



OFFICIAL REPORT  
AITHISG OIFIGEIL

# Meeting of the Parliament (Hybrid)

Tuesday 5 October 2021

Session 6



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Pàrlamaid na h-Alba

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# Scottish Parliament

*Tuesday 5 October 2021*

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

## Time for Reflection

### **The Presiding Officer (Alison Johnstone):**

Good afternoon. I remind members of the Covid-related measures that are in place, and that face coverings should be worn when moving around the chamber and across the Holyrood campus.

The first item of business is time for reflection, and our leader today is Ani Rinchen Khandro, director of Kagyu Samye Dzong Edinburgh meditation centre, and honorary Buddhist chaplain with the University of Edinburgh chaplaincy service.

**Ani Rinchen Khandro (Kagyu Samye Dzong Edinburgh Meditation Centre and University of Edinburgh Chaplaincy Service):** Time for reflection—the very thing that we are so short of in these testing times. “Time poor” is a phrase that I think that we can all relate to as we try to keep up with the ever-increasing pace of life. Events and challenges seem to come at us from all directions, constantly demanding our attention, and it becomes difficult to know what to do first.

We may start by dealing with whatever issue is uppermost in our in-tray, then going on to the next and the next, with barely a moment in between, so that we are like the sorcerer’s apprentice, constantly mopping up one deluge after another—hardly a healthy lifestyle. Indeed, some people can become so exhausted, stressed out and anxious that they turn to drink or drugs to self-medicate in an effort to blot out the noise. That is understandable, but does not help to provide the clarity needed to make good decisions, for ourselves or others.

Whether our responsibilities are familial, national or international, if we wish to do the best by others, we need to be at our best: calm, clear and compassionate. Therefore, it is not selfish to take time out to rest, to be in nature, to reflect, to meditate—call it what you will. We would not expect our body to be constantly active 24/7 without respite, yet we seem to ask that of our minds. Is it not time that we gave our minds time to come home, let go of all the busyness, put down the mental baggage of the day and rest unencumbered, light, peaceful and aware?

By getting to know our mind in its natural state, we are nourished by the experience of connection to each other, to all life forms and to the planet.

Then, when it is time to act, we can do so with renewed energy, wisdom and compassion for ourselves and others.

I would like to end with a Buddhist prayer of aspiration, which I hope will resonate with you all.

May all beings be happy and create the causes of happiness.

May we be free of suffering and from creating the causes of suffering.

May we find that noble happiness that cannot be tainted by suffering.

May we attain universal compassion, beyond bias to friends or others.

## Business Motion

14:04

**The Presiding Officer (Alison Johnstone):** The next item of business is consideration of business motion S6M-01542, in the name of George Adam, on behalf of the Parliamentary Bureau, on changes to the business programme.

*Motion moved,*

That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 5 October 2021—

after

*followed by* Ministerial Statement: Covid Recovery Strategy

insert

*followed by* Ministerial Statement: Winter Planning for Health and Social Care

(b) Wednesday 6 October 2021—

after

2.00 pm Portfolio Questions:  
Justice and Veterans;  
Finance and the Economy

insert

*followed by* Ministerial Statement: Supreme Court Judgement on European Charter of Local Self-Government (Incorporation) (Scotland) Bill and United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill—[George Adam.]

*Motion agreed to.*

## Topical Question Time

14:04

**The Presiding Officer (Alison Johnstone):** The next item of business is topical question time. In order to get in as many members as possible, I ask for succinct questions and responses.

### Protection of Women

1. **Beatrice Wishart (Shetland Islands) (LD):** To ask the Scottish Government what measures public sector agencies, including the Scottish Government, Police Scotland and the Crown Office, will take to increase efforts to ensure women are protected from harassment and violence. (S6T-00218)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** The Scottish Government works closely with Police Scotland and the Crown Office to tackle all forms of gender-based violence. Our equally safe strategy maintains a decisive focus on prevention and addressing systemic gender inequalities. We have dedicated £19 million per year to the new delivering equally safe fund to implement the strategy, and in the programme for government we committed to invest more than £100 million to support front-line services and focus on prevention of violence against women and girls.

We have strengthened our laws to tackle sexual violence, threatening or abusive behaviour, non-consensual sharing of images and domestic abuse. However, recent tragic cases and the experience of far too many women show that more needs to be done. We will therefore consider carefully the recommendations from Baroness Kennedy's independent working group on misogyny and act swiftly on the working group's advice.

I welcome Police Scotland's message that the onus is on police to provide reassurance to women, and its new lone police officer verification process is very welcome in that regard.

**Beatrice Wishart:** I declare an interest as a board member of Shetland Women's Aid. Violence against women and girls cannot be stripped back to an incident; it is all-consuming and is in the background of everything that we do. Every day—every minute—we risk assess and change our behaviour in a bid to stay safe. That needs to change. The World Health Organization's guidance states:

“Despite the fact that violence has always been present, the world does not have to accept it as an inevitable part of the human condition.”

It also states:

“The factors that contribute to violent responses—whether they are factors of attitude and behaviour or related to larger social, economic, political and cultural conditions—can be changed.”

That is why Scottish Liberal Democrats have been calling for a new commission to work at that scale. Does the cabinet secretary agree that the problem cannot be answered through existing strategies?

**Keith Brown:** I agree with the member in relation to the fundamental cultural aspect of the issue. That attitude informs a continuum that goes from low-level misogyny through to the horrendous crimes that we are all aware of. I concede that there is a need for the police to act on this particular issue, and they have done that well in Scotland. There is also a need for the Government to take forward a number of strategies, some of which I have already mentioned, and there is a need for men and boys to change the attitudes that they have to women and girls.

I go back to the point that I made before about the equally safe strategy at school and Beatrice Wishart’s point about how ingrained in society the issue is. That is why we are tackling gender inequality and gender-based violence at school—for example, by teaching, even at primary school level, things such as consent and healthy relationships.

Beatrice Wishart is right to mention those ingrained behaviours in women, who have to adapt to the behaviours of men. It comes back to men to change their attitudes, and we are doing that from an early stage at school and through the other strategies that we are taking forward, some of which I have already mentioned.

**Beatrice Wishart:** If the pervasive threat of violence was not enough, the delays in the justice system mean that women suffer in the aftermath, too. Research by the Scottish Liberal Democrats identified more than 50,000 cases that breached the 26-week timescale between caution and charge before lockdown, and that has been exacerbated by the pandemic. One constituent in Shetland will now have their case heard five years after the alleged initial offence occurred.

Court budgets operate on a shoestring, and women suffer disproportionately as a result. Many feel that justice is out of grasp. How will delays in domestic abuse cases be monitored and what is the cabinet secretary’s advice for the many women who are currently waiting?

**Keith Brown:** Crimes of domestic violence have a devastating impact on the victims. We encourage, not least through a new law that has widely been well received, women or anybody who has experienced domestic abuse to report it and seek support.

There is no doubt that the pandemic has been challenging in this regard and that it has created a greater court backlog. That has been caused by necessary public health restrictions, and it has been responded to in a number of ways, not least through remote jury centres and the allocation of over £50 million to the Scottish Courts and Tribunal Service to ensure that we can get through as many cases as possible.

Although 25 per cent of all summary cases are domestic abuse cases, 40 per cent of evidence-led trials involve domestic abuse. That shows the prioritisation that is given to domestic abuse cases.

As I said, £50 million has already been allocated to our recover, renew and transform justice programme. We will, of course, look to allocate further resources to ensure that the backlog is further reduced. We acknowledge the impact of the delays on domestic abuse victims and all those in the justice system, including the accused, and we want to work down the backlog as quickly as possible.

**Karen Adam (Banffshire and Buchan Coast) (SNP):** What action is the Scottish Government taking to tackle misogynistic behaviour?

**Keith Brown:** As I said, women and girls in Scotland should feel safe on our streets and in our public places, including in online spaces. That is why we have set up an independent working group on misogyny and criminal justice, which is chaired by Baroness Kennedy, to independently consider how the Scottish criminal justice system currently deals with misogynistic conduct and whether there are gaps in the law that require to be remedied. The group is also looking at whether to add the characteristic of sex to the Hate Crime and Public Order (Scotland) Act 2021.

The group is currently drawing upon a range of evidential sources, including a survey that was filled out by 930 participants, academic evidence and presentations from third sector and justice agencies, including Police Scotland, which will present at the working group meeting this week. The group is due to report in February 2022.

I do not agree with the Prime Minister that it is possible at this stage to rule out the need for a stand-alone offence of misogyny.

**Meghan Gallacher (Central Scotland) (Con):** The tragic case of Sarah Everard has rightly raised concerns about how crimes against women and girls are treated by the Metropolitan Police, but we must also be aware of how such crimes are treated closer to home, by Police Scotland and other public bodies. It is clear that, had such a heinous crime taken place in Scotland, Scottish judges would not have been able to hand down a whole-life sentence. That means that families

could be left worrying that a perpetrator could be released years later. Has the cabinet secretary reconsidered introducing whole-life custody orders in the light of recent events?

**Keith Brown:** As things stand, we believe that the courts have the ability to hand down extended sentences in cases in which they think that that is appropriate. We are, of course, continuing to have a dialogue, and other members of Meghan Gallacher's party have put their case in debates. We will, of course, listen to those views, but, as things stand, we believe that the courts in Scotland have the ability to hand down appropriate sentences, especially in cases as grave as that which has been mentioned.

It is also true—and quite right to say—that the sentence that was handed down by the court in England reflected the fact that a police officer was involved. I think that we share the view across the chamber that we should protect police officers, because they hold a position of particular vulnerability as a result of the job that they do. However, we should also recognise the fact that they hold a position of trust and authority, so that, when they breach that trust, they should get a sentence that is commensurate with that breach as well as the substantive crime.

We will, of course, continue to keep things under review, but we currently believe that the courts in Scotland have the powers that are required.

**Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** Does the cabinet secretary agree that comments that were made by the North Yorkshire police commissioner, who blamed Sarah Everard for her murder by saying that she “never should have submitted” to arrest, were completely inappropriate? Does he agree that we should never blame women or leave it up to women to fix the problem of male violence and that, for change to happen, it needs to be accepted by everyone?

**Keith Brown:** I completely agree with that, and my previous answers reflect that position.

Audrey Nicoll is absolutely right in saying that we should never blame any victim of crime for that crime. For far too long, in such crimes, we have pushed on to women the burden of responsibility for keeping themselves safe. That needs to change. For that reason, I do not agree with the comments that were made. I think that the First Minister has also made it very clear that she does not agree with those comments.

We require to focus our attention on men's violence against women and the behaviours of men, and I think that that informed the police's response in Scotland. Instead of talking about waving down a bus, the police in Scotland made sure that the onus in their new procedure was put

on the police and not on somebody who may be confronted by a lone police officer. That is the right approach.

I certainly agree with Audrey Nicoll that the last thing we should be doing is blaming victims for the crimes that are perpetrated against them.

**Pauline McNeill (Glasgow) (Lab):** I sincerely welcome the cabinet secretary's comments at the weekend when he said that women should be included as a protected group in the hate crime legislation. That would send a very important signal that such behaviours by men are not acceptable in society.

I appreciate that the cabinet secretary was not the justice secretary when the legislation was passed, earlier this year, but the Scottish Government chose not to accept an amendment that would have included women specifically in the legislation. The cabinet secretary clearly agrees that it is obvious that misogyny should have been included in the hate crime legislation in the first place. Does he think that it is time to act now, instead of waiting until next year for the findings of the working group on misogyny?

**Keith Brown:** It is always important, when we bring legislation to the chamber, that we have carried out the correct diligence and consulted experts and others. I know that that was done for the Hate Crime and Public Order (Scotland) Bill. However, Parliament agreed that we should consider further a stand-alone offence of misogyny. I and other ministers have spoken to Baroness Kennedy on a number of occasions, and I am satisfied that she is making good progress on that. We are now a short time away from her coming to her conclusions, and it would be wrong to pre-empt those conclusions.

I understand that Baroness Kennedy will consult the Parliament's Criminal Justice Committee, so Pauline McNeill will have a chance to discuss the issue directly with her. If we are to legislate further, it is right that we do so on the basis of the evidence that Baroness Kennedy has gathered, as well as the consultation process that has been undertaken.

**Maggie Chapman (North East Scotland) (Green):** The cabinet secretary mentioned that Police Scotland has said that the onus is on its officers to provide reassurance to members of the public, particularly women, that they are acting lawfully. What other actions does the cabinet secretary think Police Scotland should take to ensure that the recent reported cases and allegations of sexual violence in other police forces are not repeated in Police Scotland? Does he have any concerns about members of the Metropolitan Police's parliamentary and diplomatic protection command joining Scottish officers



during the 26th United Nations climate change conference of the parties?

**Keith Brown:** I have spoken to the chief constable a number of times over the past few days, once when he was at the Met, talking to its commissioner about, among other things, COP26. The chief constable has made it absolutely clear to police forces from other parts of the United Kingdom that, when they come to help out at COP26, they will be under his direction and will follow the procedures that we follow in Scotland. That should provide some reassurance to the member.

For its part, Police Scotland has changed its vetting procedures, and there is almost a double vetting hurdle to be overcome to become a police officer in Scotland. However, as the member suggests, there is more to do, and Dame Elish Angiolini has made a number of recommendations. For example, there is more to do in relation to the list of barred police officers—officers who have been taken out of the service due to misconduct. It is, of course, not possible for such officers to rejoin Police Scotland, but we are very alive to the possibility that someone who has been barred from another force could join Police Scotland.

There is more to be done, but a great deal has been done, not least through the work of Elish Angiolini, some of whose recommendations are being taken forward by the police, as well as in relation to vetting and conduct in the police force itself. I hope that that provides some reassurance to the member.

## Covid-19

### **The Presiding Officer (Alison Johnstone):**

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

14:18

**The First Minister (Nicola Sturgeon):** I will give a further update on the latest Covid situation. I will provide an assessment of the current course of the pandemic in Scotland and, in light of that, confirm that there will be no immediate changes this week to the remaining, albeit fairly limited, Covid regulations that remain in force. I will then give a reminder of the new arrangements for international travel, which took effect yesterday. Finally, I will provide an update on the implementation of the Covid vaccination certification scheme so far, including the progress that has been made in resolving the initial difficulties that many people experienced in accessing the Covid status app at the end of last week.

First, I will report on today's statistics. There were 2,056 positive cases reported yesterday—10.3 per cent of tests carried out. There are 998 people in hospital with Covid, which is three fewer than yesterday, and 65 people are receiving intensive care, which is two fewer than yesterday. Sadly, though, a further 21 deaths have been reported in the past 24 hours. That takes the total number of deaths registered under the daily definition to 8,687. My condolences, yet again, go to everyone who has lost a loved one.

More positively, the vaccination programme continues apace and is making good progress: 4,223,719 people have received a first dose so far and 3,849,656 people have now had both doses, which means that they are fully vaccinated. In total, 92 per cent of the over-18 population is now fully vaccinated with two doses. That includes 96 per cent of the over 40s, 75 per cent of 30 to 39-year-olds and 64 per cent of 18 to 29-year-olds.

In addition, so far, 72 per cent of 16 and 17-year-olds and 26 per cent of 12 to 15-year-olds have had a first dose. For most people in those age groups, only a single dose is currently recommended. Most 12 to 15-year-olds became eligible for the vaccine only two weeks ago, and appointment letters were sent out to them last week, so the fact that more than a quarter of people in that age group have already received the vaccine is highly encouraging.

I again encourage all 12 to 15-year-olds and their parents and carers to read the online information about vaccination, so that they can

take an informed decision about getting the jag. I remind them that there is also the option of asking further questions when they attend an appointment; I encourage anyone with concerns to do so. I am confident that our experienced vaccinators will be able to answer any questions and address any concerns.

