certainty and safety nets. The safety nets might never be needed, but is that not the point of a safety net? We do not need one until we absolutely do.

17:46

Stephen Kerr (Central Scotland) (Con): I say to Gillian Martin that the Conservatives are absolutely in favour of safety nets, but safety nets are not really the substance of the bill. The bill is a cynical and rushed power grab by the SNP. In principle, I support Governments using emergency powers in times of national crisis, but I balance that with a full commitment to parliamentary democracy, and the Parliament should be able to scrutinise the decisions that are taken by the Government. A few minutes ago, somebody said that it is the duty of all members of the Parliament to scrutinise the Executive. That also applies to those who are members of the party of government.

John Mason: Given that the bill will reduce the powers that the Government holds, does it really take a lot of scrutiny?

Stephen Kerr: Oh, my goodness me. I am not sure whether John Mason will be proud of that intervention when he looks back on it. The bill still consists of considerable powers, and the Parliament should take the time to scrutinise the bill and consider whether those powers are necessary. That should be the concern of every parliamentarian.

My first concern is that three days of parliamentary debate is not enough time to fully scrutinise the bill. It is not only my Conservative colleagues and me who have that concern. Amnesty International said:

“While Amnesty has listened to the arguments made by ministers for the extremely short time period allowed for the scrutiny of this Bill, we would take this opportunity to highlight the unsatisfactory restrictions the timescale places on scrutiny and participation in decision making, including the lack of formal consultation.”

I do not know whether Patrick Harvie wants to intervene to disagree with that observation from Amnesty International. I suspect that he does not.

Patrick Harvie (Glasgow) (Green): I do not think that anybody thinks that this—or anything about living in a global pandemic—is satisfactory, but it is necessary. If Stephen Kerr wants to call it a power grab, can he point to any power that the Government will have as a result of passing the bill that it does not currently have?

Stephen Kerr: If I may say so, that is the whole point. As we go through the summer, the situation is changing rapidly. There is no need for us to rush the bill through Parliament in the next three days. The powers that we are debating will expire on 30 September 2021. Between now and then, the Government should be consulting experts and members of the public about the powers. The weeks of parliamentary time after recess could be used by Parliament to scrutinise in detail the

Government’s proposals and whether they are fit for purpose at that time, and then we could consider all our legislative options for the situation in which we find ourselves. However, that is not what the SNP Government is about. It is trying to steamroller the bill through Parliament—that is a power grab.

The Government should give up the powers when it no longer needs them, and we should be reviewing that when we get to the first week of September, because 30 September is a long way away.

Stuart McMillan: Does Mr Kerr accept that, as the example that I provided to the chamber a short time ago shows, the Government is already removing some of the powers that it had because it no longer needs to have them? Does Mr Kerr agree that the Scottish Government is doing the right thing? It is following the law that was passed by the Parliament.

Stephen Kerr: Oh, come on. I welcome the fact that the Government is giving up those extraordinary powers in some areas. I asked Stuart McMillan during his speech whether he would support my suggestion that, if we got to the first week of September—if the bill gets pushed through Parliament with this undue haste—the act, as it would be then, should be repealed, but he could not answer then and he is not answering now.

Stuart McMillan: This piece of legislation will hopefully be passed this week. As the legislation indicates, when the powers are no longer required within the six-month period, the Government will not use them. As Mr Kerr will already know, the bill will have to be considered again in six months’ time.

Stephen Kerr: How does the member know that we will need the powers in the first week of September? The member does not know that. The Deputy First Minister once again remonstrates with his hands in that way that he has, but this is a serious point. How does he know that we will need those powers in the first week of September? We should wait until then to review the situation and consider the progress that the First Minister highlighted in her statement. She also highlighted the success of the vaccine—the vaccine miracle, as we could rightly call it.

It is due to the foresight of the procurement of the UK Government—I mention Matt Hancock and Nadhim Zahawi in particular—that we have enough vaccines in this country to deliver to every adult, and perhaps even to every youth. We also have to thank our front-line NHS staff and volunteers across the UK, who have played such an important role in putting vaccines into people’s arms. Through the collective effort of those people

and many more, thousands of lives have been saved.

I sense from the Presiding Officer that my time is up. I would go on longer if she would allow me—I can see that that would be a popular policy.

The Presiding Officer: Please conclude.

Stephen Kerr: The reality is that, if there is a successful roll-out of the vaccine in the next few months, the situation that we come back to after summer recess could be dramatically different. That is why I asked the Government to postpone the debate on the extension of emergency powers until after recess and use the remaining parliamentary time this week to debate the issues that Scotland immediately faces due to the pandemic. Had I more time, I would have expanded on that. There are serious issues that the Parliament should be debating this week.

The Presiding Officer: Please conclude.

Stephen Kerr: We should not be spending this week debating an SNP power grab.

The Presiding Officer: To avoid curtailing the debate, I am minded to accept a motion without notice to move decision time to 7 pm. I invite George Adam to move a motion to that effect.

The Minister for Parliamentary Business (George Adam): Regrettably and unfortunately, because of the antics in here, I will move such a motion.

I move,

That, under Rule 11.2.4 of Standing Orders, Decision Time on Tuesday 22 June be taken at 7.00 pm.

Motion agreed to.

The Presiding Officer: Thank you, colleagues.

17:53

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): It is good to be back in Parliament alongside colleagues old and new from all parties. When the virus first emerged in Scotland early last year, I am sure that none of us thought that we would still be here around 15 months later debating the extension of the legislation. However, the reality is that the virus is still here and people are still losing their lives because of it.

In the past week alone, there have been more than 10,000 new positive cases in Scotland, and there were more than 2,000 just yesterday. Fifteen people have died as a direct result of the virus and more than 170 are in hospital.

Yesterday's daily positive total was the highest since 15 January this year. That surely illustrates why this is a matter of great concern.

It is clear that we must agree to extend the provisions in the bill beyond September to continue the fight against the virus and to protect the public as best we can. What other choice do we have that offers greater protections for the public?

When I served on the previous session's COVID-19 Committee, week by week colleagues would look at the provisions in the legislation and hope more than anything else that this would not last for as long as it has lasted. The then cabinet secretary, Mike Russell, attended our committee almost weekly, alongside Professor Leitch, to explain the proposals and to answer detailed questions from members about the impact of the virus on public health, our economy and people's livelihoods. Hard decisions are never popular, and the bill's timetable is far from ideal, but the lesson that we learned back then was that we have to act faster than the virus if we are to stay ahead of it and its increasingly transmissible variants.

As some members have said, the bill does not propose to confer any new powers, and it is good to see a number of provisions being dropped as we no longer need them. I hope that that pattern will continue as long as we get the figures in our communities down again.

Some protections will be extended if the bill is passed, one of which is the continued protection from eviction for private and social sector tenants. I was pleased to hear about the £10 million grant fund that is to be made available to help all those who are in arrears. With the exception of cases involving antisocial behaviour, criminality and abandonment of a property, tenants will continue to be afforded some protection from eviction during the critical times when the legislation applies.

I am grateful to Michael Clancy and the Law Society for their detailed briefing, which covers that topic in some depth. They recognise that the pandemic has led to many job losses and a reduction of income for many households in Scotland, with people unable to meet their financial obligations under their tenancy agreements. Although the Law Society supports the extension of the provision, it points out that landlords also need support to allow them to meet or to suspend their liabilities as a result of being denied the income that is not being paid to them by their tenants. I hope that the cabinet secretary might say something about that during his summing up.

Court hearings will continue to be held remotely if the bill is passed—the Law Society also supports that measure. There are a number of issues with participation in courts using digital technology, particularly if data links are not reliable and if evidence is not properly heard.

Like those in all other parts of Scotland, my constituents in Kilmarnock and Irvine Valley have suffered at the hands of the virus. For the very youngest to the most senior of citizens, family life and education have been disrupted, jobs and businesses have been lost and, worst of all, loved ones have been lost. There have also been some incredible stories of resilience, exceptional care for our fellow citizens and wonderful ingenuity that gives us hope that, even at this awful time in our history, we can see a better future on the horizon. Our Government is doing its best to lead us there as safely as possible. I hope that our people will not have too much longer to wait, but we must pass the bill at stage 1 to make sure that the journey to recovery is as safe as possible, and that it protects citizens to the maximum of our ability.

17:59

Pam Duncan-Glancy (Glasgow) (Lab): I put on the record my thanks to the NHS staff, social care staff, and other care workers across the country for the essential work that they have done during the past year to get us all through the pandemic.

I think that I have been drinking the brave juice today, so before I read the speech that I have prepared, I want to respond to some of the things that we have heard today about timelines. A number of members have made a point about the time taken to get the committees settled and said that that has caused a delay and means that we have to rush the bill through.

One of the reasons why we had to delay the committee settlement was because of questions around the potential to scrutinise the Government on matters such as social security, and it was incredibly important for us to do so. When we rush things through Parliament, it is not only scrutiny that is at stake but the innovation that we have seen in communities across our country in the past year, which we might miss out on if we do not ask for their input and advice. Today, I seek to cover scrutiny as well as talk about harnessing and growing the innovation that we have seen from our citizens and communities in the past year.

When the bill first came to Parliament at the beginning of the pandemic, it was emergency legislation. The Parliament acknowledged then that it would not get everything right, but members united in a very short time to pass the bill in the best interests of the people of Scotland. We had to act fast to save lives and protect people from infection but, 15 months on, the extent of the damage that has been done is becoming clearer. The effects of the virus and infection are not over and the rebuilding job is huge.

There has been unprecedented poverty and job losses; young people are worried about their future; disabled people have gone without care for a year; families are at breaking point; and hard-won human rights—such as the right to be involved in decisions about our lives and the right to essential healthcare and support—have been denied. Those rights were the first to go in a time of crisis, and many fear that they will never return.