As I indicated last week, the programme of booster vaccinations is also under way. People over 70 and people on the highest-risk list are now receiving booster jags. People on the highest-risk list who are immunosuppressed or immunocompromised are being invited separately for a third dose.

This weekly update coincides with the latest three-week review point for the remaining Covid regulations. As I indicated earlier, I can confirm that, at our meeting earlier today, the Cabinet agreed to keep the current regulations in force, with no immediate change.

That decision reflects two things. First, the number of cases is continuing to fall, so our judgment is that there is no need to introduce tighter restrictions. Secondly, the level of infection, although it is falling, remains relatively high and we consider that it is prudent at this stage, as we approach winter, to keep in place the remaining mitigations, such as face coverings, for a further period.

I will give a bit more detail about the trends that we are seeing in cases and the associated impacts. In the past seven days, the number of cases has reduced by more than a fifth. The number of cases is now more than 60 per cent lower than it was at the peak of this latest wave of infection, back in early September.

Although there are daily fluctuations, the trend in test positivity is also firmly downwards—from a peak of more than 13 per cent in late August to just over 8 per cent now.

Significantly and positively, the fall in cases continues to be apparent across all age groups. The most significant decline this week, again, has been among 15 to 24-year-olds. Cases in that age group have fallen by almost 40 per cent in the past seven days and by more than 80 per cent in the past five weeks.

It is worth highlighting that in the 0 to 14-year-old age group, which currently accounts for almost 30 per cent of all new cases, there has been a reduction of more than a fifth in the past week and of more than a half in the past three weeks. That is important, because although children are much less likely than older people to fall seriously ill from Covid, they can fall ill and they can and do pass on the infection to others, who might be more vulnerable to serious illness. Therefore the

reduction is positive, although we should continue to guard against complacency.

The advisory sub-group on education and children's issues is meeting this afternoon and will consider the mitigations that are currently in place in schools, including the requirement to wear face coverings in class. It may well be that the group recommends keeping the current mitigations in place for longer, given the risks of the winter period. However, should it advise that any easing is possible following the October half term, the Government will consider that carefully and will advise schools of any changes as soon as possible.

I speculated last week that the recent fall in cases is likely to have been driven by two factors, which remains our view this week. The first factor is increasing immunity as a result of high vaccination rates and, albeit to a lesser extent, because of infection with the virus. That underlines again the critical importance of all of us getting vaccinated if we are eligible, which includes getting a booster jag when invited.

The second factor is our individual and collective behaviour. I again thank everyone who has taken extra care in recent weeks in an attempt to stop and then reverse the spike in cases. That includes the many businesses and other organisations that are continuing to implement and promote the basic mitigation measures that are still in place, such as face coverings, hand hygiene, good ventilation and—where possible—continued home working.

I am relieved to report that the significant and sustained fall in cases over recent weeks is feeding through into a fall in hospital admissions. In the second week of September, an average of 150 people a day were being admitted to hospital with Covid. That number has now fallen by more than a third—at this point, fewer than 100 people a day are being admitted to hospital with Covid.

As a result of the fall in hospital admissions, we are seeing a decline in hospital occupancy—the overall number of Covid patients in hospital at any given time. Two weeks ago, 1,107 patients were in hospital with the virus. Last week, the figure was 1,026, and today it is 998. In that time, the number of people in intensive care has also fallen—from 94 to 65.

Given that case numbers continue to fall, we hope and expect that the number of people in hospital will decline further and that the rate of decline will pick up pace. We also expect and very much hope that the number of people dying from Covid will reduce, given the reduction in cases in recent weeks.

All of that is positive and I am sure that it is a great relief to all of us. However, the number of

people in hospital with Covid is still higher now than it was in late August. The pressure on our national health service remains intense. NHS staff continue to deal with the combined challenge of caring for significant numbers of Covid patients, preparing for wider winter pressures and dealing with the backlog of care that has built up during the pandemic months.

As we head further into autumn and then winter, we know that people will meet indoors more often or travel by public transport rather than walk, for example, which will create the conditions for the virus to circulate. There is a risk that that will lead to a further rise in cases over the winter, which would put further pressure on the NHS.

For all the improvement that we have seen and collectively helped to achieve, at least until we are well through the winter, we must remember that the overall position remains fragile and potentially very challenging. That is why we continue to stress the importance of taking basic precautions, such as having good ventilation, wearing face coverings and keeping a safe distance from others if possible.

It is vital that we all continue to be mindful of the virus and its likely presence around us as we go about our everyday lives and, in light of that, that we continue to behave in sensible ways that reduce Covid's ability to spread from person to person. Notwithstanding the welcome fact that we are all living lives that are much more normal than was the case this time last year or even earlier this year, if we all continue to take the sensible precautions, we will stand a much better chance of keeping under control the number of cases and the associated pressure on the NHS, even as winter conditions kick in.

I will briefly cover two further issues. The first is international travel. Proportionate travel restrictions will continue to be an important baseline measure to protect against Covid. They help to reduce the risk of people coming into Scotland with the virus and they help us to identify quickly any new variants of the virus. However, just as we have worked hard to get domestic life back to normal as much as possible, so too do we want—in an appropriately careful way—to bring greater normality back to international travel.

Yesterday, the arrangements for international travel changed in Scotland and across the UK. The green and amber lists have now been merged, which means that there are now only two categories of country: those on the so-called red list, which are, of course, the highest-risk countries at any given time, and all other countries.

Passengers who are travelling from countries that are not on the red list and who can show that they have been fully vaccinated or who are under

the age of 18 no longer need to provide proof of a negative test result before they travel to Scotland. In addition, 18 countries, including Canada, Australia and New Zealand, have been added to the list of countries whose vaccination programmes are recognised for the purposes of travel to the UK.

It is important to note that despite the change of position on pre-departure testing, at this stage there is still a requirement for passengers to take a Covid test on the second day after their arrival here. That test must meet very high sensitivity standards, which means that in practice it is likely to be a polymerase chain reaction test. We are working with the UK Government on possible future changes to the position on post-arrival testing, but for now it remains the case that people arriving in Scotland from outside the UK must take a PCR—or equivalent—test on day 2 after their arrival here.

We will continue to work with the UK Government, the other devolved Governments and the travel sector to ensure that the position on international travel is proportionate in helping us to guard against new variants and, as far as possible, consistent across the four nations of the UK.

The final issue that I want to cover today is the Covid vaccination certification scheme. The scheme came into force, as planned, at 5 am on Friday 1 October, although, as I set out last week, the enforcement provisions will not come into effect until 18 October.

I am grateful to all the businesses, organisations and individuals who are working to implement the scheme. The app, which we can opt to use to show evidence of our vaccination status, became available for download last Thursday afternoon. I am well aware that initially many people found it extremely difficult to use the app. In particular, many people found that the app was unable to locate their vaccination record from the information that they provided. The problem was especially acute over Thursday evening and Friday, which caused extreme frustration for users who wanted to download the app as quickly as possible, and for businesses and events organisers who were planning to test their certification arrangements over the weekend. I apologise for that.

The problem was not with the app itself but with the NHS systems to which it links. Essentially, the high level of demand after the launch of the app, combined with an error in one part of the NHS system, meant that information was not being sent quickly enough from the NHS system to the app. For a period, that also caused problems for people who were requesting paper copies of vaccination certificates or who were seeking to download a certificate in portable document format.

However, improvements to remedy the problem were made to the NHS system on Friday evening. I can report that the initial backlog of people who were waiting for their information to be matched had been cleared by Saturday lunchtime. We will continue to monitor the performance of the app.

We will also continue to engage with businesses and sectors that are subject to the requirement for Covid vaccination certification. For example, in relation to football fixtures that were held last weekend, although they had agreed that no fan would be turned away if they were unable to provide evidence of their vaccination status, both Heart of Midlothian Football Club and Rangers Football Club tested their certification arrangements and managed to check about 20 per cent of their crowds. Yesterday, Scottish Government officials met those clubs, together with Aberdeen Football Club, Celtic Football Club, Hibernian Football Club and the managers of Hampden Park stadium to consider and learn lessons from those weekend experiences. We are also continuing to engage with the other sectors that are required to implement certification.

In the Scottish Government's view, Covid vaccination certification remains a proportionate way of encouraging people to get vaccinated and of helping large events and night-time hospitality to keep operating during a potentially difficult winter. The scheme is now operational, and the provisions are in place that require businesses to keep data safe and to use it only for certification.

People are now able to access and use the proof that is required. In addition to getting the app, as many people now have been able to do, it is also possible to download a PDF or to order a paper copy of a vaccination record from the NHS Inform website. Those will continue to be options for anyone who is not willing or able to use the app.

As indicated last week, the first two weeks of the scheme will, in effect, be a grace period in relation to enforcement, while businesses and users become accustomed to the new rules.

However, during that period, we expect businesses to implement and test their approach to certification and to prepare compliance plans so that they are fully prepared by 18 October. At that point, the regulations will become enforceable by local authority officers. As has been the case throughout the pandemic, those officers will use what is called the four Es approach. They will engage, explain, encourage and then, only if those options are exhausted, enforce. In fact, their engagement work has already started. In the days and weeks ahead, the Scottish Government will also continue to engage with businesses that are subject to the certification scheme; I remain

grateful to them for everything that they are doing to help to ensure that it works effectively.

My final point is addressed to individuals, rather than to businesses. At some point in the coming months, many of us will want to attend a concert, go to a big football or rugby match, or visit a nightclub or other late-night venue. Therefore, I encourage everyone to get a copy of their vaccination record as soon as they can, either through the app, or by getting a PDF or paper copy from NHS Inform. I know that the early experience of the app was not good, but it works well now, and the alternative options continue to be available.

Overall, the position that we are in now is much better than we feared it might be, this time last month. In the past four weeks, cases have more than halved, and the number of people in hospital and intensive care is also now starting to decline. The efforts that have been made by so many people, over the past month in particular, to step up compliance with mitigations and to drive up vaccination rates seem to be working. However, as we head into autumn and winter, we have no room for complacency. Case numbers are still high—each week, hundreds of people are being admitted to hospital with Covid—and the NHS is still under pressure. We must seek to maintain the progress of the past few weeks, and we all have a part to play in doing so.

As usual, I will close with a reminder of the three things that we can all do to help to protect one other. First, please get vaccinated if you are eligible and have not yet done so. That remains the most important thing that anybody can do.

Secondly, please test regularly with lateral flow devices. They can be ordered through the NHS Inform website, or collected from a local test site or pharmacy. If you test positive, or are identified as a close contact or have symptoms, please self-isolate and book a PCR test.

Thirdly, please comply with the mitigations that are still in place. Wear face coverings in indoor public places such as shops, on public transport and when moving about in hospitality settings. Wash your hands and surfaces thoroughly and regularly. Meet outdoors if you can, although we know that doing so is getting increasingly difficult.

When you meet indoors, open windows if you can, and try to keep a safe distance from people from other households. All those precautions still really matter—we can see that from the data that are being reported each day. Taking those precautions will help to protect you, other people and, crucially, our national health service.

I ask everybody to stick with it, in order to get case numbers down even further.

**The Presiding Officer:** The First Minister will now take questions on the issues that were raised in her statement. I intend to allow about 40 minutes for questions, after which we will move on to the next item of business. Members who wish to ask a question should press their request-to-speak button.

**Douglas Ross (Highlands and Islands) (Con):** I will start with a positive: it is really encouraging to see case numbers and hospital and intensive care admissions falling. However, the positive direction of travel that we are seeing, which the First Minister announced in her statement, raises even more questions about the justification for the Scottish National Party's vaccination passport scheme. The scheme has been an utter shambles from day 1.

The app was delayed and came into force less than 12 hours before the scheme began. It was instantly a disaster. People could not find the app, or get it to open, and there were issues with facial recognition. Even when people completed—*[Interruption.]*

The Minister for Transport is waving his phone showing the app, from the back of the chamber. On Thursday, others did the same, and were embarrassed a few hours later by the chaotic scenes that we saw. People are messaging now to say that they are putting in all their details correctly, but they cannot get their vaccination passport up on the app. Days on, there continue to be issues.

There is no public information campaign, and businesses had absolutely no idea what they were supposed to do. We then had farcical scenes as one football club after another across Scotland said that they would not refuse fans entry because so many spectators had had problems with the scheme. What an avoidable own goal that was.

In her statement today, what did the First Minister say? She said that the "scheme came into force, as planned". It turns out that Nicola Sturgeon planned for this chaos. She planned for hundreds of thousands of people to try to download an app and fail; she planned for Scottish football clubs to ignore it; she planned for businesses to be up in arms; and she planned for a scheme that was a shambles on day 1.

It seems that the Government did not foresee the high demand for an app that it wanted everyone who goes to gigs, football matches and nightclubs to download. Did it really not foresee the demand?

As the First Minister just about acknowledged in her statement, the issue was not just about demand; there was an error with the system. Now she talks about a new approach: the four Es. We do not need four Es to describe the scheme; we

need only one: embarrassment. It has been a complete and utter embarrassment.

Can the First Minister tell us, when the Government paid £600,000 of taxpayers' money to a Danish app developer, how many people were expected to try to download the app? How many people tried but failed to download the app? To return to the same question that I asked just hours before the scheme went live last week, will the First Minister now accept that the scheme was not ready to be launched and should have been delayed? Is it not about time that she listened to businesses and scrapped it altogether?

**The First Minister:** Before I address all the questions that Douglas Ross has asked, I will pick up one of the points that he made. If he thinks that the four Es is a new approach, the only question that that begs is this: where has he been for the past 18 months? The police and environmental health officers have been using that approach day in, day out in relation to all the regulations that have been in place. He might just want to have reflected a little bit on that before he poses his questions.

I will now deal with the substantive points. It is the case that we now have an extremely positive trend in terms of cases and all the associated impacts on hospital admissions, occupancy and intensive care that flow from Covid cases, and I hope that we will start to see a reduction in the number of people dying. That is really positive.

When I was standing here a month or even three weeks ago, I would not have been entirely confident that we would be in this position. I understand that people will look at the situation and ask why we need any mitigations or restrictions to keep cases under control. That is not an illegitimate question, but the answer is very clear. We do not know—no country does—what pressure we will be under from Covid this coming winter.

This will not be the first winter that we have lived through this pandemic, but it will be the first winter in which Covid will be circulating and there will be no lockdown restrictions in place in terms of our everyday lives. I wish that this was not necessary but, in my view, it is prudent to have in place proportionate steps to give us the best possible chance of keeping cases under control—so that we do not have a health impact or people losing their lives or more pressure on the national health service—while keeping our economy fully open and trading.

That is why we are asking people to continue to wear face coverings and to do all the other basic things that are really tedious for everybody but still important. It is also why we consider—we are far from the only country in this position—that Covid

certification has a part to play. We think it important to have that in place over the winter months.

Last week, the app did not work as we intended; there is no point in my trying to say anything different. I have tried to set out as clearly as possible the technical reasons for that. The situation is deeply regrettable. In essence, the issue was the linkage between the app and the NHS systems, and action has been taken to address and resolve that.

When we are in a position to do so, we will publish data around the app—the downloads, including the numbers of successful QR code downloads. However, the figure that we have—we rely on Google and Apple for some of the download information—is that, as of midnight on 3 October, almost 380,000 people had downloaded the app. We will continue to monitor the data and we will publish information as soon as we are in a position to do that robustly.

We will continue to make sure that we have those proportionate mitigations in place, because of what might happen if we do not. I reflect again on a point that I made last week: if I cast my mind back over these statements, going back probably for months now, almost every mitigation that we have put forward to try to keep cases under control has been opposed by Douglas Ross and the Conservatives. We are not in a position of being able to do nothing in the face of the virus over the winter, so we seek to do the most proportionate things possible. That is the action that we will continue to take.

**Anas Sarwar (Glasgow) (Lab):** I start by sending my condolences to all those who have lost a loved one to Covid. The Government's vaccination passport roll-out is a "complete shambles"—those are not my words but the words of the people left to implement the chaotic scheme. Mike Grieve of the Night Time Industries Association said:

"Nobody knows what is going on, confusion reigns and we're stuck with trying to enforce this on the streets."

At the weekend, his venue was full to its capacity of 410, but only six of the people attending had the new vaccination app. It was a predictable disaster, and it is the consequence of an arrogant Government forcing through its ill-thought-through plans despite concerns from the public, public health experts and businesses. The promised app was rushed out at the last minute and crashed just minutes later.

There are also severe equality issues. The app requires a driving licence or passport. Almost a third of Scots adults do not have a driving licence and more than 20 per cent do not have a passport. That figure is likely to be higher in the very

communities that have higher levels of vaccine hesitancy. That is not to mention the issues with digital exclusion, because people still need to go online to get the PDF file.

Now we discover that, when thousands of people descend on Glasgow for the 26th United Nations climate change conference of the parties—COP26—they will not require a vaccination passport in order to attend. Instead, they will need to provide proof of a negative lateral flow test. The First Minister is making it up as she goes along, so will she either change or ditch the system?

We all want to increase vaccine uptake—that should be the focus—so we should be making it easier for people to get the vaccine. Does the First Minister agree that we should open more drop-in centres and mobile centres rather than closing them or reducing their hours?

**The First Minister:** As more and more people are vaccinated, health boards will of course change the configuration of the facilities that they have available. We will continue to ensure that facilities are available across the country to provide access that is as easy as possible to vaccination. I do not have today's figures in front of me, but in the past few days, Scotland became the country of all four nations with the highest proportion of the adult population vaccinated.

The vaccination programme is a roaring success, but every person who remains unvaccinated is providing themselves with a vulnerability and adding to the overall vulnerability of the country. We will continue to take steps to get vaccination rates up as high as possible. Indeed, one of the reasons for vaccination certification is to provide an added incentive to get the vaccination rates as high as we can.

On the certification scheme, I have already made it clear that I do not consider the experience of the launch of the app last week to be remotely satisfactory. We have taken action to resolve the initial problems, the app is working well and we will continue to monitor it. The reason why we decided to leave a two-week gap between the legal requirement coming into force as planned, at 5 am on Friday, and enforcement was to give individuals and businesses the ability to test arrangements and get used to the rules.

We have taken the equity issues extremely seriously. That is why we have an alternative to the app for people who do not want to use it—as some will not—or people who are unable to use it because they are among those who do not have a passport or driving licence. Those people can request a paper copy or download a PDF file. It is important that we continue to have those

alternatives in place, and they will be in place for anybody who needs them.

On COP26, we are working with the United Kingdom Government and the United Nations on the overall mitigations in place around the event. There are arrangements on testing and other mitigations that people who are attending COP26 will be required to comply with. We are co-operating with others on those arrangements, and I know that all of us, for all sorts of reasons, want COP26 to be a success.

**Alex Cole-Hamilton (Edinburgh Western) (LD):** The First Minister told Douglas Ross that many other countries are adopting vaccination certification. However, as we learned last week, Scotland is the only country in the whole of Europe to do so in isolation without the alternative of a lateral flow test verification.

Last week, the Information Commissioner said that trust is key to the success of vaccination certification and that people should be able

“to enjoy a night out ... without wondering if their data is at risk.”

Well, what little confidence existed crumbled on Thursday night. The launch was shambolic. Thousands of attempts to access Covid identification cards hit the buffers.

I warned that the Government’s information technology system would not be up to the job when the First Minister first unveiled the scheme. The Government has seen a litany of tech problems since before the crisis and, once again, it cannot even get the very basics right. Is the First Minister confident that the scheme enjoys public trust? Is there finally clear and practical guidance to support the venues that are required to carry out the checks in accordance with the Information Commissioner’s ruling?

**The First Minister:** We have guidance in place for the sectors that are required to do Covid vaccination certification. As I said last week, and as I have said again today, the reason why we left the two-week gap between the introduction of the scheme and the enforcement provisions coming into force was to allow for testing and for the guidance to be properly applied and understood by the businesses that are required to undertake that.

I accept the point that Alex Cole-Hamilton made about public confidence, which is why the early experience of the app was deeply regrettable. However, it was also important for us to quickly rectify that and continue to take steps to ensure that we monitor and rectify any issues that arise.

After 18 months of the pandemic, I do not think that the public particularly wants there to be any restrictions in place. However, equally, from the

interaction that I have had with people, it is my view that there is a pragmatic understanding on the part of the majority of the public that we cannot simply bury our heads in the sand over the virus as we go into winter and, if we want to live as normally as possible while keeping the virus under control, we have to accept some compromises. In my experience, most people accept Covid vaccination certification. Actually, in some of the media coverage on Thursday and into Friday, the people who were doing interviews and vox pops were pragmatic about the acceptance of showing vaccination status as an alternative to some of the more restrictive options.

None of us wants to be in this position. I wish—possibly more than most in the chamber—that we could just wash our hands of the virus and stop having to consider any of this or having to deal with the headaches and teething problems with the things that we have to introduce. We are doing this to try to get through the winter with Covid kept under control and the economy and our lives operating as normally as possible. Is that easy every single day for anybody? No, it is not, but I am afraid that it is essential while the virus continues to circulate.

**John Mason (Glasgow Shettleston) (SNP):** The furlough scheme has helped us through Covid, and yet Covid continues and the furlough scheme has stopped. What are the First Minister’s impressions of how that will impact on Scottish workers?

**The First Minister:** I have significant concerns about that. I know that I am not alone in the chamber in being concerned about the impact of the withdrawal of furlough while the pandemic and what we are having to do to control it are still having an impact on the economy and on businesses and workers more generally. In the weeks and months to come, we will need to see exactly what that impact is. I expect that there will be an impact in terms of jobs lost. Of course, we also have acute labour shortages across our economy.

The Scottish Government is anxious to make sure that, through Skills Development Scotland and the other work that we do on employability, we match available skills with job vacancies. However, we are going into an uncertain period in terms of employment, labour shortages and the overall impact on the economy. It would have been preferable if furlough had remained in place for longer, but that decision was not made by the Scottish Government.

**Murdo Fraser (Mid Scotland and Fife) (Con):** In her statement, the First Minister mentioned the issue of face coverings in schools. Constituents who are parents have asked me why their children must continue wearing face masks in schools,

even when they are seated at their desks, when they saw on social media at the weekend the First Minister and many of her colleagues meeting members of the public in this building but not wearing face coverings or exercising any social distancing. The question that they are asking is this: is there one rule for their children and a different one for the First Minister and her colleagues?

**The First Minister:** No, there is not, and I think that people know that. I was delighted that many of Murdo Fraser's colleagues introduced me to their guests here on Saturday. There were moments when photographs were being taken in the building when face coverings were not on, but that does not mean that the rules apply to one person but not to another.

I do not want us to be in a position of having to wear face coverings for longer than is necessary and I certainly do not want to ask anyone else to do that, but that brings us back to the central point. We cannot pretend that the virus does not exist, so what are the proportionate and least restrictive measures that we can take to keep it under control?

Murdo Fraser is perhaps making for me the point that I made to Douglas Ross: we know what the Conservatives do not want us to do regarding mitigations; what we do not hear is how they think that we should keep the virus under control over the winter.

Many of us have school-age relatives and friends. If there was any setting that I would like to have as the first where we lift the requirement to wear face coverings, it would be the classroom, because the requirement is far from ideal for young people. However, we have to take advice and listen to that. The advisory sub-group is meeting this afternoon and we await its latest advice, which we will share with Parliament in due course.

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** The First Minister said in her statement that the over-70s are now receiving booster jags. Will she clarify whether the timing of that booster is dependent on when a person received their second vaccine? Might people be offered the booster and the flu jag in one visit?

**The First Minister:** That will happen where possible. I know some people who are already in that category and will get their booster vaccine and their flu jag in the same visit.

There is a recommended time gap between the second vaccine and the booster, which the Joint Committee on Vaccination and Immunisation set out in its advice. If memory serves me correctly, the gap should be six months. That will guide the

timing of booster vaccinations, which is why someone in my age group will wait longer for the booster vaccination than someone in my parents' age group.

Those vaccinations are under way. Health and care staff, those over 70 and those in the highest-risk group are being given booster vaccinations first and we will then work through the rest of the recommended population in the order in which they got their initial vaccination, in order to take account of the recommended time gap.

**Colin Smyth (South Scotland) (Lab):** A number of health boards, including NHS Lanarkshire and NHS Dumfries and Galloway, do not currently have any drop-in clinics for Covid vaccinations and have returned to an appointment system. That is at a time when the Government has said that it wants to boost the number of young people being vaccinated. Is the First Minister concerned that those decisions, which are no doubt due to staff shortages, will have an impact on the quick roll-out of the booster and flu vaccination programme this autumn and winter?

**The First Minister:** Those are important issues, but I stress that, as we get to the very high uptake levels that we are seeing now, decisions that individual health boards take about the best way to deliver vaccinations are not driven by staff shortages, but driven by consideration of the most effective use of resources. When we reach a point, as we have with many age groups, where relatively small numbers of people are not yet vaccinated, drop-in clinics that are open all day may not be the most effective way to reach those people. Offering appointments can be more effective. In bigger health board areas, there will be a different consideration. The issue is about recognising the progress that has been made, the current situation and how health boards are best placed to reach those who are not yet vaccinated.

The percentages are small, but within those percentages there are still lots of people whom we want to reach. Given their different geographies, it is therefore important that we allow health boards to exercise some judgment and discretion about how best to reach those people. The health secretary stays close to those discussions with all health boards.

**Stephanie Callaghan (Uddingston and Bellshill) (SNP):** What data does the Scottish Government have about the level of public compliance with the mandatory wearing of face coverings in indoor public places and on public transport?

**The First Minister:** We carry out regular surveys of public opinion. In the most recent surveys, which take us up to the end of September, more than 80 per cent of respondents



agreed that wearing a face covering was either very or fairly important and more than 90 per cent said that they were wearing face coverings when required to do so very or fairly often.

I think that that illustrates the point. I am sure that, if we asked people to say whether they like wearing face coverings, the numbers would be much, much lower, but I think that there is a pragmatic acceptance on the part of the public that certain mitigations are still required if we are to get through the next—and, we hope, final—phase of the pandemic over the winter. I think that those numbers on face coverings demonstrate that.

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** I have a constituent who recently wished to travel to Germany to see her family, but she was unable to get a vaccination passport and she feels discriminated against. Will the First Minister give the Parliament an update on the steps that the Scottish Government has taken to improve the transfer of data across international borders and enable people like my constituent, who received one vaccination in England and one in Scotland, to obtain proof of their vaccination status and access a vaccination passport?

**The First Minister:** I am happy to write to the member on the matter and put details in the Scottish Parliament information centre in order to keep my answer as brief as possible.

On the interoperability between England and Scotland, those issues have been addressed. We continue to add other countries. People from other countries can get proof of vaccination in their own country for use here. Obviously, I do not know the circumstances in which the member's constituent was unable to get a Covid vaccination passport, but if she passes the details to me, I will be happy to have that looked into. I also undertake to set out and provide to the Scottish Parliament information centre the different categories of people—such as people who live here who have been vaccinated somewhere else, and visitors—and the current arrangements for them to access their vaccination status.

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** The First Minister might be aware that the United Dance Organisation's European and world dance qualifiers will be held in November and December but Scottish dancers will not be able to take part. To date, my constituent Michelle Connelly, who is the designated organiser of the Scottish qualifiers, has been unable to secure a suitable venue as all the councils across central Scotland are telling her that the event would be outwith the current Covid guidance because it requires an attendance of up to 2,000 people.

I can send the First Minister's office more information if required, but will she investigate the issue and ensure that appropriate guidance is issued to local authorities in order to allow our talented young people an opportunity to join their counterparts from countries around the globe and to represent Scotland on the world stage?

**The First Minister:** If Fulton MacGregor sends me details, I will be more than happy to look into that further and issue whatever guidance we may deem to be necessary as a result. I remind the Parliament, though, that there are currently no limits on the size of events that can take place in Scotland as a result of the Covid rules. Of course, events that are attended by more than a certain number of people—the number varies based on whether the event is indoors or outdoors—will be subject to Covid certification. However, I set out last week that, because of the introduction of Covid vaccination certification, the rules about events of a certain size needing permission were being removed, so there is no overall limit on the size of events that can take place.

**Ross Greer (West Scotland) (Green):** Next week is the deadline for ventilation improvements in Scottish schools. Can the First Minister provide the Parliament with an update on how much of the funding that was allocated for those improvements has been spent? Will a report be produced on how it was spent? What measures are in place to monitor the effectiveness of the improvements that have been made?

**The First Minister:** The announcement of the £25 million fund to support small businesses to enhance ventilation—I think that we made that announcement at the end of September—has been warmly welcomed by a number of stakeholders, including the Federation of Small Businesses. Since making that announcement, we have been working with delivery partners, as I indicated that we would, to take forward the next steps. We recognise the importance of that work as we enter the winter months, when it might be less practical for businesses to keep windows and vents open.

We will set out further details of the grant and funding scheme and, of course, we will report on uptake and spend, as we have done for previous funding streams for businesses.

**Karen Adam (Banffshire and Buchan Coast) (SNP):** What reassurances can the Scottish Government provide for people with medical exemptions from the Covid-19 vaccine that they will be treated with dignity and respect as we transition to the full vaccine passport programme?

**The First Minister:** There is a very—I stress very—small number of people in Scotland who cannot be vaccinated for medical reasons. There

may be people who believe that they cannot be vaccinated for medical reasons but, actually, in very few cases will that turn out to be the case. However, medical exemptions allow those who cannot be vaccinated due to a health condition access to settings that would otherwise require vaccination, and people who are known to health boards to be in that category are being notified of that. Of course, over a period, it will also be possible for people who think that they are in that category but have not received that notification to apply for it.

It is important that people in that position are treated with kindness, dignity and understanding, but I want to stress again that there are very small numbers of people who cannot be vaccinated for health reasons.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** I was recently contacted by a constituent who was a participant in the Novavax Covid vaccine trials. The vaccine is yet to be approved, but my constituent has been unable to access her vaccination status via the app and has not been issued with a QR code in her vaccination letter. Will the First Minister outline what support is available for trial participants, to ensure that they are not disadvantaged during the roll-out of the certification programme?

**The First Minister:** I think that I covered this in response to a question last week. Work is ongoing to ensure that the vaccine status of those who volunteer for clinical trials is correctly presented on the vaccine database. A letter confirming someone's involvement in a trial has been issued to those who participated in the trials, and any participants who have not yet received a letter should contact their respective research teams. That letter can be used for domestic purposes as proof of trial status.

Individuals who are travelling abroad will still need to meet the requirements of their destination country when travelling—for example, a negative pre-departure test, if that is the arrangement and if that is stated by the relevant country. However, I stress that those in Scotland who took part in a trial will not be disadvantaged. That would be deeply unfair, given the great service that they have done the rest of us. They should have had a letter. If they have not had one, they should contact their respective research teams.

**Tess White (North East Scotland) (Con):** The head of health intelligence for NHS Grampian commented last week that there has been a reduction in the use of lateral flow tests, with many people using those tests only once they have become symptomatic. What action is the Scottish Government taking to ensure that the public is aware of the clinical guidance on lateral flow tests and to encourage the uptake of that guidance?

**The First Minister:** We are taking a range of steps—as we have been for some time now—to encourage people to use lateral flow devices, ideally twice a week. There are particular groups that we give particular advice to, such as pupils and staff in secondary schools. Every time that I stand here, I remind people about the importance of using lateral flow devices. The importance of lateral flow device testing has featured in a lot of our marketing and advertising campaigns around Covid, and we will continue to encourage people to use those tests.