The bill before us does little to comfort people who have those fears. It did not need to be hurried through the Parliament in a matter of days, and it did not have to be set out in a way that allows such little scope for amendment. The unsatisfactory restrictions that the timetable places on scrutiny and participation in decision making—including the lack of formal consultation—are difficult to understand. The emergency coronavirus legislation created safety nets, made allowances and aimed to protect people as we headed into an unprecedented situation, where none of us knew what lay ahead. That is not where we are now.

This time, as we extend the legislation, things are different. The Government and Parliament have time and experience that did not exist when we began this journey. With those luxuries, we should fix the bits that we did not get right, strengthen the protections that safeguard people and, crucially, harness the innovation of the past year, which has been found in every home, workplace and community and in small places close to home, by ensuring that there is enough time to bring the people of Scotland with us on our journey.

Indeed, in order to get the solutions that we need, it is not only sensible and necessary to bring that innovation into this chamber; our international human rights obligations require that we do so. Despite the parliamentary timetable this week, we must use any opportunity that we have to harness the innovation that has been necessary this year and build on it so that we rebuild a better Scotland than we had before. That means walking the walk on human rights.

As the Government seeks to move forward with a further extension of the legislation, we want a commitment that it will expedite the commencement of a public inquiry to give effect to the level of scrutiny that is needed. Scottish Labour and other parties across the chamber will move amendments this week and do our best to strengthen the bill where we can, but I am sure that the Government is well aware that, because of the way that the bill has been introduced, there is more to be done than we are able to call for. For example, my colleagues and I would have liked the evictions ban to be not only reinstated but extended to those in lower-tier areas that are not currently covered by existing provisions.

We remain in the grasp of a public health emergency; social housing rent arrears continue to rise as people struggle with precarious work; and businesses are still closed, so protecting basic rights—such as the right to a warm, accessible, sustainable and affordable home—should be the utmost priority at this time. Forced evictions violate that right.

We would also have sought to introduce new provisions, in order to provide protection to groups that have fallen through the cracks because they have not had adequate support. For example, we would have sought to introduce a £5 a week supplement to the Scottish child payment for families with a disabled person. We do not yet know the impact that the coronavirus pandemic has had on the lives of disabled people and we cannot begin to assess the full extent of the support that is required to repair their lives, but we know that they have struggled to access food, lost essential care and been more likely to be on furlough. That is why we believe that we need to make a Covid payment to disabled people, as we have done for carers, to recognise the hardship that they have faced.

We must recognise the importance of not only protecting people from poverty but bringing them up to the income that they need in order to flourish. Scottish Labour would have wanted to take the opportunity to see the uplift to the carers allowance supplement remain permanent—doubling the amount that carers receive. Jobs and employment are more precarious than ever, so we would also have looked to end the full-time study rule and allow carers to earn more from part-time work.

We want stronger support for people whose incomes have been hit as a result of the restrictions on their workplaces and businesses, such as people in the creative industries who are struggling on precarious means, many of whom have lost their income. It is estimated that more than 100,000 self-employed people have been unable to access appropriate support through the various schemes that exist.

We want to see those schemes relentlessly promoted so that where help is available, people know about it and are able to access it. We would also like self-isolation grants to be made available to any individual who needs one.

The past year has been the hardest in living memory. It is hard to believe that anything good could come through it. However, it has shone light into some very dark corners and it has forced us to do things differently. The bill could have been an example of that. I hope that, despite its timetabling, the Government will commit to going out to communities, respond to the harms and harness the will for change quickly.

Often, from hardship and pain come strength and hunger for change. Now is that moment and I ask everyone here today to meet that moment. We must do everything in our power to protect, fulfil and promote the human rights of everyone in Scotland. Despite the speed at which we are going through this situation, I ask people not to lose sight of the desire and need to change, and the will and innovation out there to do it.

18:06

Siobhian Brown (Ayr) (SNP): We all long for the day when the bill will expire in its entirety and our lives will get back on track. No one will ever forget the fear, uncertainty and sense of unknown of what was ahead of us back in March 2020 when the world went into lockdown. There was no guidebook on how to handle a pandemic on such a huge global scale, and Governments around the world did their best to steer their countries through one of the most difficult times that any of us has ever known.

Thankfully, we have come a long way since March 2020, but coronavirus continues to pose a significant threat to public health. That is why it is still so important that our priority is to lead Scotland out of the pandemic and reopen the country as quickly and safely as possible.

I am sure that other elected members receive correspondence from people who are keen to get their lives back to normal and are frustrated by restrictions not being lifted quickly enough. We all want our lives to be back to normal: we want our kids back at school, carefree and enjoying their lives as they should; we want our businesses truly without restrictions; and we all want to go on holiday. However, the stark reality is that Covid is still with us and is still a threat.

Covid-19 is ageist, sexist, ruthless, dispassionate and opportunistic—as we have seen from the new variants emerging in recent months. Many of us have lost loved ones to this cruel pandemic and families have been devastated. Recently, I met a grieving constituent from Ayr, whose family had been torn apart by Covid-19. Lee Dodds from Ayr, aged 32, his wife and children all contracted coronavirus in March 2021. Lee was a fit and healthy hard-working man who had never been in hospital in his life. Tragically, Lee lost his life on 2 April, leaving behind his wife, a 10-year-old son and a six-year-old daughter. The family asked me to remind everyone that Covid is still a concern and to say, “Don’t think it won’t happen to you. Please stay safe.”

The bill is welcome and will ensure that the provisions to maintain essential public services can continue beyond 30 September, on our road

to recovery. There is no quick fix for a pandemic, but we have learned lessons in the past 15 months. The bill will not add any new measures to restrictions, but will expire several provisions that are no longer necessary. That is progress in the right direction.

In what has been a difficult year for so many people, we have also learned about resilience, innovation and the importance of support within the community. I have been out in my constituency in recent weeks, talking to local businesses. In what we cannot deny has been a very difficult time for them, many have come up with innovative ways to trade and to work with restrictions in a positive way. It is of huge importance to those businesses to keep their staff and the general public safe. Many businesses have chosen to close for a period if they were at risk of an outbreak. Times continue to be tough, but there is optimism and responsibility and care for the local community, which is admirable.

Although we are on the long road to recovery, I still have concerns for our youth, who have suffered greatly during the pandemic. Thankfully, we have some routine back in our lives, and the dark days of attempting to home school, with even the play parks being closed for our young ones, are becoming a distant memory.

However, life is not back to normal for children. With the new variant, schools continue to have outbreaks and many students in recent months have had to isolate up to three times, for 10 days each time. That absence from school has a further hugely detrimental impact on our children's education. It is not easy days for them and it is not easy days for teachers, who are working to the best of their ability in the most challenging of circumstances.

With South Ayrshire reporting a high number of positive cases in recent weeks, our local schools have had to put in place preventative measures to contain the spread. I understand the frustration of parents, as we all wish that life could get back to normal, but I must applaud those who have gone way and beyond to adapt and to make all the special occasions, such as our kids' nursery graduations, as magical and memorable as possible for our students.

My five-year-old leaves nursery this week. Unfortunately, her primary 1 induction day was cancelled due to a local outbreak, and her first ever sports day was videoed by the team of dedicated teachers, who captured every moment and sent the video to all the parents. It is not everybody's first preference, but the extraordinary efforts that are being made during these times by teachers cannot and should not be dismissed.

Although the pandemic is not over, the efforts that have been made by people all over Scotland since March last year and the success of the roll-out of the vaccination programme have allowed us to be optimistic about our future. Although we have had setbacks from time to time, we have started our journey towards national recovery. Now more than ever, it is important that all political parties across the chamber put the interests of the country first in order to guide Scotland through the pandemic and into recovery, so I will support the bill today.

18:11

Miles Briggs (Lothian) (Con): The Covid-19 pandemic presented a set of challenges that no one in the chamber had ever faced: a global health crisis of a type that had not been seen for more than 100 years. We all accepted that we needed to act swiftly and collectively. When ministers suggested that 100,000 of our fellow Scots could lose their lives to the disease and that councils and the military might have to undertake mass burials, we were all shocked and concerned, as Gillian Martin outlined, and we worked constructively to facilitate the powers that ministers said they needed at the time in the national interest. The variation of some regulations was also justified at earlier stages of the pandemic.

However, today's debate must acknowledge that we have come a long way since the start of the pandemic. The First Minister has admitted that the Scottish ministers got things wrong due to a lack of consultation. It is therefore concerning that ministers have left us with only three sitting days until recess to consider the measures and the intended—and often unintended—consequences that they will have. Ministers say that the powers will be extended for an initial period of just six months, but it is likely that they will be extended for a longer period. As I have outlined, the emergency response at the start of the pandemic was appropriate at the time, but it is not appropriate for ministers to try to keep hold of the powers, and there has been a failure to genuinely consult businesses and individuals whose lives and livelihoods will be affected by the consequences of the further extension of the powers.

Today, the First Minister committed, in principle, to the lifting of restrictions, which is due entirely to the success of the United Kingdom's vaccination programme. The question is why it is therefore necessary to consolidate the powers beyond the return of Parliament after the summer recess. Both those things do not go hand in hand. Full consultation and cross-party input and discussion over the summer would allow for proper scrutiny

and for the negative impacts of the extensions to be fully understood by the Government. I agree with my colleague Murdo Fraser that it is simply unnecessary to extend the exceptional powers in the way that the bill provides for without that vital scrutiny.

In relation to housing, as a few members have touched on, the initial coronavirus acts provided protections to students and tenants and made reasonable accommodations regarding notice periods and council tax. This has not been mentioned in the debate, but it is important to note that, during the pandemic, landlords have actively and responsibly tried to support tenants and small businesses to meet the rent payments and challenges that we know from our constituency mailbags many people have faced.