It stands to reason that, when cases rise, people are understandably more anxious and are possibly more likely to use the tests more and that, when cases fall again, there might be a tendency to fall away from doing that. That is why it is important for me, the Government and all of us to send the message that people should not drop their guard as cases continue to fall. It is still important that we do all of the things that we have been doing in order to prevent cases rising again, and testing ourselves with lateral flow devices is one important way of doing that.

**Emma Harper (South Scotland) (SNP):** This is on the back of Tess White's question. Around one in three people with Covid-19 does not have symptoms but can still infect others. As we head into winter and face the likelihood of people gathering indoors, I am sure that the First Minister will want to reiterate how important it is that people take rapid lateral flow tests every three or four days to check for Covid-19 even if they do not have symptoms. Can she confirm that those tests will still remain free of charge in Scotland?

**The First Minister:** We absolutely intend that those tests will remain free of charge. They are an important part of our protection against Covid. Emma Harper is right in saying that a significant number of people who contract Covid will not display symptoms, and certainly not in the early part of their period of infection. That is why lateral flow tests are so important.

Our advice is to take a lateral flow test twice a week. In addition, I advise people to do that before they go somewhere or, if they forget to do it once or twice a week, definitely to do it if they are due to visit somebody or to go to a particular event. The other part of the advice is that anyone with a positive lateral flow test result should book a PCR test to get confirmation of that result and should, of course, isolate immediately.

It is really important that we continue to do these things over the winter. If we all follow all of that advice, we have the best chance of keeping cases on a downward track.

**Paul Sweeney (Glasgow) (Lab):** As Mr Sarwar mentioned, one third of Scots do not have a

driving licence and a quarter of Scots do not have a passport. Given that those are integral to logging into the app, is there a potential digital exclusion issue with its design? Will the First Minister agree that that indicates design immaturity in the app and take steps to address that potential flaw in the system?

**The First Minister:** We have addressed the fact that not everybody will have a driving licence or passport and that, therefore, not everybody will be able to use the app. That is why we intend to continue to offer people the alternatives of ordering a paper copy of their vaccination status or downloading a PDF file—not just for a few days, but throughout this. Both of those things can be done without using the app at all. It is important that those alternatives are there and that people are aware of them.

**Jim Fairlie (Perthshire South and Kinross-shire) (SNP):** We are all aware of how difficult things have been during the pandemic, with restrictions and the need for a good recovery. Businesses across my constituency are being impacted by the 7.5 per cent rise in value added tax that the United Kingdom Government imposed at the start of October. That is in addition to the pressures caused by rising wages and rising inflation. Indeed, as Douglas Ross said during First Minister's question time last week:

"Businesses have never had a tougher time than right now".—[*Official Report*, 30 September 2021; c 12.]

Given that many hospitality businesses in my constituency report that they did not experience the staycation bounce this year, does the First Minister agree that the members of the supposed party of business in this chamber should speak to their colleagues in London about the impact that those VAT changes are having on businesses in Scotland?

**The First Minister:** It would be good if, occasionally, the Scottish Conservatives raised any of those concerns with their counterparts in London. I am not convinced that their counterparts in London pay any attention to them, incidentally, but that is another matter altogether.

There is a serious issue at the heart of this. The Tories are, right now, raising taxes for businesses and individuals at a really difficult time for the economy, as we try to recover from the pandemic. As we know, Brexit has also caused acute labour shortages across our economy, which are making it difficult to get certain foodstuffs to supermarket shelves and for people to access fuel reliably.

Those problems will simply increase and get worse over the winter unless the UK Government really stops and thinks about the impact of its actions and comes up with solutions. All of us

should be demanding that it comes up with those solutions—and quickly.

**Alexander Stewart (Mid Scotland and Fife) (Con):** With reports this morning that police officers are now routinely filling in for ambulance crews by transporting patients to hospital, does the First Minister accept that this Government waited too long to tackle the crisis in the Scottish Ambulance Service?

**The First Minister:** The police are not routinely filling in for the Scottish Ambulance Service. [Interruption.] It has not asked the police to take patients to hospital. It may well be the case that, if a police officer comes across somebody who needs to go to hospital, they will opt to transfer them to hospital. I am not sure whether Alexander Stewart is suggesting that that should not be the case. However, that is not the result of a request from the Scottish Ambulance Service.

We face big challenges across our Ambulance Service and our national health service, just as do England, Wales, Northern Ireland and many countries around the world. We are taking action to respond to those challenges, and we are rightly and properly being robustly scrutinised on that, which I am sure will continue throughout the winter. However, let us not claim that things are happening across the country that are not happening.

**Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** Is the Scottish Government aware of reports of some families being prevented from travelling abroad because their teenage children might still test positive for Covid many weeks after their first positive test, despite no longer being infectious? With the school holiday period almost upon us, what can be done to remedy that situation?

**The First Minister:** We recognise the clinical reality that someone who has recently had Covid may continue to test positive for some time and that, depending on the rules in the countries to which they are travelling, that could prevent them from travelling. People therefore need to check the entry requirements of the countries that they are planning to visit before arranging a trip.

We consider on an on-going basis what we can do to ease the difficulties that are being caused by such issues. However, it is simply one of the features of Covid that people have to think about when they make decisions about travelling or, indeed, doing things here.

**Graham Simpson (Central Scotland) (Con):** Earlier today, the Delegated Powers and Law Reform Committee rejected the Government's vaccination passport regulations on the basis that they were rammed through without proper parliamentary scrutiny. There was ample time in

which to show Parliament the respect that it deserves and allow MSPs to scrutinise that deeply flawed scheme before it came into force. Given that a committee has now said, “Hold on a minute,” will the First Minister agree to rescind the regulations so that we MSPs can do our job?

**The First Minister:** No, I will not agree to do that. I will agree to follow the process that is in place for such an eventuality. I am sure that the member knows—I am convinced of it—that, in such circumstances, what has to happen is that, within 28 days, the regulations have to come for a decision of the whole Parliament. That is what will happen, and I am sure that all MSPs of all parties will fully and properly do their jobs.

**The Presiding Officer:** Thank you. That concludes the First Minister’s statement on the Covid-19 update. There will be a short suspension before we move on to the next item of business.

15:15

*Meeting suspended.*

15:17

*On resuming—*

## **Covid-19 Recovery Strategy**

**The Deputy Presiding Officer (Liam McArthur):** The next item of business is a statement by John Swinney on the Covid-19 recovery strategy. He will take questions at the end of his statement, so there should be no interruptions or interventions.

15:18

**The Deputy First Minister and Cabinet Secretary for Covid Recovery (John Swinney):** Presiding Officer, the coronavirus pandemic has had an enormous impact on the everyday lives of the people of Scotland.

As a nation, we came together to fight the pandemic. We made sacrifices to protect ourselves, each other and the national health service. The virus, and the measures that we took to fight it, changed every area of life—the ways in which we work, socialise and do business. The action that we took and the success of the vaccination programme in mitigating some of the most serious harms of the virus mean that we have been able, since the summer, to lift almost all the restrictions that we were living under.

Although important protections remain in place, and some new ones such as vaccination certification have been introduced, life is beginning to feel a lot more normal. That is a good thing for many of us, but not for us all. The pandemic highlighted the inequalities in our society. There were those who could work from home and those who could not; and there were those for whom Covid was a mild illness and those for whom it was life changing—or life ending.

Although the past eighteen months have not been easy for anyone, there are many for whom it has been much harder: in particular, people who were already coping with disadvantage. They were more likely to get seriously ill, to be hospitalised and, sadly, to die from Covid. They are also the hardest hit socially, educationally and economically due to the restrictions that it was necessary to introduce in order to control the spread of the virus.

We cannot go back to a life where some people, because of their income, health, disability, race or gender, are less secure and less able to protect themselves and their families from circumstances that are beyond their control. Our recovery must be about creating a fairer Scotland; it cannot be about going back to a way of living that for far too many people in Scotland was simply not good enough.

That is why today I am publishing “Covid Recovery Strategy: For a fairer future”. The document has a laser focus on addressing those inequalities. Central to the strategy is our determination to build on the spirit of co-operation, urgency and flexibility that characterised our response to the pandemic. If our people are secure and have firm foundations, our communities, businesses and society will be more resilient and will flourish.

The strategy is neither the end of the story, nor the whole of it. A vast amount of work has already been undertaken, notably on the NHS recovery plan and on the education recovery plan, which was published today, and more will follow. The strategy does not seek to provide that level of detail on recovery plans for individual public services, but it provides the overall principles that will guide them. The strategy has a clear vision: to address the inequalities that have been made worse by Covid, to make progress towards a wellbeing economy in which our success is judged on more than gross domestic product, and to accelerate inclusive and person-centred public services.

Throughout the pandemic and during the preparation of the Covid recovery strategy, the Government has been speaking to people in Scotland about what sort of recovery they want to see. People said that they wanted a recovery that achieves financial security for all; supports health and wellbeing; empowers communities and places; addresses the harms caused by the pandemic; recognises the value of time and social connections; advances equality and strengthens rights; starts from the individual and involves people in decision making; is evidence driven; supports economic development; and is ambitious and transformational.

We have listened to what people have told us and to what was shared through the citizens assembly and with the social renewal advisory board. The ambition for a fairer Scotland is the heart of the strategy and it lies behind the three outcomes that the strategy works towards: to establish financial security for low-income households, to enhance the wellbeing of children and young people, and to create good green jobs and fair work. Those three outcomes are supported by an overarching ambition to rebuild public services and learn the lessons of the pandemic when—because it mattered—boundaries were overcome and by necessity all spheres of government and the third sector came together to deliver truly person-centred services.

Overcoming boundaries was central to the approach that we took to homelessness during Covid. Pre-pandemic, Scotland had around 300 people sleeping rough or in shared dormitory-style

accommodation. Those people generally have poorer health and higher rates of complex problems than the general population and were therefore at greater risk of the virus and its devastating consequences. Through our partnerships with local authorities and the third sector, rough sleeping was almost eradicated last year. Emergency accommodation was provided along with daily hot meals and emergency food, and enhanced independent living support was given to young women who were experiencing homelessness and who had experienced sexual assault.

Having a fixed place to stay also gave access to a range of vital support services; primary care, mental health, advocacy, employment support and addiction services came together to support individuals. That is just one example of how a collective national approach delivered truly person-centred service and it is exactly the type of approach that our country needs in relation to the Covid recovery. Our renewed and enhanced partnership with local government and working collaboratively with the third sector and business are the foundations of the strategy.

In the strategy, we set out the steps that the Government will take to ensure financial security for low-income families, including rolling out the Scottish child payment to children under 16 by the end of next year and doubling it to £20 per week per child as quickly as possible during this parliamentary session; expanding funded early learning and childcare for children aged one and two; designing a wraparound childcare system to provide care before and after school and in the holidays in which the least well-off families will pay nothing; reducing the costs of school with free breakfasts and lunches in primary school and the school uniform grant; and investing in employability support to get people into work.

To improve the wellbeing of children and young people, the strategy includes commitments to invest at least £500 million over this parliamentary session to create a whole family wellbeing fund, shift to preventative interventions, create holistic and universal support services, invest in mental health support for children and young people, and improve and scale up family support services.

The strategy details investment in important cultural and creative programmes, such as Sistema Scotland and the youth music initiative. It also outlines how we will address the opportunities that have been lost to young people during the pandemic through the young persons guarantee, which is providing up to £70 million this year so that every person between 16 and 24 has the opportunity to study, take up an apprenticeship, job or work experience, or take part in formal volunteering.

To support employment following the pandemic and Brexit, we will work to ensure that good green jobs are available; simplify investment in skills and training to ensure that people have support available throughout their lives; invest £200 million in adult upskilling and retraining opportunities; embed fair work so that people have good jobs and to increase productivity; and enhance equality of opportunity so that everyone can access, and progress in, work. We will work with local authorities on a community wealth-building plan to ensure that there are good local employment opportunities in every area.

I am pleased to tell members that the strategy has been agreed with the Convention of Scottish Local Authorities and is supported by local government.

Over the past 18 months, our response to Covid has been a shared endeavour. Our approach to recovery must be a shared endeavour, too, and local government is at the heart of that. Delivering on the strategy requires focus and prioritisation. Learning from the successful programme management of the delivery of 1,140 hours of early learning and childcare, the Scottish Government and COSLA will establish a Covid recovery programme board, which will be jointly chaired. That board will oversee the delivery of the strategy and ensure that focus is brought to that work over the coming 18 months.

Partnership with local government is essential, but our collective endeavour for recovery will also involve community groups, charities and voluntary organisations, and businesses large and small. There is no sector of Scottish life that does not have a part to play in the successful delivery of the strategy, and there is no sector that does not stand to gain from that success.

The role of the third sector during the crisis has been proven time and again in the rapid help that it and thousands of volunteers have provided to support communities. Collaboration has happened across organisations and traditional boundaries. We must build on that ability and strengthen the sector's capacity in our recovery.

We know that economic recovery is central to the success of the strategy, and we will continue to work in partnership with business organisations. We are urgently working with them to better understand the challenges that are being faced as a result of the labour market shortages and to develop a working with business action plan, which will focus on employability, skills and fair work to identify the actions that are necessary to mitigate the impact of labour shortages. Later this year, we will publish a new 10-year national strategy for economic transformation that sets out plans for strengthening Scotland's economy.

Today, the Government has published a strategy that sets out what we as a Government will do to ensure recovery from Covid in Scotland. It sets out an approach to ensure that the most affected are never so vulnerable again and to enable them to take steps to improve their lives and those of their families. It is a uniquely Scottish approach to progressive recovery that seeks to build a society that is better than what we had before.

Over the past 18 months, life has changed markedly. Over the next 18 months, which is the period that is covered by the strategy, we can build back on a fairer basis. To do that, we must move at pace and devote the same energy, imagination and urgency to Covid recovery as we devoted to the pandemic, to collectively achieve that change and drive a recovery that delivers for all of Scotland.

**The Deputy Presiding Officer:** The cabinet secretary will now take questions on the issues raised in his statement. I intend to allow around 20 minutes for questions, after which we will move on to the next item of business.

**Murdo Fraser (Mid Scotland and Fife) (Con):** I thank the cabinet secretary for his statement and for advance sight of it.

We will carefully consider the detail of the document that has been published today. As the cabinet secretary admitted, it is a high-level strategy paper. What is important, of course, is the detail of the policies and actions that will come forward in due course. We look forward to hearing more about those.

In the meantime, I have a question on the economy and employment, to which the cabinet secretary referred in his statement. We know that the impact of Covid means that some jobs that were there previously have disappeared in the short term and may not return. However, we also know that new jobs have been created and are likely to stay. Yesterday, the Chancellor of the Exchequer announced an extra £500 million for job-related initiatives throughout the United Kingdom. What specific new help will be made available by the Scottish Government and its agencies to help those who are looking to retrain to fill vacancies in the economy, and to ensure that they take up secure well-paid jobs in the future?

**John Swinney:** I am grateful to Mr Fraser for his comments and his willingness to engage on the detail of the strategy. As he knows from the discussions that we have had in the cross-party group on Covid, I am open to discussion about the priorities that we should pursue.

Employment is a significant issue. There are acute labour market shortages in the economy and, at this stage, comparatively low levels of

unemployment. However, substantial numbers of individuals have just come off furlough, and we await the impact of that on the labour market.

The Government already has in place a range of interventions, including the national transition training fund, the north-east skills fund, individual training accounts, the flexible workforce development fund and the young persons guarantee. The chancellor's announcement the other day apparently indicates, at a high level, £41 million of consequential funding for the Scottish Government. As Mr Fraser would expect, we have to interrogate the detail of that, and look at it in the round of financial announcements that are made by the UK Government to make sure that it is actually £41 million of new money, because sometimes it is not new money.