As has been highlighted, extending the evictions ban, and therefore postponing the work of tribunal proceedings further, might only deliver more uncertainty and build up new problems for renters, rather than leading to the long-term sustainable solutions that all members want to see. Before the pandemic, the average amount of debt that was owed by tenants who were being evicted for rent arrears was, at the point that a tribunal decided to grant an eviction order, 8.9 months of rent arrears. During the pandemic, with the powers in place, the average amount has risen to 13.3 months of rent arrears.

I know from discussions that I have had with housing and poverty organisations since taking over my portfolio that there is a growing concern at the significant increase in unmanageable rent debt. There is no doubt that many tenants face significant financial difficulties due to unemployment or to a reduction in take-home pay during the pandemic.

The Deputy First Minister is not in the chamber at the moment. As my colleague Murdo Fraser said, we welcomed the establishment of the tenant hardship loan scheme when it was announced last November, and I welcome what the Deputy First Minister outlined today regarding the £10 million grant fund. However, the devil will always be in the detail, and I look forward to seeing the criteria and knowing how that will be delivered on the ground.

As we emerge from lockdown and hope to see the restrictions lifted, there is concern about the long-term impact that poor credit scoring will have on tenants seeking rentals and on the rental sector, especially here in the capital where the private rental market comes at a higher price.

In relation to local government, it is a concern that the bill seems to give local authorities powers to continue restricting access to meetings, to delay the publication of reports required by statute and to further relax local planning guidelines. Our

previous debates about FOI and access to information show that that must urgently be looked at so that we can properly scrutinise decisions taken by local government. It is vital to fully scrutinise decisions and to hold local authorities, as well as the Scottish Government, to account.

Although it is essential to move cautiously, it is more important than ever to remember that the decisions that we take impact on people's livelihoods and businesses and on the fragile economic recovery that we all want to see. Parliament should be able to do the important job of properly scrutinising Government decisions. The Deputy First Minister says that he will allow eight weeks for consultation in the future. We have an eight-week period ahead of us in which we could have done that consultation and then come back to look properly at the regulations. SNP ministers are preventing the Parliament from doing that work, and that is regrettable. I hope that they will think again as we take the bill forward in the coming days.

18:17

Clare Adamson (Motherwell and Wishaw) (SNP): I have six minutes but I could say what I need to say in about six sentences. We are in unprecedented times. We are still in the midst of a pandemic. The citizens of Scotland expect and trust the Government to take the necessary action to protect lives and our health service. There is no valid reason to delay the bill; there are no new powers in it. It does not provide for an indefinite extension and it will remove powers that are no longer required. Therefore, it is the right thing to do.

I have listened carefully to a lot of the concerns that have been raised and the valid points made by Jackie Baillie, Pam Duncan-Glancy and Ms Slater about debt, human rights and disabled people. However, I take great comfort from what the Deputy First Minister said about the fact that a lot of those issues can be addressed by policy direction and co-operation and do not require legislation. I trust that the Scottish Government will look into that.

The expiry of powers is important. Some of the powers have already expired, in line with the Government commitment to remove provisions that are no longer necessary to support the ongoing public health response. That is important because the bill is about powers that are necessary, proportionate and used when required. I see no danger in extending them when we do not yet have a completely clear pathway out of the pandemic. I take the positive points about the vaccination programme, but I also listened to the First Minister today. No one has mentioned her statement that the rules on people working from

home will not be relaxed from August. We are still in the midst of the pandemic.

Another cohort of university students will arrive in early autumn, and we know what happened the last time—we know what the problems were. Everyone would love to have prevented some of those problems, but we do not know whether they will occur again. We are about to go into the winter period and if we know anything about Covid, it is that the virus causes us problems and puts obstacles in our way at every turn. We remember the disappointment that people felt during the Christmas holidays, when Covid presented us with a situation that meant that people could not visit family.

Having provisions available to be used proportionately when necessary is definitely the way forward. I commend my colleague Stuart McMillan, now the convener of the Delegated Powers and Law Reform Committee, for talking about the bill expiring in the technical terms of which he has real experience. The important point is that the bill will never need to be repealed, because it will expire: its powers will go when they no longer need to be used.

The bill does not introduce any new measures. We have lived with the measures through two iterations of the legislation, we know what they are and the First Minister is scrutinised daily on her response to Covid—she takes questions and gives information that people need to know about where we are going and how quickly we can move. We are all used to the provisions. The Parliament's COVID-19 Recovery Committee will continue weekly scrutiny of the issues, some of which might come out of left field or might be unintentional consequences. Ministers and the Government will be held to account on a weekly basis by the COVID-19 Recovery Committee.

I appreciate that people have concerns because the bill is another bit of emergency legislation, but it does not have new measures, nor does it cover aspects of travel regulations that have been devolved through public health measures or lockdown measures, which, as has been said already, are implemented by the Scottish ministers through the UK Coronavirus Act 2020.

I am disappointed that the pragmatic and consensual approach in the chamber to the previous emergency legislation has not been followed today by the Conservatives.

Delaying the bill would affect two particular measures that the bill will extend for a further six months. The first is the ability to have remote hearings for criminal and civil courts and tribunals. In that regard, I have just made an important point about how we are not going back to working in an ordinary office environment. The second is the

increase in the minimum debt level that an individual must owe before a creditor can make them bankrupt. That is important as we approach the end of the furlough scheme and do not know what the bigger impacts of that will be.

In the debate on the second iteration of the legislation in May 2020, Jamie Greene said:

“We lend our support to Government to give it the required powers that it needs to deal with the crisis on the principles of temporality and trust in ministers to use those powers responsibly and proportionally. In turn, the general public trust us to judge that balance.”—[*Official Report*, 13 May 2020; c 74-75.]

The Parliament is having its say on the legislation and it will vote to decide whether to extend the measures. It will have that opportunity again in the future. This is a matter of trust, and there is no doubt that the Scottish people have put their trust in this Government and our First Minister to ensure the safety of the people of Scotland.

The Presiding Officer: We now move to closing speeches. I call Patrick Harvie, who has six minutes.

18:23

Patrick Harvie (Glasgow) (Green): I will comment briefly on the debate about the debate, if I can put it that way, in relation to timescale and emergency legislation. I recognise what the Conservatives are saying: they are drawing our attention to the fact that the actual deadline is the end of September, not the beginning. However, when we debate a bill in Parliament, we are not speaking magic words; it is only part of a process. Let us imagine the alternative timeline.

If the Government introduced the bill in, say, the first week of September, we might debate it in the second week, might pass it in the third and might just about get royal assent by the end of the month. Then all the legislation's measures would need to be implemented. We would be leaving the many people around Scotland who have been working hard to adapt and respond to unprecedented circumstances simply guessing what was to be required of them just days before the emergency measures were either extended or allowed to expire.

I suggest that colleagues such as Stephen Kerr and Annie Wells, who have been genuinely concerned about that issue, should be very glad that they are not working in such roles in these circumstances, trying to keep our public services running. Actually, I am quite glad that they are not in such roles, too.

A number of members have mentioned business support and housing. Clearly, business support will need to continue. However, as Lorna

Slater said, we also have an unprecedented opportunity to reshape the economy—and reshape how we deliver that support. Conditionality will be absolutely vital. Indiscriminate support for business owners, regardless of how they treat their workers, customers and communities, or the wider world, would exacerbate the inequalities and injustices of the pre-Covid economy. We have an opportunity to do much better.

On housing, the idea of providing loans to tenants has been widely criticised. There was a suggestion that people facing the prospect of losing their job over the coming months would be willing to take on debt in the interests of their landlords, but that clearly would not work. I am glad that we are moving to grants, not loans. Like others, I question how quickly a £10 million fund might be used up if the furlough scheme winds up over the coming months. Jackie Baillie made important points about that issue.

I think that encouraging good practice, as Mr Swinney put it, simply will not be good enough. I have no doubt that Miles Briggs, given his comments, would remind me that some landlords have gone out of their way to support their tenants. However, we know that there are also landlords who will take every opportunity to put their own interests ahead of the tenant's right to a home. Simply encouraging good practice will not be enough.

Some members have said that having a grant is the wrong solution and that we should be looking to other solutions. That argument seems to come from those who have a track record of voting against strengthening tenants' rights and who also clearly intend to vote against rent controls. Those who suggest that we look to other solutions fully intend to vote against those measures. Access to housing is a human right; access to investment income is not. I am keen to see what amendments it may be possible to lodge—Jackie Baillie has something in mind on that.

I want to look forward. As members of all parties have mentioned, there are aspects of the situation that we have lived through for the past year and a half and the response to it that have value in the longer term. Covid will be with us for a long time. It might never disappear, but the emergency that it caused will. That emergency has prompted us to make changes in our society from which we must learn. It has shown us how quickly we can address a crisis when we treat it like a crisis.

Even before Covid, inequality was already a crisis; job insecurity was already a crisis; housing was already a crisis; and, in many ways, the state of our public health was already a crisis. Of course, the world also faces a climate and ecological emergency that, at a conservative

estimate, is already costing a quarter of a million lives annually, and the figure is rising. It is an existential threat to human existence and the living world around us.

In that context, we must look to the changes that we have made in response to Covid and ask ourselves two questions. First, which of the changes—for example, in relation to secure homes and incomes, sustainable transport and travel patterns and public health infrastructure—should stay because they offer lasting benefits beyond Covid? For example, can working online bring benefits for accessibility, and can continuous teacher assessment offer improvements to our education system, replacing high-pressure, high-stakes exams? We should be willing to ask what changes could bring a permanent benefit.

Beyond that, and more deeply, we must ask ourselves a second question. As a society, how ready are we for the next crisis? For example, how resilient is our economy, how responsive are our public services, how has our political culture acquitted itself in this crisis and, therefore, how ready are we for the next? I hope that the Government will return to those themes in a permanence bill.

18:29

Mark Griffin (Central Scotland) (Lab): I draw members' attention to my entry in the register of interests, which shows that I am an owner of a rental property.

Guidance issued by the United Nations special rapporteur on the right to adequate housing notes:

"Housing has become the front line defence against the coronavirus."

That simple statement is absolutely fundamental to the debate. A good, safe, warm and accessible home is a basic human right and something that every person needs if they are to flourish and reach their full potential. However, for the purposes of the debate, it is clear that a home is the front-line defence against this disease. If someone has Covid-19 symptoms, if they have been in close contact with a positive case or if a member of their household has symptoms, they have to isolate at home. If someone has been to an amber list country or if they have Covid-19, they have to isolate at home. From the outset of the pandemic, the key medical and public health advice to stop the spread of the disease and break the transmission link has been that people should isolate at home.

The reason why the ban on evictions has been a key part of our response to the pandemic is that it is a key part of the strategy to contain the spread of coronavirus. How can individuals or families have certainty that they will be able to isolate at

home when they have the threat of eviction hanging over their heads? How can someone who has been evicted and who is sofa surfing in multiple properties isolate at home? Given that isolating at home is a key part of the public health response, the bill must extend the evictions ban to level 1 and 2 areas.

There is that public health argument for extending the evictions ban, but there is clearly a moral argument, too. The Scottish Government has rightly called for an extension to furlough and to the £20 top-up in universal credit. The Government has made those arguments because we are still living with restrictions and because entire sections of the economy are either severely impacted or not functioning at all.

Less than three weeks ago, the First Minister said:

“We have made significant progress on the way out of this pandemic, which has devastated the lives of so many. But we are clearly still in a precarious situation, and it is vital to make sure that we support the people who have been most badly affected by the past 14 months.”

She went on:

“I will be calling on it”—

that is, the UK Government—

“to commit to maintain public spending during the period of recovery, and to extend the furlough scheme for as long as it is needed to protect businesses and people who have been required to stop working to protect others, and I will be emphasising that it is managed sensitively in a way that supports longer term recovery.”

I do not disagree with any of that, but surely the Scottish ministers must accept that the exact same arguments apply to the extension of the evictions ban. Many households have been affected by unemployment, reduced employment and reduced earnings. Lots of people have accumulated debts and rent arrears through no fault of their own and because of a global pandemic. We should support those people with grant assistance to recover, rather than piling more debts on top of existing debt just so that they can stay in their family homes. I am therefore glad that the Government has announced today that it is moving on that issue.

The tenants organisation Living Rent warned of “a cliff edge of orders to evict”

in the event of the country entering level 2. Statistics from the Scottish Housing Regulator show that, from June last year to March this year, the number of notices of proceedings relating to a rise in rent arrears being served on social housing tenants increased by 280 per cent. Citizens Advice Scotland has reported that, from 2019 to 2020, requests for advice about rent arrears with private landlords more than doubled.

The Scottish Government’s £10 million tenant hardship loan fund was supposed to help people to avoid the risk of losing their homes because of pandemic-related financial pressures but, so far, as the member who spoke before me set out, only £490,000 has been paid out. It is not a viable solution to people’s housing debt to put them into more debt. I welcome the Government’s grant fund and I am interested to see the new qualifying criteria for it. I am also interested in how the Government intends to convert into grants the almost £0.5 million of loans that have been paid out, so that those who have already accessed the fund do not have to live with unsustainable debt.

What will happen if evictions go ahead in the absence of a ban? Who will pick up the pieces? We will be left with families being pushed into extremely dangerous and vulnerable positions in the middle of a pandemic. Local authorities will be left to deal with a surge in homelessness applications. People will no longer be able to rely on the top-level public health and medical advice to isolate at home, because they will have no home available to them.

A revolving door of evictions and homelessness applications, along with all the human and financial costs and public health risks associated with that, is not what anyone wants.

18:35

Jamie Greene (West Scotland) (Con): When the Parliament first debated and passed emergency legislation, we dealt with all three stages of the Coronavirus (Scotland) Bill in one fateful day—1 April last year. However, it was no April fool’s prank. We were just a week into a full-scale national lockdown, and our Prime Minister and our First Minister had addressed the nation on television in what felt like doomsday broadcasts, telling us, “You must stay at home.”

Schools, shops, pubs, factories, offices, nurseries and cafes all had to shut. Flights, trains, buses, holidays and business trips were all cancelled. We all remember the eerie spookiness of our deserted cities and high streets. We all remember the emptiness of ScotRail trains. We all remember avoiding people on the pavement in case they got too close. We all remember—and still do—the constant abject, underlying fear of our loved ones catching this deadly pernicious disease that was spreading like wildfire. It was a glimpse, if I may put it this way, of what it might feel like to be at war.

We were at war—at war with a virus. To an extent, we still are, but what started as a war has now turned into a race: a race between the immense genius of science and the immense unpredictability of nature; a race of time between

vaccination and mutation. However, we are now winning that race, as others have said. Some 80 per cent of adult Scots have received their first dose of the vaccine and 60 per cent have received their second. All that has been achieved in just six months since the first jab was administered. In just a few weeks' time, everyone over the age of 50 and everyone who is clinically vulnerable will have been offered their second dose. That is a tremendous achievement.

Today, however, we face emergency legislation. I want to summarise three points that have been made that are important to this debate. Opposition to the bill is not simplistic belligerence, as some have painted it; it is simply us doing our job. The first proposition that has been made today is that the emergency is no longer upon us in the same way that it was when we introduced the emergency laws with the Coronavirus (Scotland) Bill or when we extended them with the Coronavirus (Scotland) (No 2) Bill. When we passed the first emergency legislation, we were in unprecedented times. We faced a new virus, we had no vaccine and no cure and, at times, it felt as though we had no hope, either. There were serious concerns about the NHS and a fear that our hospitals would fill up, to the extent that we turned a concert venue into a makeshift field hospital.

The problem is that we face none of that today, and I hope that we never do again. The 74 million doses of vaccine have broken the link between catching Covid and dying from it. We are now in a much better position to mitigate and manage the virus. Stuart McMillan said that we might have to learn to live with Covid—that is fine; so be it—but we might also have to learn to legislate properly in response to it.

That brings me to the second point of contention, which has been raised by many members—that of timetabling. It is a fair point to raise. Members are right to raise such issues. There is no justifiable reason to treat the latest iteration of emergency powers as emergency legislation, because we know that when we rush legislation, as we are doing this week, we do not have time to consult stakeholders or to properly scrutinise the proposed measures. As Pam Duncan-Glancy eloquently stated, our lives have been governed by laws that were rushed through in a matter of hours rather than months, none of which was subject to the proper checks and balances that we normally afford legislation.

We did it because we had to, but our argument today is that we do not have to, because we know that mistakes can and will be made. John Mason rightly pointed out the case of the Rev Dr William Philip v the Scottish Ministers—an action that was rightly upheld in the Court of Session. Back then,

the Covid-19 Committee was our only real point of defence, because we trusted its members to reach out to, engage with and listen to the people to whom its issues mattered. Today, that committee has not yet sat for a substantive meeting and—guess what?—in three days, we all disappear for two months.

That same committee consulted with the public back in February this year, and said that it wanted to hear their views and to know what we could learn about using emergency legislation. That consultation was open for just two weeks and had 846 responses. I have not read them all, but I wonder how many said that the best way to legislate is the process that we are using this week; very few and probably none, I suspect. It was clear then, as it is now, that there is real value in proper scrutiny, not political commentary, and in real feedback from the real world.

The issues about which we are talking—courts, tribunals, alcohol licensing, bankruptcy, child hearings, evictions—might not be headline-grabbing restrictions in the way that others are, but they matter to the people to whom they matter.

Members quoted from two organisations on multiple occasions today—Amnesty International UK and Inclusion Scotland, which both used the words “inadequate” and “unsatisfactory”. If they are concerned, we should be too. The problem, which illustrates my point exactly, is that only those two organisations are quoted, because no one else has had the time to be properly consulted, or indeed to react. Normally, our inboxes are full to the brim of briefings and feedback ahead of stage 1 debates. Those organisations that are lucky enough to have public policy teams were able to scramble together something over the weekend, but many organisations simply were not.

My third and final point is that I have heard nothing today that justifies why the powers in their entirety should be extended in the way that the bill proposes and I am uncomfortable with that. My team is sitting in my office right now, and probably will be there until the late hours, to scramble together amendments. Of the amendments that have already been lodged, three have been knocked back on the ground of being inadmissible. What sort of shocking stage 2 process is that for members? It is a shameful way to treat the process of legislation, not just for our staff but for the parliamentary staff who are doing their damndest to help us. Why are we doing it this way?

Some concerns exist about the bill, not just around the fact that the Government wants more time with the powers that we introduced in emergency measures, but about what those powers have done. We supported some of them at

the time and we might still support some today, but we know that those measures are for the short term. Against the backdrop of the pandemic, we cannot normalise those powers without question.

That point is abundantly clear from the submission from the Law Society of Scotland. We do not clear court backlogs by watering down people's human rights; we do not keep people in detention indefinitely—a point of principle on which we have always proudly stood; we do not release prisoners early simply because we cannot manage health emergencies; and we do not deliver justice by writing off hundreds of thousands of hours of community orders.

As a Parliament, we dealt with the pandemic through collaborations between members, parties, Government, the civil service and its advisers, but this feels different and wrong. If the Government needs emergency powers if, or even when, we next face an emergency, let it introduce a new bill to deal with the new emergency, and we will meet that challenge constructively. Today's process, however, is not a way to legislate, because the people out there who are affected by the decisions that we make deserve nothing less than our earnest attempts to do exactly what I said in the previous debate on these issues: we will do what is needed, when it is needed, but only for as long as it is needed and not a day longer. That is what we promised back then. If we pass the bill in three days, we will have failed people in that promise, and shame on us.

18:44

John Swinney: The debate has been helpful and I am grateful to members for their contributions. I want to address a number of the points that have been raised, and I will cover a number of substantive issues.