We will look at that carefully, and announcements will be made by my colleagues as we look to deploy the resources to assist individuals and enable them to have good high-quality employment in the Scottish economy.

**Daniel Johnson (Edinburgh Southern) (Lab):** I, too, thank the cabinet secretary for advance sight of his statement. Recovery must be our enduring focus throughout this session of Parliament.

As the cabinet secretary said, it is important to consider what is new money. On the issue of upskilling and reskilling, is the £200 million that was announced in the statement essentially for pre-existing programmes, including the ones that he referred to, such as the national transition training fund, or was there additional or new money in the statement?

I very much welcome the focus on family wellbeing in the statement but, again, can I clarify how much of the £500 million fund is additional money over and above current local authority spend on social services and care?

Most important, perhaps, the cabinet secretary will be aware that, in order to meet the Government's legal targets on child poverty, the child payment will need to not just double but quadruple. Many people expected that the Scottish Government was ready to bring forward the doubling this coming financial year, but they will be disappointed, because it appears that the Government is falling short of that interim measure. Can we get clarity on when the doubling of the child payment will take place?

**John Swinney:** As I indicated in my statement, the Government is fulfilling the commitment that it made to roll out the child payment by the end of next year. We have committed to doubling the child payment during this session of Parliament, and we want to do it as quickly as we can, when resources become available to do so. I assure Mr

Johnson that that has the highest priority in Government. I welcome his support for the issue of securing the financial wellbeing of families, because I view that as critical in the work that we have to do to eradicate child poverty.

We have to be cognisant of the research evidence that demonstrates that there are a number of ways in which we can tackle child poverty, one of which, as Mr Johnson rightly alighted on, is to boost a payment such as the child payment. There are other ways, such as delivering effective childcare support for families to enable individuals to enter the labour market and command well-remunerated employment. There are also ways in which we can try to reduce household costs, such as through some of the measures that I set out. For example, we can try to reduce the cost of the school day, which I recognise is a significant factor for some families in our country.

We have to view such measures as part of a collective endeavour, through a number of interventions, to make sure that we deliver security for family incomes, rather than focus on one measure, such as increasing the Scottish child payment by doubling it—or quadrupling it, as Mr Johnson suggested. We must look at a range of interventions if we are to make the maximum impact when it comes to ensuring that there is security for family incomes.

**Beatrice Wishart (Shetland Islands) (LD):** The Deputy First Minister knows that I have raised early learning and childcare many times, because I believe in flexible, accessible and affordable childcare, which is critical to the recovery. Yesterday, new official statistics showed that the number of two-year-olds who receive funded ELC has fallen. Some 14,500 two-year-olds from poorer backgrounds are entitled to funded ELC, because of the difference that it could make to their life chances and attainment, but fewer than 6,000 are taking up a place. This week is challenge poverty week. What will the Scottish Government do to drive up that all-important uptake?

**John Swinney:** We intend to work closely with our local authority partners to increase take-up. Funded ELC is a significant benefit for children and young people, so we have to ensure that the youngest and most vulnerable children in society are gaining access to what is being provided. It can also—this links to my answer to Daniel Johnson—help families to secure access to the employment market, which then strengthens their position into the bargain.

I assure Beatrice Wishart that we will work closely with local authorities to ensure that uptake is higher. I envisage that issue being taken up by the programme board that we will take forward, in

partnership with local government, to ensure that we fulfil those commitments.

**Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** Households on low incomes are experiencing significant pressure due to Covid-19, which will only be made worse by the UK Government's ill-judged moves to cut universal credit and the furlough scheme. Does the cabinet secretary agree that those decisions should be reversed immediately? Can he provide further detail on the actions that the Scottish Government will take as part of the strategy to support households on low incomes?

**John Swinney:** The Scottish Government's position on the universal credit reductions that will come into effect tomorrow is well stated. We stated it again at the weekend, along with the First Ministers of Wales and Northern Ireland, when we appealed for a reversal of the decision to reduce universal credit.

The decision will increase the hardship that families face, and it illustrates the challenge that the Scottish Government faces in that, on one hand, we are trying to take a number of aligned measures—for example, in relation to school clothing grants, the removal of curriculum charges and the introduction of the Scottish child payment—which are designed to strengthen family incomes, only to find that, on the other hand, our approach is undermined by a decision of the United Kingdom Government.

We will continue to make representations to the UK Government in the hope that it recognises the damage that will be done to low-income households, and we will continue with our measures that try to impact on the financial wellbeing and security of such households.

**Craig Hoy (South Scotland) (Con):** The Deputy First Minister will be well aware that many of the problems that the strategy seeks to address predate the pandemic. Today's strategy document reveals that Scots who live in the most deprived areas are

“18 times more likely to suffer a drugs related death; four times more likely to die from alcohol ... twice as likely to die from Covid; and can expect 20 years less healthy life.”

What picture does that paint of life in Scotland for the very poorest people, under this Scottish National Party Government?

**John Swinney:** There are some very deep-seated and long-standing problems in Scottish society, with which successive Administrations have wrestled and which are the consequences of poverty. That deep-seated poverty has been a product of industrial decline and industrial change in our country over many years.

I make no apology that the Government's strategy is absolutely focused on eradicating poverty and child poverty. If Mr Hoy wants to get behind us in doing that, that is all very well. The first thing that he could do is encourage his United Kingdom Government colleagues not to make our challenge worse with the attack on household income that will come tomorrow. Mr Hoy could do that if he wanted to help the process and support our strategy's focus on eradicating poverty and giving people the opportunity of experiencing a better and safer life as a consequence.

**John Mason (Glasgow Shettleston) (SNP):** The cabinet secretary mentioned fair work a couple of times, but Westminster controls employment legislation and can drag standards down. What can the Scottish Government do to tackle that and ensure that there is fair work?

**John Swinney:** A lot of our efforts in this respect must be done by agreement, consent and example. We do not have the legislative powers to take many of the necessary actions, so we work in collaboration with business organisations and our trade union counterparts to agree common standards and apply them in the labour market in Scotland. The business organisations engage at all times constructively with us on such questions, and many employers set a really good example by paying the real living wage, engaging their employees in the operation of their organisations and having fair employment practices.

We will take forward such standards in all our dialogue. As a consequence of our partnership with the Scottish Green Party, a number of additional commitments have been made on conditionality and access to public sector funding, which are explicit in the agreement that we have reached. They will be applied to create the fair work conditions that Mr Mason talked about.

**Martin Whitfield (South Scotland) (Lab):** Will the Deputy First Minister confirm that COSLA agrees with his statement? Will all local authorities be in a position to provide free school meals from the start of the next academic year? Given that this is challenge poverty week, can I ask whether the Government will meet its interim poverty targets in 2023-24?

**John Swinney:** The thinking behind the strategy has been discussed with local authorities and their leaders in recent weeks, and I have had a number of good and productive discussions with COSLA's leadership on the questions. Local authorities are funded to provide free school meals.

As for achieving the child poverty targets, the Government is doing everything that it possibly can to reach the targets. We are conscious and seized of the importance of doing so, which is why



the issue is at the heart of the strategy that I have set out to Parliament.

**Stuart McMillan (Greenock and Inverclyde) (SNP):** Given that many people are still working from home and many companies are saying that staff will not return to the office, what work is under way to help small businesses and public transport providers that rely on people coming into our town and city centres daily to go to their places of work?

**John Swinney:** A lot of businesses are affected by the reduced footfall in town centres, and a number of public transport companies are experiencing such challenges. We have put in place a significant amount of support to enable such organisations to weather the difficult conditions.

Interventions that are part of the support that is available include the small business bonus scheme, which is a long-standing part of the Government's programme that assists many organisations to prosper. We will encourage businesses to look at how best they can adapt their trading models to the new conditions that we must all adjust to. The business advisory networks that are in place provide a great deal of support to assist companies in that transition, and I encourage them to take up such offers where they are available.

**Jamie Halcro Johnston (Highlands and Islands) (Con):** The strategy document contains a commitment to regional action and a regional approach to recovery, with a focus on regional economic partnerships. Does the cabinet secretary recognise the different impacts of the pandemic and the recovery on various parts of Scotland—particularly island communities, which have been doubly disadvantaged by the ferries crisis? How will the regional approach be followed by proportionate support and funding?

**John Swinney:** The issues of regional diversity are central to the strategy. Yesterday, several ministers, including me, were involved in a meeting of the south of Scotland convention, which brings together several south of Scotland bodies to consider areas of shared activity. We had a healthy discussion about the regional economic strategy that has been formulated by that partnership in the south of Scotland, which is very community and local authority led. The Government is actively engaged in the process.

After the recess, I will chair the convention of the Highlands and Islands, which is a further opportunity for that regional perspective to be considered. I look forward to continuing those discussions.

The Government makes funding decisions and announcements at different times, and we have set out commitments around the north-east of

Scotland training fund and the transition funds for the north-east and Moray in relation to the oil and gas sector. The funding decisions will be taken to reflect the decision making that has taken place at a local level—and to complement some of the other financial arrangements around growth deals that distribute resources around different parts of the countries.

**Annabelle Ewing (Cowdenbeath) (SNP):** I acknowledge that we do not have a crystal ball and are far from being out of the woods yet. Nonetheless, people from my constituency—and across Scotland—need a bit of hope in the months ahead. Can the Deputy First Minister indicate what factors will be relied on to determine when we can be considered to be safely out the other side of the Covid pandemic?

**John Swinney:** That question certainly invites the crystal ball analysis. The Government has set out its framework for decision making around Covid, which is about looking at key indicators in relation to pressures on the national health service, capacity in the NHS and the extent of cases of the virus and the levels of vaccination in our community.

As the First Minister has just told Parliament, we find ourselves—at this moment—in a comparatively better position than we might have expected to be in. If we maintain the current rigorous pressure on the virus for the foreseeable future, that will put us in the strongest possible position to withstand the impact of the virus and then to experience a much greater return to normality than was experienced when we relaxed the restrictions in August.

**Gillian Mackay (Central Scotland) (Green):** The Deputy First Minister's statement repeatedly references reducing poverty, and the Scottish Greens have long supported the introduction of a universal basic income to address that. Although I appreciate that the Scottish Parliament does not currently have the powers to introduce a universal basic income, I welcome the SNP's manifesto commitment to introducing a minimum income guarantee as an interim measure. Although it is not referred to in the Covid strategy document, will the Deputy First Minister provide an update on timescales for the introduction of a minimum income guarantee?

**John Swinney:** Development work on that important commitment is under way. It relates directly to some of the measures that I talked about in my statement and answers on delivering financial security for families. We view it as a key route to enabling us to navigate our way out of the impact of poverty on our society. The Government will continue to pursue the work that is being undertaken and will keep Parliament advised of the development of that policy.

**Kenneth Gibson (Cunninghame North) (SNP):** With gas prices rocketing, it is heartening that the NHS, local authorities and other public sector bodies that use the Scottish Government's national collaborative framework for natural gas supply will see no price increase in wholesale gas costs in this financial year, as was agreed last April. Can the Deputy First Minister say what impact rising fuel prices will have on households—particularly those on low incomes—on the private and third sectors and on our economic recovery?

**John Swinney:** That is a very serious matter. The issues that some individuals will face due to changes in their supply caused by the difficulties in which certain companies have found themselves might well exacerbate the other challenges that individuals are already facing.

In the short term, the Government will ensure that we have in place the necessary support measures for individuals, including the advice services that enable people to wrestle with such challenges, while ensuring that the heart and focus of the strategy on strengthening the financial security of families is on enabling them to withstand the pressures that Mr Gibson has, quite reasonably, cited. I assure him that, although the energy prices issue is one manifestation of the financial insecurity of families, tackling the basic question of financial security is central to how we will take forward the strategy.

**The Deputy Presiding Officer:** Thank you, Deputy First Minister. There will be a short suspension before we move on to the next item of business.

15:50

*Meeting suspended.*

15:52

*On resuming—*

## **Health and Social Care (Winter Planning)**

**The Deputy Presiding Officer (Annabelle Ewing):** I remind members about the Covid-related measures that are in place, and that face coverings should be worn when moving around the chamber and across the Holyrood campus.

The next item of business is a statement by Humza Yousaf on winter planning for health and social care. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

**The Cabinet Secretary for Health and Social Care (Humza Yousaf):** I am grateful for the opportunity to update members on the action that we are driving forward to support and protect our health and social care services this winter.

Our national health service is under more pressure than it has been at any point in the pandemic, and, quite frankly, that is likely to get worse. That is why I have decided that our NHS will remain on an emergency footing until at least 31 March next year.

Our social care services are dealing with the same level of pressure, and demand is extremely high. For that reason, I am announcing the most significant package of measures and investment since the advent of devolution, to assist our NHS and social care services with winter pressures. The total package of measures that I am announcing today amounts to more than £300 million of additional investment in our NHS and social care services this year.

In addition to the direct support that I will outline, I urge everyone to do whatever we can to protect one another and our services. Health and social care services are open, and I ask people to listen to clinical experts who can advise on the best service for them, and to be kind and respectful to all the staff who continue to provide care for us under extremely challenging circumstances.

Our winter planning preparations consist of four key principles, and they take a whole-systems approach. First, that is about maximising capacity through investment in new staffing, resources and facilities. Secondly, it is about caring for our staff through ensuring that they can continue to work safely and effectively, with timely access to wellbeing support.

Thirdly, it is about ensuring system flow through specific interventions to improve planned discharge from hospitals and increased access to care in a range of community settings. Finally, it is

about improving outcomes through our investment in capacity, people and systems to deliver the right care in the right setting.

It is not only about winter planning; it is about how we are building on the approach to recovery and renewal that is set out in our NHS recovery plan, and our continued efforts to improve social care support.

I will now set out the range of measures that we will introduce to bolster the workforce, to build hospital and care capacity, and, importantly, to support staff wellbeing.

Supporting people to be cared for as close to home as possible is essential—I know that members of all parties agree on the value of that. In that regard, multidisciplinary teams, made up of staff from professional groups across health and social care, are a crucial part of taking rapid action to keep people at home when it is safe to do so.

To enable the establishment of new multidisciplinary teams and strengthen existing teams, I can confirm today that I am making available an additional £20 million for the remainder of this financial year. That will be backed by an additional £15 million to recruit 1,000 additional health and care support staff working in those multidisciplinary teams and in hospital settings. The 1,000 additional support staff will work to assist with patient flow and delayed discharge, and within community health teams. To support that recruitment, the Government has already provided £1 million to build additional capacity in recruitment teams across NHS Scotland.

Although multidisciplinary teams will help people to return to and, I hope, stay in their homes, we recognise that we also need to make wider provision to improve access to care at home support in the first place. Therefore, I can confirm to Parliament that I will make available funding of £62 million this financial year to enhance capacity in care at home provision, which will help to address current unmet need and deal with the current surge in demand and complexity of individual needs.

A further underlying reason for some of the challenges that we face in providing social care support in the community is, undoubtedly, staff pay, terms and conditions. Today, I can announce additional funding of £48 million, which will be made available to enable employers to provide an uplift to the hourly rate of pay for staff offering direct care in adult social care. That means that the hourly rate will rise to a minimum £10.02 per hour.

That demonstrates a significant step towards our continued commitment to deliver fair work in the sector, alongside our on-going work with the

Convention of Scottish Local Authorities, stakeholders and the fair work in social care implementation group on wider improvements.

To assist with freeing up capacity and, crucially, to help to ensure that everyone gets the right care and treatment at the right time in the right place, we need to ensure that people who no longer need to be in hospital can move to a community setting to complete their recovery. Therefore, I am announcing £40 million for this financial year to enable patients currently in hospital to move into care homes on a short-term basis. That will be an individualised approach, with patients consenting to be discharged to complete their recovery in another setting. I stress that that will be on an interim basis and that they will be discharged to their immediate locality or another suitable location. Crucially, there will be no financial liability for the individual or their family towards the cost.