First, I want to talk about the issues around timing and the timetable. Members have raised those as a substantial part of the debate. The argument has, roughly, focused on the fact that consultation could have taken place over the summer and the bill could have been considered in September.

Aside from the fact that I am sceptical as to whether Parliament could consider the bill in September and secure royal assent before the end of the month, the implication of the suggested timetable is, in essence, that we would have a curtailed process of scrutiny in any circumstance. That is a product of the presence of two things—the election and the summer recess. The Government, through me, has made a choice to bring the legislation to Parliament at this stage, because that is true under whatever scenario we adopt.

The reliable scenario, guaranteeing that we can secure royal assent provided that Parliament agrees to the terms of the legislation, is to complete the process now rather than to risk delaying it until September. That would, as John Mason highlighted, leave a note of uncertainty in the minds of a whole range of organisations as to whether they would still be able to operate in the fashion in which they currently have to because of Covid in exercising their practical functions as organisations.

I do not agree with Mr Kerr that this is a power grab for ministers. It is about enabling a range of organisations to undertake a series of practical functions that have been disrupted by the presence of Covid. Let us take the courts as an example. Nobody can say anything other than that they have been disrupted by Covid, which has led to delays. We have put in place practical arrangements to make it possible for trials to happen and to sustain the criminal justice system through the disruption of Covid. That has not gone away. It is still there and we are wrestling with its implications.

Jamie Greene: That is my point. We do not know whether the emergency measures that were introduced have had a positive or negative effect on the people who interact with the court system, the judiciary, children's hearings or any of those factors. The problem is that we do not know because we have not consulted. That is why we need the extra time.

John Swinney: In some circumstances, Mr Greene's point might be valid in relation to children's hearings, were it not for the fact that we are expiring some of the provisions. They will not be extended by virtue of the bill that I have introduced.

The point that I am making is that there are deeply practical and operational issues concerning the running of public services that have been disrupted by Covid and will not have recovered by 30 September because of backlogs.

Stephen Kerr: Will the cabinet secretary give way?

Alex Cole-Hamilton: Will the cabinet secretary give way?

John Swinney: I will finish this point and then give way to Mr Kerr and Mr Cole-Hamilton. We have to make it practical and possible for those services to operate in the disrupted circumstances, which will not have disappeared by 30 September.

Stephen Kerr: The point that the Deputy First Minister is making about timing is important. As Jamie Greene pointed out, it took only a few days for the emergency measures that were debated

and passed on 1 April 2020 to receive royal assent. Should emergency powers be necessary beyond 30 September, what is stopping us passing an emergency bill and it getting royal assent in that same timescale? It seems illogical.

John Swinney: It relates to the point that I made in response to Mr Mason's arguments. By passing this legislation now, we are trying to give some operational certainty to organisations about the arrangements that will potentially be in place in September.

Alex Cole-Hamilton: The Deputy First Minister talks about the operational parameters under which certain public services need to function as we continue to emerge from the pandemic. This point goes to the heart of scrutiny, which has featured a lot in the debate. Schedule 6 to the Coronavirus (Scotland) Act 2020 amends the Local Government (Scotland) Act 1973 so that the public can

"be excluded from a meeting of a local authority"

should their presence create a "substantial risk" of infection. I am sure that the Deputy First Minister would agree that that risk has abated. Does he not agree that it is now time to repeal that provision to allow greater scrutiny in the corridors of local democracy?

John Swinney: There may well be an argument for a specific point of that nature. However, on what we cannot be certain about, the First Minister made a statement today that was, I accept, more optimistic than the statements have been for a while, but there were still caveats in it about what the circumstances might be in August. If we are trying to provide clarity for the delivery of public services, we have to put in place a framework in which everybody understands where they stand. The powers can, of course, be readily expired, because they can be expired by subordinate legislation without recourse to primary legislation, and a number of the powers have already expired, of course.

That is the argument for proceeding just now. The Conservatives have spoken with some fairly exaggerated language in the debate. The Law Society of Scotland has stated:

"Although short in terms of parliamentary time the provisions are relatively straightforward. The principle of extension has been considered by the Parliament over the past year in the context of the motions to extend to the present day and the regular reports by Scottish Ministers."

I have given an assurance that that regular reporting will continue. The bill provides for the expiry of the provisions. Clare Adamson made the point that, if the bill is passed, the provisions will expire six months after 30 September without anybody lifting a finger. There is provision for there to be a further six-month extension, but if that is

not enacted, the powers will disappear six months after 30 September.

Liam Kerr: As the cabinet secretary is looking for recourse to the law, the initial legislation was introduced as it was deemed to be necessary. According to the European convention on human rights and the Supreme Court, the word "necessary" has a very particular meaning. Is it still necessary within that definition to bring this forward? If not, what is the legal basis that the cabinet secretary is relying on?

John Swinney: It is necessary for the arguments that I am setting out. A range of public services have experienced disruption as a consequence of Covid, and some of them would not be able to exercise their functions consistent with existing statute if we had not amended statute in the fashion that we already have done and which I am arguing to Parliament should be sustained. Without that, some organisations and some public functions would not be able to be exercised, and that would be detrimental to the exercise of the proper functions of public services.

That has been the Conservative Party's argument about why we should not legislate in the fashion in which we are. I am grateful to the Labour Party, the Greens and the Liberal Democrats for their support for the principle of legislating in that context.

A number of what I consider to be absolutely legitimate and substantial issues that relate to how we recover from the Covid emergency have emerged from the contributions of several colleagues. Mr Griffin raised eviction issues, Pam Duncan-Glancy raised similar issues, and Mr Harvie raised points on these questions. Those are all legitimate questions, and there were substantial issues in the points that Mr Harvie raised about the way in which we plan and execute our recovery from Covid. Some of that will be about legislative change and strengthening rights, and some of it will be about the policy intentions of Government. Mr Harvie and his colleagues and I are, of course, engaged in conversations about some of those questions, just as we are engaged with all parties in Parliament.

There is a big agenda to be taken forward there. I contend that, given the pressure that we have in relation to the provisions, which I think need to be in place on 1 October 2021—whether we legislate for them now or in the first week in September, as the Conservatives seem to want to us to do—even that opportunity would not provide us with the scope to address the substantive issues that have been raised about legislating for, and acting to take forward, the Covid recovery.

I am committed to engagement in that discussion with other parties, to ensure that we

plan our recovery from Covid and carry out the plan in a way that has a meaningful impact on the lives of individuals in Scotland and tackles the fundamental inequalities that, as Mr Harvie was correct to say, existed before Covid but have been emphasised and highlighted by the effects of Covid.

The Government is committed to that, which is why we are taking the time in summer to properly consult on the permanence bill and wider questions about how we plan our response.

During the bill's passage, there will of course be an opportunity for members of Parliament to make points and advance the propositions that they want to advance. Decisions about the selection of amendments will be for the Presiding Officer, and the Government will respond to all issues timeously, within the structure of the debate.

There is a fundamental point. As we look at the issues and wrestle with the question whether it is appropriate to legislate in this context, we need to draw on the contribution that Siobhian Brown made to the debate when she recounted the story of her constituent in Ayr who lost his life, and the impact that that had on his family. Covid has not left us and, although we heard a more optimistic statement today from the First Minister, it still has significant implications in our society, which are disrupting the way in which we can operate public services.

What the Government is trying to do with the bill is take an orderly approach to dispensing with the provisions for which the Parliament legislated that we do not think are necessary—obviously, members of Parliament are free to challenge our judgment if they think that we have got it wrong when we argue for the removal of certain provisions. Equally, we are trying to take an orderly approach to determining whether there is legitimate justification for extending provisions that we think should be extended—and I contend that those provisions are necessary to address the continuing impact of Covid on our ability to exercise the public functions that are agreed in statute, in a way that is sustainable in the continuing scenario that we face.

Something that has been unhelpful in the debate has been the conflation of the bill with issues to do with the limitations on personal freedoms, which I totally understand are causing concern. Those issues are not the subject of this bill; they are the products of other legislative instruments, which constrain individual liberties and personal freedoms. As the First Minister said this afternoon, we hope to be able to relax many of those provisions by 19 July or 9 August.

However, as Clare Adamson said, even after 9 August, there will still be an emphasis on the need

to exercise caution, because of the threat that the pandemic will still present to us all. The bill is an attempt—this point was reflected in comments that John Mason, Jackie Baillie and Stuart McMillan made—to make a proportionate assessment of the situation that we face and take the necessary powers and responsibilities to enable us to continue to properly exercise the public functions that are at stake.

The Presiding Officer: Cabinet secretary, you must close, please.

John Swinney: Of course, Presiding Officer.

In that respect, if we do this task, it will leave us free to consult on the substantive issues to do with Covid recovery that are the subject of the extensive engagement that I am taking forward and on which I look forward to working with colleagues. We will consider all the issues that relate to the bill in the course of this week, with the support of the Parliament at decision time this evening.

**Coronavirus
(Extension and Expiry) (Scotland)
Bill: Financial Resolution**

18:59

The Presiding Officer (Alison Johnstone): The next item of business is consideration of motion S6M-00443, in the name of Kate Forbes, on the financial resolution for the Coronavirus (Extension and Expiry) (Scotland) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Coronavirus (Extension and Expiry) (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.—[*Kate Forbes*]

The Presiding Officer: The question on the motion will be put at decision time.

Business Motion

19:00

The Presiding Officer (Alison Johnstone): The next item of business is consideration of motion S6M-00465, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a revised business programme for this week.