In addition, we will invest up to a further £28 million in primary care services this year, including in optometry and dentistry. That will underpin a range of measures including accelerated multidisciplinary recruitment to support general practice and targeted funding to tackle the backlog in routine dental care.

I will make two further important points on primary care, which I intend to highlight to all general practitioners in Scotland in a joint letter with the British Medical Association later this week.

First, we must recognise that general practice has remained open throughout the pandemic and that it is at the forefront of our response to it. I reject any suggestion that general practice has been closed. I thank GPs and their staff for their efforts during the pandemic.

Secondly, even before the pandemic, phone and video consultations had a role to play in treating patients. They will continue to be a part of the hybrid model that we offer to patients for the foreseeable future. However, with recent changes to guidance, and the measures that we are announcing today, I would expect to see an increase in GP face-to-face appointments.

Our health and social care staff have been extraordinary in their response to the unprecedented demands that they face. Their wellbeing must remain a key priority. Earlier this year, the Scottish Government announced an £8 million package to support staff wellbeing, supplementing the local support available. While that has had a positive impact on staff morale and physical and emotional wellbeing, we need to go further.

Today, I am providing an additional package of support of £4 million for this financial year to help staff with their practical needs such as hot drinks,

food, access to rest facilities and, importantly, pastoral care and access to psychological support. We have listened to staff and the new support sends a clear message to those who are working so hard to care for us that their wellbeing matters.

International recruitment is a useful lever to alleviate pressures, bringing valuable skills and experience. We have already provided £1 million to health boards to enable them to build the infrastructure to support international recruitment. Today, I am making £4.5 million available to boards to recruit at least 200 registered nurses from overseas by March 2022. We are also accelerating progress with a number of the commitments made in the recovery plan, including developing structures to allow us to directly train international nurses and prepare them for the examinations that they must take to gain United Kingdom registration.

Throughout the pandemic, we have seen a large number of retirees returning to support their colleagues. I am deeply grateful to them for their support. In addition to recruiting new workforce, we are also inviting those who have recently retired to return to service, if they would like to do so. Furthermore, using the skills and experience of healthcare students has also addressed some of the workforce challenges during the pandemic. A national offer will be made to healthcare students, through their colleges and universities, signposting them to the availability of fixed-term and bank work as healthcare support workers.

In addition to those measures, we continue to work with staff and employers on further options to maximise capacity, such as through targeted incentivisation payments, and we have identified in-year funding of up to £15 million to support that. We will work with employers to ensure that any targeted measures that are introduced are right for them, buy additional capacity and support service resilience.

The measures that I have set out today, backed by additional recurring funding of more than £300 million, demonstrate our commitment to ensuring that we have a well-staffed, well-supported and resilient health and social care system. We have already taken action over the past few months to help to bolster our NHS and social care services. We expect the additional investment to make a significant impact over the course of the winter.

That being said, it is important for me to be up front and honest with the public and to recognise that this winter is likely to be the most challenging that we have ever faced. We have been engaged in extensive discussions with stakeholders about the winter pressures that we are likely to face. I hope that many of the actions that I have outlined today will have a positive impact in the coming weeks.

If we can continue to control Covid transmission—the signs are positive—and can safely discharge people and keep them in community settings with the additional investment that I have just announced, we will create additional bed capacity within our hospitals that will be vital in managing winter pressures. By investing in our workforce and increasing capacity, we will be able to better support our health and care system through what is set to be an unprecedented winter.

To conclude, I have previously said in the chamber that the Government will be there to support our NHS during its hour of greatest need. My statement and announcements today demonstrate that we are true to our word. I end where I started, by giving sincere and heartfelt thanks once again to our exceptional NHS and social care staff who have made an incredible contribution to keeping us safe throughout the pandemic. I know that they will keep us safe during the extremely challenging winter that lies ahead.

**The Deputy Presiding Officer:** Thank you, cabinet secretary. I ask members who wish to ask a question to press their request-to-speak button now.

**Sue Webber (Lothian) (Con):** I thank the cabinet secretary for advance sight of his statement and echo his gratitude for the continuing and exceptional contribution of all our health and social care workers.

The Scottish Conservatives have called, repeatedly and for weeks, for a detailed winter plan due to the growing crisis in our NHS. It appears that we are still waiting. In the past few days, we have seen statistics showing that accident and emergency waiting times are at the worst level since 2007, reports from the police that they are filling in for ambulance crews by transporting patients to hospital, a U-turn on the closure of our drop-in vaccination clinics, and a health board apologising for a 1-mile-long queue outside a vaccination clinic where older and vulnerable patients were having to stand outside in the terrible weather conditions—which we have here today, as well—some having travelled miles to get there. All that is before we have even reached peak winter.

I welcome the £300 million investment in the NHS that the cabinet secretary outlined and his comments about investing in our workforce and increasing capacity. Most of that will understandably take some time, but we continue to need urgent action now. I ask the cabinet secretary once again: what is being done to drive down A and E waiting times right now? Will he promise that we will not see a repeat of scenes

from the weekend with long queues outside vaccination clinics as we move further into winter?

**Humza Yousaf:** Ms Webber talks about the winter plan. I have just spent the past 10 minutes outlining how we will spend £300 million of investment. If she is looking for a manicured and varnished document, we can spend our time on that but, ultimately, we are making announcements, getting on with the work and releasing the funds to health boards, local government or integration joint boards so that they can get on with the action. That is what people want. They want us to step up with ideas, funding, investment and innovation. That is what we intend to do over the winter.

On the more general comments that Ms Webber makes, none of us wants to see long queues outside vaccination centres. That should not happen. It is for local health boards to make the decisions on what vaccination facilities they have open and do not have open. As we vaccinate more and more people and the unvaccinated cohort gets smaller—thankfully, very few people in the eligible population remain unvaccinated—it is important to let health boards find the balance between providing ample opportunity for people who want to get vaccinated to do that at a time when they want and not having 15 or 20 nurses sitting in a vaccination centre when only a trickle of people are coming through the door. That would not be the best use of the time of the staff involved, given the pressures that we face. We have to find the right balance, but I accept Ms Webber's point that none of us wants to see long queues.

Nobody is sitting here not having acted—whether the action was taken by me or by my predecessor, because winter planning starts months and months ahead. In the spring and summer, we worked hard to invest in dealing with the pressures that we have faced for a number of months, whether that is the £1.9 billion that we have already invested to deal with Covid pressures, the £12 million that I announced in July to help with non-Covid pressures, or the additional £40 million in year that we announced for the Scottish Ambulance Service—not just the £20 million that I announced recently but the £20 million that was announced before that.

We will invest where we can and, as soon as we have some clarity about the consequential that we have received, I will, having discussed the matter intently with partners, announce how we can make a significant contribution to the winter months.

I cannot promise Ms Webber that things will not get more difficult and more challenging. She asked me to do that, but I am afraid that I cannot, because we are still in the midst of a global

pandemic and still face the indirect and direct pressures of that pandemic. However, I promise that, whatever good ideas come from around the chamber, my door will be open to listening to those suggestions.

**The Deputy Presiding Officer:** Thank you, cabinet secretary. Perhaps we could have slightly shorter answers.

**Jackie Baillie (Dumbarton) (Lab):** I thank the cabinet secretary for advance sight of his statement, but it feels like a sticking plaster for a much more profound problem.

What additional bed capacity is being planned for our hospitals over the winter? Will elective surgery continue to be postponed? More than 96,000 people were on waiting lists for operations, but that figure has increased as the number of cancelled operations has increased.

The uplift for social care staff is insufficient. Working at the checkout at Aldi pays more. We will not retain or recruit staff if we continue to pay them low wages. When will the pay rise start and when will the cabinet secretary pay social care staff the £15 per hour that they richly deserve?

I welcome any additional funding for unmet need in social care, but will the cabinet secretary confirm that the money will recur in the next financial year? Will he also guarantee that the cutting of care services that is taking place in Glasgow, in Lothian and throughout Scotland will be reversed so that the burden will not fall to the 759,000 adult carers in Scotland who, to be frank, are exhausted?

**Humza Yousaf:** I find it astounding that the announcements that I have made in such detail today and the significance of the investment can be described as “a sticking plaster”. I do not accept that characterisation. Our recovery plan goes into detail about how we will reform the service during this session of Parliament. I suspect that all of us tend to agree with Jackie Baillie that reform, where it is needed, should be part of a longer-term project. We are dealing with an immediate challenge that has often been described—and I agree with this—as a crisis. This is probably the most significant crisis that our NHS has faced in its 73-year existence. I must deal with the immediate challenge that is in front of me by making an immediate investment.

To answer Ms Baillie's question, I expect additional capacity to be created, although I will not pluck a figure out of the air. If we, as a Government, can control community transmission of Covid, that will in itself free up beds in the coming weeks and months. We are also working rapidly with local government to try to discharge people safely from hospitals and into community

settings, including to care at home. That will create extremely welcome capacity in the system.

I know that health boards may have made decisions about pausing elective surgery. They do not do so lightly. I know from having spoken regularly to every health board chief executive and chair that they will resume elective surgery as soon as the local circumstances are right.

The uplift in pay for social care staff will begin from 1 December. I am happy to explore bringing that date forward. Ms Baillie has asked us to go further and to pay £15 per hour, but she will have to come up with a source to fund the recurring cost of that, which would be many hundreds of millions of pounds in future years. That could be part of a budget discussion. The funding for recruitment that I announced in my statement will be recurring.

**The Deputy Presiding Officer:** I appreciate that the questions from the two front-bench speakers were multifaceted and required responses to each point. We must finish questions on the statement at 16:20 and a number of members wish to ask questions. Please be succinct with questions and with answers.

**Stuart McMillan (Greenock and Inverclyde) (SNP):** Social care staff do not always have access to parking permits and have fallen foul of local restrictions. As we head into winter, parking two or three streets away from a patient's house will not be advantageous. What discussions have taken place between the Scottish Government and COSLA to find a solution that will assist social care workers in going about their vital work without penalty, particularly in the months ahead?

**Humza Yousaf:** That is an important point. I am in discussion with COSLA and have had intense discussions in the past few weeks. I am happy to give a degree of flexibility in the funding that we provide in order to tackle some of those ancillary challenges that staff face, which make recruitment, retention and just doing their jobs a bit more difficult. I will continue those discussions with COSLA.

**Craig Hoy (South Scotland) (Con):** In 2015, the Scottish National Party Government said that it would eradicate delayed discharge. Today we discovered that, in August, 46,171 days were spent in hospital by people whose discharge was delayed. Other than ministerial incompetence, why is the Government failing so badly to reduce delayed discharge? It cannot simply be down to Covid.

**Humza Yousaf:** We cannot ignore the impact of Covid. My predecessor Jeane Freeman had managed to drive down the delayed discharge figures, but that is a challenge that we face with an ageing demographic. That challenge comes from social care, which is why it would be helpful if the

member got behind our national care service, which will look to provide consistency in care.

We hope that the measures that I have announced today will lead to a significant reduction in delayed discharge over the winter, which will free up bed capacity and help us with those winter pressures.

**Emma Harper (South Scotland) (SNP):** Step-down care home beds have been used in previous winters to improve the flow of patients through hospitals and to get people the care that they need in the right place. Will the cabinet secretary outline how today's announcement will help people whose discharge has been delayed into a more appropriate care setting?

**Humza Yousaf:** I hope that the point that I was trying to make in my statement came across. We must take a whole-systems approach. If we invest in social care, that can help acute and primary care services, too. As Emma Harper says, step-down care has been used before. The investment that we make will help to bolster the staff. The uplift in pay should also help us to retain staff and therefore, along with the investment in multidisciplinary teams that I have announced, allow us to get people rapidly but safely into a community setting. As I said to other members, that will help us to free up the bed capacity that is so much needed in acute settings.

**Paul O'Kane (West Scotland) (Lab):** At present, councils across Scotland, including in the Lothians and Glasgow, are scaling back care packages and asking families to take on more support. The cabinet secretary has committed to increasing capacity in multidisciplinary teams, but the Government missed its deadline of April this year to embed multidisciplinary teams in general practices, and year-on-year cuts to local government—

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

**Paul O'Kane:** —have made things perilous. With the onset of winter—

**The Deputy Presiding Officer:** Question, please, Mr O'Kane.

**Paul O'Kane:** —does the cabinet secretary accept that councils and partners must straight away be provided with funding to recruit more carers?

**Humza Yousaf:** That is what I have announced. I am sure that there was a welcome somewhere in Paul O'Kane's question. We have announced an additional £300 million of funding, which, I am sure, COSLA and partners will welcome. It will be released immediately. That announcement was the purpose of my statement. I hope that the

funding will make a difference in the ways in which Paul O’Kane articulates questions.

**Fiona Hyslop (Linlithgow) (SNP):** St Michael’s hospital for elderly nursing care and respite in my Linlithgow constituency has been subject to temporary closure since the summer due to wider healthcare staff shortages in Lothian resulting from staff illness and self-isolation. I note that West Lothian still has one of the highest rates of Covid infection. Can the cabinet secretary assure me that when the position is reviewed by West Lothian Health and Social Care Partnership he will encourage it to make community-based elderly nursing care and respite in the north of the county a priority for services, using the resources that he has announced today?

**Humza Yousaf:** In short, I will do that. Ultimately, of course, it will be a decision for local stakeholders including the HSCP to make, but I will stress that point in my regular engagement with local partners.

**Brian Whittle (South Scotland) (Con):** I note the cabinet secretary’s comments on international recruitment, which I welcome. However, the numbers of Scottish students who apply for places in midwifery, nursing, physiotherapy, occupational health and other allied health professions consistently far outstrip the numbers of places that are available. Does the cabinet secretary accept that that, along with the Scottish Government’s cap on Scottish students applying to medical schools, highlights a long-standing staffing issue that has been exacerbated by Covid? Will he commit to opening up more opportunities for Scottish medical students?

**Humza Yousaf:** I am thankful that we are seeing in our undergraduate programme more and more students filling places. When it comes to training, the fill percentage rate has increased this year, which is also positive. There are some professions—Brian Whittle highlighted some—in which we still find it a challenge to fill posts. We are doing everything we can on that and will continue to work with partners on it.

**Alex Cole-Hamilton (Edinburgh Western) (LD):** The Royal College of Nursing told me in June that the NHS workforce had upwards of 4,000 vacancies in nursing and midwifery. The crisis does not come from nowhere; it follows years of Scottish National Party mismanagement of the workforce. Will the cabinet secretary commit to an updated workforce management plan, and annual workforce management plans thereafter, so that a workforce crisis of this scale is not repeated, given that he has announced today that only 200 registered nurses from overseas will be recruited by March 2022?

**Humza Yousaf:** It is important to put on the record for context and, perhaps, balance, that we have a record number of staff in our NHS, and they are the best paid staff in the UK. That is an important point to make.

On nursing vacancies, I too have spoken to the RCN—most recently, just a few days ago—about a range of issues that affect our nursing colleagues. I will commit to a workforce plan. We have already said that we intend to make that available and to do the work on it before the end of the year.

**Gillian Mackay (Central Scotland) (Green):** The Scottish Greens’ co-operation deal with the Scottish Government includes progress on fair work for the social care workforce as a priority, so I am pleased to see swift action being taken to ensure that the workforce gets more than the living wage, and that there are vital funds to support the wellbeing of our front-line NHS workers. *[Interruption.]*

Can the cabinet secretary confirm that the uplift in social care pay is just the first step in establishing parity between health and social care workers, and that we will look to improve pay and working conditions further as we work to establish the national care service?