Motion moved,

That the Parliament agrees—

(a) the following revision to the programme of business for Thursday 24 June—

delete

2.30 pm Parliamentary Bureau Motions

2.30 pm Stage 3 Proceedings: Coronavirus (Extension and Expiry) (Scotland) Bill

and insert

2.00 pm Parliamentary Bureau Motions

2.00 pm Ministerial Statement: Cervical Screening

followed by Stage 3 Proceedings: Coronavirus (Extension and Expiry) (Scotland) Bill

(b) that for the purposes of consideration of the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 25) Regulations 2021 (SSI 2021/224), the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 26) Regulations 2021 (SSI 2021/227) and the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 12) Regulations 2021 (SSI 2021/230), rules 10.1.3(a) and 10.3.3 of Standing Orders be suspended; and

(c) that the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 25) Regulations 2021 (SSI 2021/224), the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 26) Regulations 2021 (SSI 2021/227) and the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 12) Regulations 2021 (SSI 2021/230) be considered by the Parliament.—[*George Adam*]

Motion agreed to.

Decision Time

19:00

The Presiding Officer (Alison Johnstone):

There are two questions to be put as a result of today's business. We will have a short technical break. I ask members to refresh their screens.

The first question is, that motion S6M-00446, in the name of John Swinney, on the Coronavirus (Extension and Expiry) (Scotland) Bill at stage 1, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. We will suspend briefly.

19:01

Meeting suspended.

19:04

On resuming—

The Presiding Officer: The question is, that motion S6M-00446, in the name of John Swinney, on the Coronavirus (Extension and Expiry) (Scotland) Bill at stage 1 be agreed to. Members should cast their votes now.

Colleagues, please bear with us; we believe that there is a technical issue with the sound on BlueJeans.

I am pleased to report that colleagues can now hear sound on BlueJeans, but due to that technical issue we will rerun the vote.

The vote is now closed.

If any member believes that they have had an issue and would like to raise a point of order, please let us know.

Michelle Thomson (Falkirk East) (SNP): [*Inaudible.*—and would have voted yes.

The Presiding Officer: Thank you. We will ensure that that vote is recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)

Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)

Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the vote on motion S6M-00446, in the name of John Swinney, on the Coronavirus (Extension and Expiry) (Scotland) Bill at stage 1, is: For 92, Against 27, Abstentions 0.

Motion agreed to,

That the Parliament agrees to the general principles of the Coronavirus (Extension and Expiry) (Scotland) Bill.

The Presiding Officer: The final question is, that motion S6M-00443, in the name of Kate Forbes, on the financial resolution for the Coronavirus (Extension and Expiry) (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Coronavirus (Extension and Expiry) (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3A of the Parliament's Standing Orders arising in consequence of the Act.

MND Scotland (40th Anniversary)

The Deputy Presiding Officer (Annabelle Ewing): While members are leaving the chamber, I remind them that social distancing measures are in place in the chamber and across the Holyrood campus. I ask members to take care to observe those measures, including when entering and exiting the chamber. Please use only the aisles and walkways to access your seats and when moving around the chamber.

The final item of business is a members' business debate on motion S6M-00070, in the name of Bob Doris, on MND Scotland's 40th anniversary. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes the 40th anniversary of MND Scotland, which was founded by John MacLeod in 1981 following his MND diagnosis; congratulates MND Scotland on its campaigning achievements and legislative changes agreed in the Parliament that have improved the lives of people with MND, including the late Gordon Aikman's campaign to double the number of MND specialist nurses, the statutory provision of augmentative and alternative communication for people who have lost their voice, and, most recently, the effective fast-tracking of terminally ill people for Scottish social security benefits; notes the belief that there is still more to do in the Parliament, including the establishment of a national care service and the prioritisation of accessible housing, and further notes the view that Members should work together to continue this progress and help find a cure for this devastating terminal illness.

19:13

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I thank the members who signed my motion to secure a debate celebrating the 40th anniversary of MND Scotland, which was called the Scottish Motor Neurone Disease Association when it was founded in 1981. It is a privilege to lead the debate.

MND Scotland was founded by a 33-year-old police officer, John Macleod, and his wife, Peigi, after John had been diagnosed with motor neurone disease. He soon learned that health professionals had little knowledge of MND, which is a rapidly progressing and terminal neurological disease, and that support services were limited. In the year in which MND Scotland was founded, the first service was set up and research into the disease was funded. That was a hugely successful beginning for John Macleod, who was a remarkable and humble man. There have been many successes since, and I am sure that MND Scotland would want me to stress that there is much more to do—not least, ultimately, to find a cure for MND.

Over the years, MND has been blessed with inspiring campaigners who have faced the most adverse circumstances following their diagnoses. One such campaigner was Gordon Aikman, whom members of the Parliament, especially Labour colleagues, knew well. He was diagnosed with MND in May 2014 and launched the Gordon's fightback campaign. He campaigned with great dignity and worked to secure from the Scottish Government a significant funded increase in MND nurses. Sadly, Gordon lost his battle with MND in 2017, but his legacy continues in many ways, including the Gordon Aikman scholarship, which is an annual research fund of £50,000 that is met by MND Scotland and the Scottish Government.

In 2014, MND Scotland launched a campaign highlighting the postcode lottery of personal care charging in Scotland for people who live with MND and other terminal conditions. MND Scotland won the support of the Scottish Government, and the Convention of Scottish Local Authorities subsequently updated guidance. Local authorities eventually complied, after the Scottish Government committed to changing the law if local authorities did not follow the COSLA guidance.

Another successful MND Scotland campaign was the "Let me speak" campaign, which highlighted the fact that people with MND had to buy their own communication equipment or rely on charity services. After hugely effective campaigning, an amendment was made to a health bill in Parliament, and a right to free communication aids from the national health service became law in 2016.

The success of MND Scotland as an effective and constructive campaigner continues to this day. With Marie Curie, MND Scotland helped to shape Scotland's social security system to make it how we all want it to be. Together, the organisations successfully campaigned to ensure that the Social Security (Scotland) Act 2018 included the right for terminally ill people to be fast tracked for benefits on the basis of clinical judgment rather than on their having an estimated life expectancy of just six months.

Another remarkable campaigner is the rugby legend Doddie Weir, who was diagnosed with MND in 2017. He has bravely shared his story with the world and has set up the My Name's Doddie Foundation. He works with MND Scotland and others to improve the lives of people with MND, and to provide funding for research into a cure. In 2020, MND Scotland joined the My Name's Doddie Foundation and the MND Association to launch the "United to end MND" campaign, which calls on the United Kingdom Government to invest £50 million over five years in targeted MND research and a virtual centre of excellence. That campaign is on-going, and I am sure that

members will all wish to support it. In 2021, Doddie's foundation has donated an incredible £380,000 to MND Scotland's grants programme to help families with the financial costs that are associated with the illness, including the costs of equipment, home adaptations, clothes and utility bills, or funding a holiday.

I mentioned at the start that there is still much to do. Indeed, MND Scotland recently launched the "It's about time" campaign and a manifesto for the Scottish Parliament elections, which challenges all of us in Parliament about the sufficiency of social care, adaptations and accessible housing. As MND Scotland has put it, the harsh truth about MND is that those with the illness do not have the time to wait. People who are living with MND need support to ensure that the precious time that they have left is spent making memories with loved ones instead of battling for services that they urgently need.

I am pleased that the Scottish Government will develop a new national care service, for which MND Scotland has called. People who are living with terminal conditions must be involved in developing and shaping the service.

I am also pleased that the Scottish Government will seek to deliver an accessible housing standard in order to future proof new-build properties for people whose housing needs change, which can often happen dramatically over a short period. That should be linked to an accessible housing strategy—not just for new-build homes, but for the homes that people who are living with MND stay in right now. That is why MND Scotland has rightly called for a national accessible housing strategy. That must surely involve serious consideration of whether council and housing association adaptation budgets are sufficient, and a serious look at the speed at which assessments, including occupational therapy assessments, are made and adaptations secured.

The strategy must also look at the allocations policies and practices of social landlords, who at times struggle to provide adequately for people who are living with terminal conditions such as MND. It is not easy, but they must do better. I would very much welcome a meeting with the minister to explore some of the matters further.

This evening, we celebrate an incredible 40 years of achievement by MND Scotland. That has been secured through the efforts and campaigning of remarkable individuals and their families, often after an MND diagnosis. Sadly, of course, many of those people are no longer with us.

I thank everyone who has been associated with MND Scotland, past and present, for the past 40 years. I look forward to working with all MSPs in the months and years ahead—constructively,

across Parliament and party—with MND Scotland and with all stakeholders to do the right thing for all those who live with terminal conditions, including MND. I look forward to hearing members' contributions this evening.

The Deputy Presiding Officer: I call Kenneth Gibson, to be followed by Craig Hoy, for speeches of up to four minutes, please.

19:20

Kenneth Gibson (Cunninghame North) (SNP): I congratulate my colleague Bob Doris for bringing this important issue to the chamber, and I congratulate, on its 40th anniversary, all those who work so hard at MND Scotland.

Motor neurone disease is a rapidly progressing terminal illness, and each case is unique. My Aunt Eileen, who was my dad's older sister, died after suffering for two long years with MND. She lost the ability to walk, talk, eat and drink, and even to breathe unaided. It was a tragic and deeply upsetting end to a life well lived. Others with MND might experience changes in their behaviour, personality and how they think, which can affect their ability to plan tasks or communicate with others.

Around 400 people in Scotland live with MND. Their average life expectancy is just 18 months from diagnosis. For many of them, the work that is done by MND Scotland is invaluable. MND Scotland funds vital research, with the ultimate aims of improving the lives of those who are affected by the condition and eradicating the disease. Researchers work in partnership with organisations around the world to explore new drugs and to facilitate clinical trials.

Such trials bring us closer to a cure, and data collection through initiatives such as the Scottish MND register paint a clearer picture of who is suffering. The register was set up in 1989 to collect and store information about people with MND throughout Scotland, and it has been online since 2016. It holds information on more than 90 per cent of the people in Scotland who have the condition, and it helps through logging of accurate information, including on the gender, age and location of sufferers. That helps researchers to understand better the causes of MND and why they affect some people and not others. It can also be used to audit care standards across health boards and local authorities.