**Humza Yousaf:** I am not sure why Labour members were heckling Gillian Mackay during her question. She welcomed, as I expect they do, the pay uplift for people who are not paid as highly as we want them to be, and who have done an incredible job during the pandemic. I am not sure why there was heckling about that welcome move.

Gillian Mackay is absolutely right. It is an additional step; I would not say that it is the “first step”, because we have already invested money to ensure that social care staff are being paid £9.50 an hour. It is, however, another step in the right direction in increasing pay. We have made a commitment to make sure that those staff are paid £12.50 an hour by the end of the current session.

Pay is one element; I have also had good discussions with people including Andy Kerr, who is leading much of our work on fair work, about how we can improve terms and conditions.

**The Deputy Presiding Officer:** I call Kenneth Gibson. He will be followed by John Mason, who will be the last questioner.

**Kenneth Gibson (Cunninghame North) (SNP):** Because of the increase in Covid-19 admissions and staff sickness absences, and rising accident and emergency attendances, NHS Ayrshire and Arran is under tremendous pressure. From the very welcome £300 million that the cabinet secretary has announced, what initial support will be provided across NHS Ayrshire and

Arran and its aligned health and social care partnerships to reduce further escalation as winter begins?

**Humza Yousaf:** It will be a challenging winter and we have not even hit the flu season yet. There could, therefore, be even more significant challenges ahead. Furthermore, as members will imagine, we are planning for the 26th United Nations climate change conference of the parties—COP26. Although that will be focused in and around Glasgow, many other local authorities will have to manage some its challenges. The point that I am trying to make is that additional pressures are coming down the line for NHS Ayrshire and Arran.

I expect that the funding that I have announced will mean that there will be additional workforce in sites across NHS Ayrshire and Arran. That will not happen just in acute sites; social care will also be bolstered.

**John Mason (Glasgow Shettleston) (SNP):** Will the cabinet secretary say more about the international recruitment that he announced and how it will happen?

**Humza Yousaf:** I will say only that we expect that recruitment to happen immediately. Previously—prior to making the statement—I announced investment to create more capacity within human resources departments in health boards to ensure that provision is in place for recruitment and registration of international nurses as soon as they arrive. We have done a lot of the preparatory work, and I have just announced additional investment to help in getting those international recruits.

We are also working with the Yeovil District Hospital NHS Foundation Trust in England, which has expertise in international recruitment. A lot of the preparatory work has been done, and investment now follows.

**The Deputy Presiding Officer:** Thank you. That concludes that item of business. Before we move on to the next item, I remind members of the Covid-related measures that are in place, and that face coverings should be worn when you are moving around the chamber and across the Holyrood campus.

## Environment Bill

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is a debate on motion S6M-01512, in the name of Michael Matheson, on legislative consent to the Environment Bill.

I invite members who wish to speak in the debate to press their request-to-speak buttons now, and I call the Cabinet Secretary for Net Zero, Energy and Transport, Michael Matheson to speak to and move the motion. You have up to seven minutes, Mr Matheson.

16:22

**The Cabinet Secretary for Net Zero, Energy and Transport (Michael Matheson):** I thank members of the Net Zero, Energy and Transport Committee and the Delegated Powers and Law Reform Committee for their consideration of the supplementary legislative consent motion on the United Kingdom Environment Bill and for their report on the matter.

It might be helpful to recap briefly the purpose of the UK Environment Bill, which includes provisions that cover a range of environmental regimes. A number of regulatory provisions were designed from the outset to extend to areas of devolved competence in Scotland. Those provisions covered aspects of environmental regulation in areas such as water, air quality, chemicals and waste, and resources. The measures were prepared and subsequently amended in a manner that adequately respected the legislative competence of the Scottish Parliament in those specific environmental areas, and the Parliament gave consent to them in November last year, after due consideration and debate on the issues at hand. However, two recent amendments to the bill fundamentally undermine the powers of the Scottish Parliament in relation to the environment—an area of policy for which it has devolved responsibility.

The first such amendment was presented during the House of Commons stages. It introduced a new due diligence regime for forest risk commodities in commercial activities. That came about in response to the findings of the global resource initiative.

Although we agree with the need to reduce the overseas impact of our consumption, the measure fundamentally pertains to devolved law, which should be developed on a devolved basis by the Scottish Government, for which it is answerable to this Parliament. That has clearly not occurred in this case.



The second amendment was passed in the House of Lords no less, and is a further example of the sustained attack that we have seen from the UK Government on the devolution settlement. In the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, we legislated for a set of guiding principles on the environment that ministers must have regard to when making policy, including when UK ministers exercise their functions in relation to reserved matters. It is our legitimate expectation that all ministers should have regard to those principles when operating in Scotland.

The amendment must be resisted, as it seeks to disapply the Scottish environmental principles as agreed by this Parliament. UK ministers shall apply the UK environmental principles when making policy affecting Scotland in reserved areas. That is a clear departure from what was previously agreed with the UK Government in the drafting of the bill. The Scottish Government believes that the duty in the continuity act to have regard to our guiding principles on the environment should apply in all circumstances where actions impact on Scotland, whether they relate to a reserved area or not.

Despite Scottish ministers' protestations, the UK Government has refused to accept that these matters are within devolved competence. That dismissive attitude to the powers of this Parliament has wide potential consequences for environmental policy in Scotland. It is this Parliament that is responsible for environmental policy in Scotland. The Scottish Government is responsible for ensuring that we have effective policies to achieve the high environmental standards that we seek, which is particularly pertinent given that we are being dragged out of the EU against our will.

The Government and our colleagues in the Scottish Green Party have a shared commitment to making real progress in restoring our natural environment, transforming our use of resources and addressing remaining challenges in environmental quality. We have stretching targets for woodland creation and peatland restoration, which contribute to our net zero target. There will be an ambitious new biodiversity strategy, a circular economy bill, and a significant natural environment bill, including statutory targets for nature restoration. There are also ambitious plans for land use transformation and our marine environment. This Parliament will rightly hold the Government to account for achieving those ambitions, and the people will hold us to account for the quality of our natural environment.

That is all too relevant to this debate and to the motion, because if the UK Government and Parliament continue to intrude on our Parliament's

powers in this area, it will make it harder and harder to achieve our goals and ambitions for the people of Scotland. The measures are part of a pattern, with the United Kingdom Internal Market Act 2020 a particular concern in relation to our ability to make environmental policy in the future.

We simply cannot accept law being made in the UK Parliament in areas within the legislative competence of the Scottish Parliament without that being reflected in the design of provisions and without recognition of the legislative competence of this Parliament in such matters. This is an important issue that could have wide-ranging implications for environmental policy in the weeks, months and years ahead.

I move,

That the Parliament notes the supplementary legislative consent memorandum on the UK Environment Bill lodged by the Scottish Government on 9 July 2021, and the report of the Net Zero, Energy and Transport Committee of 29 September 2021; calls on the UK Government to respect the devolved powers of the Scottish Parliament with respect to measures with an environmental purpose in Scotland; further calls on the UK Government to amend clause 119 (formerly 107) to adequately reflect the devolved purpose of these regulations, and calls on the UK Government to remove clause 20(4) — (6), as it is inappropriate for the UK Government to seek to impose its own environmental principles on UK ministers for decisions with respect to Scotland.

**The Deputy Presiding Officer:** I call Donald Cameron to speak to and to move amendment S6M-01512.1.

16:29

**Donald Cameron (Highlands and Islands) (Con):** I refer members to my entry in the register of members' interests and declare that I am a member of the Faculty of Advocates.

I have to say that this has to be one of the most spurious debates about legislative consent that has been led by the Scottish Government to date. Let us remind ourselves of a few salient facts. The Scottish Parliament, at the behest of the Scottish National Party Government, has already given consent to the UK Government's Environment Bill—the entire bill. It did so in November last year. The bill aims to tackle the biggest environmental issues facing the UK in the years ahead. It provides a legal framework for environmental governance now that the United Kingdom is outside the European Union, and it makes provision for specific improvement of the environment.

Most of the bill applies in England alone, but there are some provisions that apply in Scotland, Wales and Northern Ireland. For example, there are UK-wide provisions that create delegated powers. There are also shared powers, meaning

that the regulations can be made for Scotland either by ministers here acting alone or by the UK ministers, with Scottish ministers' consent.

There are also—this is important—a number of areas in the bill that extend to Scotland by virtue of their being reserved areas. As I said, Parliament passed a legislative consent motion on the bill last year. However, we now have the absurd scenario where, purely to manufacture another completely artificial row with the UK Government, the SNP takes issue with two amendments that, it argues, trespass on devolved competence—amendments that are designed to protect international rainforests and fill a governance gap on environmental policy. I note that the cabinet secretary has just said that he agrees with the first of those amendments. In committee, he said that it is broadly in line with Scottish Government policy—it is so broadly in line with Scottish Government policy that, this afternoon, the Scottish Government is challenging it. That is absurd—we are through the looking glass.

Let us look at each amendment in turn. The rainforest amendment is designed to protect rainforests around the world. It is a provision that allows UK ministers to make regulations that place an obligation on businesses to ensure that they do not import materials that have been produced on cleared rainforest land. [*Interruption.*] I am afraid I have a lot to get through, so I will not take an intervention.

The provision makes it illegal for businesses within scope to use, in either production or trade within the UK, forest risk commodities that have not been produced in accordance with the relevant laws in the country where they were grown. It is patently clear that the use of forest risk commodities, as it appears in the Environment Bill, is a reserved matter. It does not pertain to devolved law. The measures in question fall within the scope of reservations to the UK in the Scotland Act 1998 for

“the creation, operation, regulation and dissolution of types of business association.”

The obligations imposed by the bill on “regulated persons” are requirements of a formal regulatory nature, and “regulated persons” are defined as a type of business association. Therefore, what the requirements amount to is regulation of a business association explicitly for the purpose of a reservation in the 1998 act. It is illogical to argue that they are for environmental purposes generally, and that that somehow converts them into a devolved matter. As a matter of law and statutory language, the amendment is about the regulation of business entities, pure and simple, and it is unarguable from a legal and constitutional standpoint that that somehow intrudes on devolved competence. It is a sensible

and worthwhile provision that is broadly in line with Scottish Government policy, but it is not a provision that the Scottish Government is prepared to accept today.

The second amendment will have the effect that, where UK Government ministers are making policy relating to reserved matters, they must have due regard to the policy statement of environmental principles in the UK bill. I stress the words “relating to reserved matters”. One might have thought it uncontroversial that the UK Government, when acting in matters solely within its own competence—that is, in relation to reserved matters—just might be entitled to have regard to a UK Government policy statement. That is not just in accordance with the devolution settlement; it categorically respects and reinforces that settlement.

As I have already said, the Environment Bill has already been consented to by this Parliament and it contains a number of provisions that extend to Scotland by virtue of their covering reserved areas. I give the example of the Office for Environmental Protection, whose remit in Scotland is liable to be fairly limited—it will be triggered whenever the UK Government exercises reserved functions in Scotland—because, of course, there is an equivalent Scottish body. Last year, when it came to consent for the bill, the Scottish Government had no objection to the OEP exercising reserved functions in Scotland, but, somehow, it takes issue with the provision that allows UK Government ministers, when making policy relating to reserved matters in Scotland, to have regard to their own policy statement of environmental principles. To argue that that tramples on devolution or infringes somehow on devolved competence, is, I am afraid to say, ridiculous. However, of course, nothing is too ridiculous for this SNP Government when it is trying to pick a fight.

I point to the comments of Kevin Pringle, who is the former director of communications for the Scottish National Party and who is someone I admire and respect, despite our being at different ends of the constitutional spectrum. Writing in *The Sunday Times* this weekend, he argued that there are political advantages for the SNP in wanting improved relations with the UK Administration. He wrote:

“as we begin the long recovery from the pandemic in our economy and public services, there must be a case for the governments at Holyrood and Westminster having a more co-operative attitude than we've been accustomed to ... where it makes sense”—

just like in the current debate.

There is no legal, constitutional or political reason to object to the amendments. Frankly, if the Scottish Government spent less time on its

attempts to stoke division and more time on fighting climate change, we might be able to leave the environment in a better state than the one we found it in.

I move amendment S6M-01512.1, to leave out from “calls on the UK Government to respect” to end and insert:

“supports giving legislative consent to the UK Environment Bill; welcomes the UK Government’s commitment to the environment, and calls on the Scottish Government to work constructively with the UK Government in tackling climate change.”

16:35

**Monica Lennon (Central Scotland) (Lab):** It is customary to say that I am pleased to open the debate on behalf of Scottish Labour. I am pleased, but I feel frustrated. As a member of the Net Zero, Energy and Transport Committee, I have been following the issue closely and I put on record my thanks to the clerks of the that committee and the Delegated Powers and Law Reform Committee, colleagues in the Scottish Parliament information centre, who have been working hard, and the cabinet secretary for his time at committee.

However, here we are, and I am not sure that we are any further forward. Our situation partly reflects the collective failure of Scotland’s two Governments to work together in the interests of Scottish people. The impact of Brexit on the UK’s constitutional framework has been huge and it demands that we approach more areas on a common UK basis. It is in our interests and the climate’s best interests for the UK and Scottish Governments to build a stronger and more productive relationship to make that possible. The current governing structures are not fit for purpose.

To date, the Tories’ approach to Brexit has been a shambles and they have sought to undermine the Scottish Parliament on a number of occasions, but the SNP has not helped by engaging in megaphone diplomacy and resorting to banging on about independence rather than seeking to find consensus where we need it. I hope that that explains why we feel frustrated.

Scottish Labour has a proud record of standing up for our devolved powers and we will continue to do so. It is important that I emphasise that we share the Scottish Government’s opposition to the Tories’ contesting Scottish Parliament legislation in the way that they have. If the Scottish Government feels as strongly as I think it does, why was a challenge not taken to the Supreme Court to get clarity on the matter?

**Michael Matheson:** Since February this year, we have repeatedly sought to get the matter resolved with the UK Government. The last letter

that was sent from my colleague Màiri McAllan to the UK Government on the matter back in June has still not been responded to. We share the same frustrations as the Welsh Government, which refused legislative consent to the bill because of the way that the UK Government was acting in areas of devolved competence in environmental policy. We have sought to resolve the issue with the UK Government, but it has steadfastly refused to engage in such a process.

**Monica Lennon:** I am grateful for that update. It is clear that it is not acceptable for correspondence from Scottish ministers to be ignored by UK ministers, and I hope that that issue will be resolved. However, it appears that there have been differences in how the Welsh Government has interacted with the UK Government. Perhaps colleagues on the other side of the chamber could provide insight into that, because that is another point of frustration. Scottish Labour does not have access to the legal advice that either Government gets, so we need more transparency on that.

The cabinet secretary and Donald Cameron spoke well and fairly about the fact that there is lots of agreement about what the bill seeks to achieve. There is little policy difference.

I turn to the amendments on forest risk commodities and deforestation. Alice Lucas, writing for the Fairtrade Foundation, reminds us that

“poverty and deforestation fuel each other in a negative cycle”

and that deforestation is

“wreaking havoc on the planet and its people”.

Today, many of us are wearing challenge poverty week badges. It would be good to be using our time to debate and discuss climate justice and to look at the impact of poverty, but here we are debating legislative consent instead.

To be honest, we are not quite sure how we have reached this point, but it seems to us that there should have been much earlier engagement and discussion between the UK Government and the Scottish Government. It will not be for Labour members to solve that, but we urge people to work more closely together. To make real progress in tackling the climate and nature emergencies, we need both Governments to work together to deliver strong environmental protections.

I move amendment S6M-01512.2, to leave out from “further calls on” to end and insert:

“is disappointed that the UK and Scottish governments have failed to have early and constructive dialogue on the environmental protections that are required, and believes that parliamentary time would be better spent on measures to address the global climate emergency.”