Although behavioural research might not bring us closer to a cure in the way that clinical research does, studying the human side of MND—for example, the phenomenon of apathy in sufferers—is also hugely beneficial in identifying ways of making it easier to live with MND.

MND Scotland has made incalculable contributions over its 40-year history in terms of research, campaigning for legislative change and providing practical information and advice for thousands of sufferers. Despite that excellent work, MND remains extremely difficult to diagnose, because in its early stages so few cases follow exactly the same pattern. The muscles that are affected, the progression of the illness through different groups of muscles, and even the way in which those muscles are affected vary so much among individuals that there is almost no way of predicting how any one case will develop.

There is no test to confirm positively whether someone has MND; rather, tests are used to rule out other possible conditions, until MND is eventually left as the likely diagnosis. That process can be long and understandably frustrating and upsetting for patients. The progressive nature of MND also makes diagnosis a lengthy and time-consuming process, because neurologists must witness the symptoms developing over time.

Despite all the research that has been done over the past 40 years, MND remains a cruel and devastating disease for those who suffer from it, as well as for their families. Therefore, the care and practical support that is provided by MND Scotland will be, for most sufferers, the most important aspect of its work.

MND Scotland offers advice and information about living with MND on a case-by-case basis, and it provides support to help to improve the quality of life of people who are affected. That support constitutes a huge range of services that include counselling, physical therapy and advocacy. Throughout the Covid-19 pandemic, it has given practical advice and information on shielding, staying safe and caring for people with MND. Above all, it has offered friendship and support from people who understand what patients and their families are going through.

MND Scotland's ultimate aim is a world without MND. It is impossible to know how far we are from that goal but, in the meantime, the research, information and support that MND Scotland provides are vital for sufferers and their loved ones. I again commend Bob Doris's motion and thank him for providing an opportunity to celebrate the work of such an important organisation.

Also, with just 35 minutes until kick-off, I would like to wish Scotland all the very best in the match against Croatia this evening.

The Deputy Presiding Officer: Thank you, Mr Gibson. I suspect that that view is shared by everybody present. I call Craig Hoy, to be followed by Paul O'Kane. You have up to four minutes, Mr Hoy.

19:24

Craig Hoy (South Scotland) (Con): Thank you, Presiding Officer. With 35 minutes to kick-off, I will take only four minutes. I thank Bob Doris for bringing forward this important debate.

In a call with MND Scotland yesterday, I learned more about how the organisation raises awareness and supports research into this terrible disease. Motor neurone disease involves a rapid and debilitating slide into paralysis. As Kenneth Gibson just said, there is no effective treatment or cure. Average life expectancy from diagnosis to death is, sadly, just 18 months.

MND is a disease that strikes at the middle aged, but it does not discriminate between the young and the old. As Bob Doris said, that is why it is vital that, from the point of diagnosis to the formation of a care plan to the adaptation of a sufferer's home, the response is smooth and swift. Therefore, as we consider the creation of a national care service, we must ensure that the system can rapidly respond to the needs of patients.

Today, I would like to talk about the remarkable work of three Scottish men, all of whom were diagnosed with MND. The motion refers to Gordon Aikman. Sadly, Gordon died from MND in February 2017, aged just 31. After his diagnosis, he devoted his time to fundraising to find a cure for MND. His fightback campaign raised more than £550,000 for research, and he secured a doubling of MND nurses, which was a game changer for people with the condition. However, we should remember that finding treatment and a cure for MND will take a herculean effort. Campaigners are pressing the UK Government for up to £50 million to fund much-needed research.

Many of us will recall the images of Doddie Weir charging down the rugby pitch at Murrayfield. Like all MND sufferers, Doddie and his family continue to come to terms with the devastating turn of events since he was diagnosed with the condition in 2017. Since its inception, the My Name's Doddie Foundation has raised more than £5 million. The foundation supports medical research, and it has given more than £500,000 in grants to help MND sufferers.

I want to thank Rachael Hamilton MSP for her work with Doddie Weir in pursuing automatic access to the blue badge scheme for people who are living with MND. I implore the Cabinet Secretary for Net Zero, Energy and Transport, Michael Matheson, to ensure that the relevant work to bring that to a satisfactory conclusion is not delayed, so that we can deliver dignity and independence to those who are living with MND.

The third person I would like to talk about is Euan MacDonald, who was diagnosed with MND

in 2003, at the age of just 29. In 2007, Euan founded the Euan MacDonald Centre for motor neurone disease research, in partnership with the University of Edinburgh. Along with his sister, Kiki, he created Euan's Guide, which is a disabled access review website that is used to review, share and discover accessible places to visit.

While work continues to improve treatments and find a cure, it is important that people with MND, their family and their friends receive the best possible care and support, and I thank MND Scotland for everything that it does in that regard. The Scottish Conservatives support changes to social security benefits for people who are diagnosed with a terminal illness. A living wage for carers will help people who care for some of the most vulnerable in our society.

I recently visited Leuchie House National Respite Centre, which provides respite care for people who are living with long-term conditions, and I commend it for the work that it does.

As we consider the creation of a national care service, I make it clear from the outset that a one-size-fits-all approach to social care is unlikely to succeed. Any service that falls prey to a slow-moving bureaucracy or which removes localism from the core of care will likely fail MND sufferers. We all want to find a cure for this disease. We all want to get to a point where no doctor has to tell a man or a woman that they have this terminal condition—a disease that may cause them to lose the ability to walk, to talk, to eat, to drink or to breathe unaided.

As the motion highlights, we are committed to cross-party collaboration with members here at Holyrood and with MND Scotland and organisations across the UK and globally to help to find a cure for this terrible disease. That should be our goal; it is a fitting goal to mark the 40th anniversary of MND Scotland.

I commend MND Scotland for its work over four decades and commit to supporting its future efforts.

19:29

Paul O'Kane (West Scotland) (Lab): I thank Bob Doris for securing the debate, and I congratulate and thank MND Scotland on its 40th anniversary. It has done 40 years of outstanding work in improving the lives of people who live with motor neurone disease, supporting families and campaigning for change.

We have already heard about the impact that MND has, not just on the people who are diagnosed with it but on the friends, families and loved ones of those who live with it. It has robbed many people of their future, and the Parliament

must do all that it can to support people whom it affects.

We remember and pay tribute to the incredible individuals who have done much to advance the care of those with MND, and I will give specific mention to two people this evening. The first is Gordon Aikman. Like so many in the chamber, I had the great honour of knowing Gordon, in my case through the Scottish Labour Party. I fondly remember his warmth and generosity and the many great conversations and laughs that we had, particularly during the 2014 referendum campaign, when Gordon received his diagnosis.

Gordon was inspiring—the courageous way in which he faced his illness was one of the bravest things that I have ever seen. He became a ferocious campaigner for change, working with MND Scotland. He made people stop and think, and he made the Scottish Government invest and change policy. His legacy is every single person whose life has been made better due to more MND nurses, voice equipment or drug trials. I pay tribute to Gordon's husband, Joe, and his friends, especially Lawrence Cowan, for continuing that work, which we will endeavour to support in any way in Parliament. We on the Labour benches are all proud of Gordon. He was the very best of us, and we miss him every single day.

As we have heard, further inspiration is found in Euan MacDonald and his father Donald. Euan's drive to create the Euan MacDonald Centre at the University of Edinburgh, which focuses on finding a treatment for those living with MND, is inspiring. Beyond that, his drive to make a positive difference in the lives of disabled people is shown in the creation of Euan's Guide, which is a website that makes it easier for disabled people to find great places to go to without having to worry about any accessibility issues there.

Due to the work of people such as Gordon and Euan, we have seen a growing public understanding of MND, how it affects people and how we can tackle it head on, and through the renewed drive to defeat MND, there has been scientific progress. Colleagues will be aware of the recent news of the scientific breakthrough by researchers at the Euan MacDonald research institute that could lead the way to the discovery of a cure. If that research bears fruit, we must all collectively step behind the science and ensure that it is supported in every way possible.

We must look to provide further support to those who live with MND in the here and now. Colleagues across the chamber will be aware of the on-going campaign, which leads on from the work of people such as Euan MacDonald, to ensure that more changing places are available for those who suffer from illnesses such as MND. There are too few changing places toilets available

in Scotland. A lack of appropriate facilities is a barrier to disabled people, their families and those with lifelong conditions accessing simple things such as a day out or a holiday. I hope that colleagues will join me in creating a changing places cross-party group to consider some of the issues that directly impact the lives of people with MND every single day.

I praise the hard work of campaigners, including Angela Dulley, and people who live with MND, who have undertaken work on the matter already. I hope that members will join me in that work, and I ask them to get in touch with me if they can.

Once again, I pay tribute to the work of MND Scotland over the past 40 years. I honour the memory of those whom we have lost, and I commit to doing all that I can to fight for those living with MND, so that we can achieve the cure that we all desperately want to see.

19:33

Emma Harper (South Scotland) (SNP): I welcome the opportunity to speak in the debate, and I congratulate Bob Doris on bringing it to the chamber, and on his excellent contribution. I also acknowledge and thank Christina McKelvie for the huge amount of work that she has put into raising awareness of MND, and for previously leading the debate in Parliament over a number of years.

My contribution will focus on the fantastic work of MND Scotland, both nationally and across my South Scotland region, the groundbreaking medical advances that have been made over the past 12 months, and on some points of interest in my region.

As Bob Doris said, this June marks 40 years since police officer John Macleod and his wife, Peigi, first launched MND Scotland from their living room, after John was diagnosed with motor neurone disease. Since then, many people—activists, healthcare professionals, researchers and those who have been diagnosed with MND—have helped to create a movement to fight back against MND through research and clinical trials. They have also helped to power MND Scotland's life-changing support services through fundraising, donations and political action.

Across Scotland, including in my South Scotland region, MND Scotland provides support services for those who are living with MND, including through face-to-face support services, emergency financial grants, advocacy services and, during the current Covid-19 pandemic, video support and one-to-one phone calls. The charity's work has been a lifeline for many, and I thank John and Peigi and all at MND Scotland, past and present, for the outstanding job that they do.

I highlight that Dumfries and Galloway in my South Scotland region has a particularly high prevalence of MND—higher than in other areas of Scotland. Across Dumfries and Galloway, an average of 15 people per 100,000 are diagnosed with MND, which compares with a United Kingdom average of five to seven people per 100,000. Figures show that the issue is particularly acute in Stranraer, where the statistics translate to 57 people per 100,000 being diagnosed with MND. I am thinking of my colleague the former MP Richard Arkless, his wife Anne and their family at this time, because both Richard and Anne have lost close members of their family to MND. No one knows exactly why MND is so prevalent in Dumfries and Galloway. MND has such a profound and devastating impact on the lives of so many, and there is a clear need for further research across the south-west of Scotland.

I welcome the significant advances in MND research over the past 12 months. Currently, almost everyone in Scotland who is living with MND is participating in MND Scotland's new clinical trial, MND-SMART. Although typical clinical trials focus on a single drug, MND-SMART will allow more than one treatment to be tested at a time, which will give patients a higher chance of receiving an active treatment rather than a placebo. The project, which is being led by researchers at the Euan MacDonald Centre at the University of Edinburgh, has been developed to find effective medicines more quickly. The clinical trial will include as many people who have been diagnosed with MND as possible, regardless of how the disease or current treatments affect them.

The first trial is looking at amyotrophic lateral sclerosis and involves interleukin-2, which is used for treating some types of cancer. The study will focus on immune cells in the blood, which can influence the speed at which ALS progresses. I welcome the research and agree that it will improve the life chances of people who are living with MND in Scotland.

I wish MND Scotland a happy 40 years and every success as it moves forward. Again, I highlight the high levels of MND across Dumfries and Galloway, and I ask the minister to bear that in mind as policies move forward.

19:37

Gillian Mackay (Central Scotland) (Green): I, too, thank Bob Doris for bringing the debate to the chamber. Yesterday was global MND awareness day, so I am grateful to have the opportunity to speak in the debate.

I pay tribute to MND Scotland and the late Gordon Aikman for their incredible efforts to secure better care for people with MND, and it

would be remiss of me, as an avid Scotland rugby fan, not to mention Doddie Weir's foundation. The Gordon's fightback campaign raised more than £500,000 for MND Scotland to invest in vital research. As the motion states, it aimed to

"double the number of MND specialist nurses",

guarantee MND patients a voice and outlaw care charges. Given the conversations that are taking place on the establishment of a national care service, it is right that we pay tribute to Gordon's work.

One of the defining characteristics of motor neurone disease is how rapidly it progresses. As we have heard, the average life expectancy is just 18 months from diagnosis. That is why it is so important that people with MND can access the care and support that they need, when they need it. They cannot be placed on a waiting list, because they simply do not have the time to wait, but too many people do wait. People with MND are being forced to cope with their rapidly deteriorating health without the care that they need while statutory services struggle to meet demand.

The motion refers to the

"fast-tracking of terminally ill people for ... social security benefits".

That would ensure that people with MND would not have to wait months to receive the benefits that they are entitled to. As the motion notes, however, we still have far to go before people with MND can access all the support that they need equally and fairly. MND Scotland is calling for people with MND to be fast tracked for access to housing and social care services so that they are not left without support for weeks, or even months, while their condition deteriorates.

Long waiting times can have a devastating impact on people with MND and on their loved ones. While people with MND are waiting to be allocated a care package, unpaid carers are often required to step in and care for them, with little or no support. That can impact on the physical and mental health of carers, who may struggle to cope with providing care that should be delivered by social care services. Too often, unpaid carers are used to fill gaps of care and, according to Carers Scotland, that has been exacerbated by the pandemic. Many carers have had to significantly increase the hours of care that they provide, and nearly 400,000 people have taken on a caring role for the first time. We need to recognise the value of unpaid carers and ensure that they have access to the training, equipment and respite breaks that they need. The Scottish Greens would also like to see the introduction of health checks and access to flexible healthcare appointments for unpaid carers.

The Scottish Greens want to see a national care service that is person centred and based on human rights—one that recognises the specific needs of individuals, including those with rapidly progressing conditions such as MND. MND Scotland is calling for a national care service that prioritises carers and recognises that, due to the rapid degenerative nature of the disease, people with MND require fast-tracked access to care and anticipatory care planning. People with MND often face further delays when trying to increase their care packages or gain access to 24-hour care as their condition deteriorates. Conversations about the level of care that individuals will need in the future must take place early, so that they do not face further waits for essential care when they begin to experience paralysis.

Early planning for housing adaptations must also take place. People with MND can wait months for adaptations, such as wet rooms and stair lifts, or be forced pay for them themselves. In 2021, it is unacceptable that people with a terminal illness are paying thousands of pounds for the adaptations that they need to help them to live with their condition. Adaptations can help people stay out of hospital and maintain their independence for longer, and help carers to look after them safely. Ensuring that people with MND are fast tracked for such adaptations and that the process is simplified will be an important step in reducing delays and improving care.

The motion states that we must “help find a cure” for MND, and that must be the ultimate goal. However, in the meantime, we must urgently improve MND care so that no one with this devastating illness is left waiting for the help that they need.

19:42

The Minister for Public Health, Women’s Health and Sport (Maree Todd): I am very pleased to be able to respond on behalf of the Government as we mark MND Scotland’s 40th anniversary. I thank Bob Doris for lodging his important motion, and I join members in recognising the tremendous work that MND Scotland does in providing people with invaluable support and in driving efforts to find a cure for this devastating condition.

As we continue to reform delivery of health and social care, with priorities such as the national care service, MND Scotland will remain a key partner for us. Working in partnership will help us to ensure that we focus completely on what matters most to people with MND—people who look to us for care, support and treatment.

We whole-heartedly share the charity’s vision of a world without MND, and that is why we are

currently investing £286,000 in clinical research projects at the University of Edinburgh that are focused on developing a drug pipeline for MND and on studying the progression of the condition. We recognise that innovation remains crucial to finding a cure for MND, and we have committed £423,000 to the motor neurone disease and multiple sclerosis PhD programme. That fund covers both conditions and is supporting six PhDs, and an additional seven PhDs are match funded by the participating universities.

Our work over the past few years has seen us deliver on pledges that were made to the Gordon’s fightback campaign—many members have mentioned Gordon Aikman this evening. That has included doubling the number of MND specialist nurses, ensuring faster access to social security benefits for those with terminal conditions and extending free personal care to people under the age of 65. We continue to further support Gordon’s legacy through the annual Gordon Aikman scholarship fund, and we aim to make progress on all the pledges that Gordon asked us to commit to.

One of the cruellest impacts of MND is that it robs people of their ability to speak. I am proud that, since 2018, national health service boards in Scotland have had a legal duty to provide communications equipment to people who cannot speak or who have difficulty speaking. It applies to adults and children of all care groups, and there is no comparable law anywhere else in the UK.

A number of members raised the issue of MND specialist nurses and their incredible value to sufferers. There are 15 such nurses across Scotland. That represents an approximate ratio of one nurse to 38 patients, which is excellent. Although some health boards share a nurse, funding is being sought to increase nursing hours to full time in Fife, Forth Valley and Dumfries and Galloway.

Due to the rapid progression of the disease, which many members have mentioned, MND nurses are best placed to deliver bespoke care and to anticipate care needs. They provide a vital service for individual sufferers. There is also an MND nurse consultant, who is co-funded by the Scottish Government, who oversees equity of assessment and MND care, as well as ensuring access to MND research in Scotland.

On the issue of affordable housing supply, the Scottish Government is absolutely committed to delivering housing that is fit for purpose, now and in the future. Many of us will want to grow old and frail in the places that we live in. In 2019-20, 95 per cent of the homes in the affordable housing supply met the basic requirements that are outlined in “Housing for Varying Needs: a design guide”. Since integration, health and social care

partnerships have been responsible for the planning and delivery of adaptations. As is set out in “Housing to 2040”, we intend to streamline and accelerate the adaptations system, to take action to reduce the time that it takes to apply for and receive support, and to maximise the available resources. That is the issue on which Bob Doris asked for a meeting, and I would be more than happy to meet him.

We have a good track record of making progress with MND, but we also have a good track record of using quality improvement methodology in the health service in Scotland to tackle such issues and to make sure that delivery is as speedy, efficient and effective as we would hope that it would be.

Several members mentioned a number of heroic sufferers of MND, including Gordon Aikman, who was mentioned by almost all speakers in the debate, John Macleod, who started MND Scotland, Euan MacDonald and, of course, Doddie Weir. I am a massive Scottish rugby fan—I am not sure that, as the minister for sport, I should say that on the evening of such an important football fixture. Doddie has done incredible work to raise awareness of the condition and to share his experience. The previous health secretary met him in 2019 to discuss his experience of MND and to explore the quality of MND care.

It is important to pay tribute to all those people, who have used what little time has been left to them to improve the care of those who have followed them. It is quite humbling for all of us, as politicians, who might think that we make a massive difference, to see the incredible difference that those individuals have made in the 40 years of the existence of MND Scotland. They have certainly left Scotland in a better position to meet the needs of future sufferers.

I thank those members who have shared stories and experiences in their contributions this evening. I assure the chamber that we will continue to work with partners across health and social care, social security and housing to continue to achieve real transformational change for people with neurological conditions such as MND. The ongoing progress that is being made on MND speaks to the value of cross-party working, and I wholeheartedly endorse Bob Doris’s statement that members should work together to continue that progress.

I congratulate MND Scotland on its 40th anniversary. I commend the dedication and commitment of its staff and supporters in making a difference every day to improve the quality of life for people who live with MND and their families and carers, and I hope that, one day, they will no longer be needed.

Meeting closed at 19:49.

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