**The Deputy Presiding Officer:** I call Liam McArthur, who has up to four minutes.

16:40

**Liam McArthur (Orkney Islands) (LD):** I will be brief.

I very much share the frustrations that Monica Lennon has just outlined, and I am grateful to Donald Cameron for the characteristically forensic way in which he set out many of the issues at play.

This debate does not paint the Parliament in a particularly good light. It speaks to an almost dysfunctional relationship between Scotland's two Governments. Like Monica Lennon, I think, from what I can tell, that there seems to be little substantive disagreement between both Governments regarding the actual policies that are contained in the UK Environment Bill, to which the Scottish Parliament consented in November last year.

The Net Zero, Energy and Transport Committee's report confirms that there are only "small drafting differences" between the proposed approaches for incorporating the guiding principles. According to the committee, the policy differences "appear very minor". However, the Scottish Government has somehow found time to platform what can only be described as a constitutional spat. That is despite the fact that, over recent weeks, we have seen important debates on important subjects squeezed for time—or, indeed, squeezed out altogether. In that context, this debate hardly feels like the most productive use of our time.

When the Parliament gave its consent to the UK Environment Bill in November last year, I spoke in the debate. At the time, I warned that

"the climate ... does not care about the constitution."—  
[*Official Report*, 18 November 2020; c 59.]

A year on, that warning appears just as relevant, even as the climate emergency has become even more urgent.

The Scottish Liberal Democrats are committed to doing everything possible to minimise the damaging legacy of Brexit, especially in the area of environment policy. Sadly, by the end of this debate, we will be no further forward in achieving that mission.

We will support the amendment in Monica Lennon's name.

**The Deputy Presiding Officer:** We will move straight to the winding-up speeches.

16:42

**Alex Rowley (Mid Scotland and Fife) (Lab):** I have to ask myself whether this debate is the best use of parliamentary time. We have taken part in this debate, which was called by the Scottish Government, because of two amendments that it claims fall within the Scottish Parliament's legislative competence. They are amendments to a bill that the Scottish Parliament has already given legislative consent to. A debate is taking place because there is a dispute between the UK Government and the Scottish Government about both amendments. The UK Government does not consider that they fall within devolved competence and, as such, it has not sought consent from the Scottish Parliament. The Scottish Government's view is that the two amendments fall within the legislative competence of the Scottish Parliament. That is the background.

The Net Zero, Energy and Transport Committee said in its report on the matter:

"This being ultimately a legal dispute on the dividing line between devolved and reserved competencies, the Committee is in no position to adjudicate authoritatively."

Given the committee's views, I am not sure why the Scottish Government has decided to use the chamber's valuable time to debate the matter—other than that it is playing the politics of grievance.

It is disappointing to see that the UK Government and the Scottish Government have failed to engage in constructive dialogue on environmental protections and regulations. It is unacceptable that a result of that failure is the Scottish Parliament's time being spent on further legal and constitutional wrangling, even when there is very little policy difference between the ambitions of the two Governments.

We are in the midst of an extreme climate emergency that is a direct threat to our future and that of our children, and yet here we are, in Parliament, watching the Scottish and UK Governments disagree about technicalities in a bill. Instead, they could be acknowledging that much more needs to be done by politicians to tackle the climate threat to our children's future.

Just this weekend, at the official opening of Parliament, Her Majesty the Queen urged all of us in this chamber to tackle climate change, saying:

"There is a key role for the Scottish Parliament, as with all parliaments, to help create a better, healthier future for us all, and to engage with the people they represent, especially our young people."

This debate does not help to create a better, healthier future for us all, and I do not think that it helps us to engage with our country's young people. Any young person watching the debate would surely ask, "Instead of spending their time

on legal and constitutional wrangling, why aren't our politicians dedicating more time to trying to solve some of the biggest problems that we face collectively as humanity?"

To tackle the climate and nature emergencies, countries across the world need to come together and unite around common goals, and the countries of the UK are no exception to that. If we cannot work together across the UK on the issue of climate, what message are we sending to the rest of the world? I make a plea to the chamber: we all have to come here and work together to tackle the climate threat, which is the greatest threat to our children's and grandchildren's future.

16:46

**Brian Whittle (South Scotland) (Con):** It is more than 100 years since Rutherford split the atom, and I would venture that his achievement was far less challenging than the SNP managing to split the finest of hairs and create quite possibly the most inane constitutional debate that it could come up with.

In a week when it has been announced that the bill to bring every home in one city in Scotland up to just a grade C for energy efficiency could be close to £10 billion—an issue with a huge impact on our net zero target—the Scottish Government has chosen to bring a debate to the chamber and create grievance. I understand the SNP's need to avoid discussing anything for which it actually has responsibility, because that would lay bare the total incompetence of this Government in using—or not using—its significant powers.

Why is the Government not bringing health debates to the chamber—for example, on the record accident and emergency waiting times, staff shortages or the ambulance waiting time crisis? What about education, which is apparently the SNP's priority? We could be discussing the stubborn attainment gap or the slide down international league tables. There is the ferries crisis, which sees two partially finished ferries rusting in a Government-owned yard—a yard that cannot even get on a Government tender list. Bring the climate emergency to this chamber and let us get on with discussing issues that actually matter to the people of Scotland.

Of course, we know that the Scottish Government leaves such matters to Opposition parties to raise. The fact that this debate has been brought to the chamber tells us everything that we need to know about the direction of travel of this SNP Government. The substance of the debate matters not. It does not matter that my colleague Donald Cameron—an advocate, no less—has systematically dismantled any legal position that the SNP has tried to manufacture and has

exposed it for what it is: not a party of Government but a protest party and a party of grievance. It has become a parody of itself, and, in doing so, it devalues the Scottish Parliament and what it is here to do, which is to serve the people of Scotland.

It does not even matter that the LCM that we are discussing was reported on by the Environment, Climate Change and Land Reform Committee and the Delegated Powers and Law Reform Committee in 2020 or that a legislative consent motion was voted on and agreed to by the Scottish Parliament in November 2020. It will not even matter that the SNP-Green coalition is challenging a provision that is designed to protect rainforests around the world. Let that one sink in, Deputy Presiding Officer. Let us be honest: the motion will be passed this afternoon and the Government will achieve its objective of being able to sell the story to the media that the Parliament agrees that the UK Parliament is on a power grab. Job done. *[Interruption.]* I do not have time to take an intervention.

With its motion, the SNP-Green coalition has finally given up any pretence of governing for the people of Scotland. This debate is about creating constitutional grievance and finding ways to drive a wedge between Scotland and the rest of the UK. It highlights the SNP's approach of being unwilling to negotiate and then blaming someone else.

I am in no doubt that, following the debate, the people of Scotland will rise up, as one, and—what? Politics sometimes has to be about compromise. It has to be about accepting that something is not perfect but is not the end of the world. The SNP chose not to compromise or to collaborate with the UK Government, because why would it choose to work constructively to solve a problem when any unresolved problem is another opportunity to paint itself as being hard done by? Why go to all the effort of getting things sorted when it can sit back and blame someone else for its failure?

This has been 40 minutes of my life that I will never get back. What an absolute waste of parliamentary time. Shame on this sham of a Government.

16:50

**The Minister for Environment, Biodiversity and Land Reform (Màiri McAllan):** Scotland rejected Brexit, and we deeply regret that it has been forced upon us—and during a global pandemic.

Despite that, the Scottish Government has always worked to make the best of a bad situation for Scotland. Despite our differences, we are, of course, prepared to co-operate with the UK

Government. We have done so on the Environment Bill. We have a shared interest in working to reduce our global environmental impact and, as I said, we consented to aspects of the bill. I have to correct Donald Cameron, who appeared to suggest that we have consented to the whole bill—that cannot reconcile with what we are debating today. I think that that is wrong. Given the nature of the forest risk commodities provisions, a joint approach might have been achievable in that case. Had the UK Government respected this Parliament's legislative competence, we could have found a resolution. It is unfortunate that that has not been the case.

If the Parliament does not stand against attempts to undermine the democratic will, the UK Government will continue to constrain the competence of Scotland's Parliament. Be it the Commons seeking to undermine the application of Scotland's environmental principles, which were carefully created by the Government and supported by this Parliament, or the House of Lords seeking to legislate on forestry matters over the head of the Scottish Government and Parliament, such attempts must be resisted. Be they stealthy, as in this case, or overt, as in the insidious United Kingdom Internal Market Act 2020, such attempts must be resisted. It is this Parliament that is accountable to the people of Scotland, and we must be free to act in devolved matters as the people of Scotland elected us to do.

We are not alone in our concerns. As the cabinet secretary pointed out, the Welsh Government is equally troubled by the UK Government's creep into devolved power. I note Monica Lennon's amendment and what she describes as her disappointment that matters have not been resolved. I share that disappointment, but the difference between Monica Lennon and the Labour Party and this Government is that we are not prepared to accept perpetual disappointment under the UK's constitutional system.

**Monica Lennon:** I am sure that the minister recognises that she is in a position in which she can do something. I heard from her colleague the cabinet secretary that she wrote a letter in June, I think, a month after she came into office. That is great to hear, but is that all that she has done—written a letter and sat back? What else is she doing to get a response from UK ministers?

**Màiri McAllan:** We regularly engage with the UK Government, and I assure the member that we try repeatedly to get action on these matters—*[Interruption.]* No, not one letter; repeated meetings—but I thank the member for the intervention.

The Scottish Government has made clear our commitment to maintain or exceed environmental standards following EU exit. It is important to note that the UK Government has not made an equivalent commitment.

It appears from Donald Cameron's speech that he would be content that we pass responsibility to the UK Government for any and all aspects, but is that a surprise? His party was the architect of the United Kingdom Internal Market Act 2020, which this Parliament rejected and which will severely constrain this Parliament's ability to deliver progress on the environment in Scotland.

The UK Government is playing fast and loose with the purpose test, and it is trampling arbitrarily on the legislative competence of this Parliament. Therefore, it is imperative that we take every opportunity to urge the UK Government to reconsider and reframe.

I am sorry that members are so inconvenienced by our taking 40 minutes out of their afternoon to defend the powers of this Parliament, which the people of Scotland elected them to serve in. The First Minister's letter to the Prime Minister of 14 May 2021 made it clear that resolving issues of encroachment into devolved competence is an important test for the UK Government. Resolving the issues with the bill would demonstrate the UK Government's willingness to step back from an approach that increasingly appears to be designed to unlawfully take power and decision making from this Parliament.

It is high time that the UK Government started to listen to such concerns. I ask members to support the motion to preserve this Parliament's environmental powers and to respect the will of the Scottish people, whom members were elected to represent in the chamber, as I said.

## Urgent Question

16:55

### Rail Strike

**Paul Sweeney (Glasgow) (Lab):** To ask the Scottish Government what action it will take to resolve the on-going pay dispute between ScotRail and railway workers, in light of the announcement of strike action during COP26.

**The Minister for Transport (Graeme Dey):** Talks with trade unions about the general grades pay claim took place today, and discussions with the Associated Society of Locomotive Engineers and Firemen are planned for tomorrow. Although the railway sector faces a backdrop of significant financial challenges, reasonable offers are on the table, which could lead, through pragmatic and meaningful discussions about efficiencies and modernisation, to an agreement being reached.

Today's talks have just adjourned and are scheduled to resume on Thursday. Any cancellations as a result of industrial action will have the potential to not only undermine the recovery of our rail services but to impact on vital revenue streams from ticket sales.

We support the right of every worker and trade union to engage with employers to seek a pay deal, but the 26th UN climate change conference of the parties—COP26—is the chance for Scotland and Glasgow to showcase on a world stage the key role that we see for rail in our sustainable future. We hope that staff and unions will understand the importance of the moment and will work with ScotRail to resolve the dispute. We are encouraged that the talks have adjourned until later this week.

**Paul Sweeney:** I refer to my registered interest as a member of Unite the union. In the past couple of days, 20 ScotRail employees in depots across the country have been sent home—in effect locked out of their workplaces—for refusing to operate machinery that they do not have the necessary accreditation or training to operate. That comes against the backdrop of the on-going pay dispute, which the minister referred to.

As a result, Unite trade union members have overwhelmingly backed strike action in October and November, including dates during COP26. That means that three days of strike action will take place on Scotland's railways during the most important climate conference in history. Does the minister endorse Abellio's decision to send home those workers and use anti-trade-union tactics, which fly in the face of the Scottish Government's Fair Work Convention, simply for exercising their right to withdraw their labour?

**Graeme Dey:** Having declared his interest, Mr Sweeney is entitled to interpret what may or may not have happened in whatever way he sees fit. This morning, I spoke directly to Unite about the matter. A number of staff members might have found themselves in such a situation, and we have raised the issue with ScotRail.

In an industrial dispute such as this, there is a lot of rhetoric, assertion and claiming. We need calm heads and we need people to get round the table and work constructively to resolve everything in the situation.

**Paul Sweeney:** I welcome the hint that there might well be a revised offer, but I say with respect to the minister that I tend to trust the integrity of workers and their trade union representatives to tell the truth on such matters. I commend the Government's effort to respond, but it is trying to shut the stable door after the horse has bolted.

The situation should never have been allowed to deteriorate to this point. For more than 18 months, the Government has steadfastly refused to engage meaningfully with the pay dispute. Workers' morale is at an all-time low, and they have been left with no option but to vote for strike action. It is not a bolt from the blue or a malicious act; it is the result of sustained unacceptable behaviour by the employer.

We face the prospect of Scotland being an international laughing stock if COP26 delegates cannot use public transport because of Abellio's intransigence and the Government's seeming indifference. What will be the next steps if the revised pay offer that is under discussion is refused by the trade unions? Will the minister make it clear to Abellio that the lockouts—they are indisputably lockouts—are totally unacceptable? Will he instruct Abellio to halt the practice before the situation escalates any further?

**Graeme Dey:** Once again, I refer members to the declaration of interests that was made by Mr Sweeney—there lies part of the problem. The dispute needs to be resolved by everyone coming together in order to do so. I remind the member that I have been in post for only five months, but, over that time, I have encouraged all sides to engage constructively. I was pleased to see the approach that was taken today. It is in no one's interests for the dispute to continue and for it to impact COP26. With the greatest respect to Mr Sweeney, I say that I hope that rather than portraying one side of the argument, he will encourage the trade unions to engage constructively, as I have done with both the trade unions and ScotRail, to get the issue resolved and for us all to move on.

**John Mason (Glasgow Shettleston) (SNP):** Can the minister reassure us that he will

encourage ScotRail management to settle the dispute within its current budget? We know that passenger revenues are down and we do not want to be switching more money out of the national health service into the railways.

**Graeme Dey:** I will not inflame the situation in any way by talking about the nature of the discussions that took place today, because I hope that they have moved on in the course of the afternoon. I can, however, reassure the member that the resolution that is being discussed would be affordable within the existing rail budget.

**Graham Simpson (Central Scotland) (Con):** The minister is right to say that it takes two sides to resolve a dispute, but it is within his gift to get involved. Will he be taking part directly in the talks tomorrow and if not, why not?

**Graeme Dey:** As I pointed out already and as the member would have heard if he had been listening, the talks adjourned this afternoon and do not resume until Thursday—tomorrow's discussions are with ASLEF. It is not for a Government minister to be directly involved in such talks—they are for the employers and the unions. However, we have got to this point because of the encouragement and support of the Government to seek a resolution. As I said, both sides need to get around the issue in a constructive way. If they do that, we can get the matter resolved.

## Covid-19 Regulations (Scrutiny Protocol)

17:03

**The Presiding Officer (Alison Johnstone):** Last week, a point of order was raised about the provision of information, including the draft regulations in respect of the vaccination certification scheme. I undertook to consider the matter in more detail and to return to the chamber if necessary. As members know, it is my view that information should always be provided to the Parliament in as timeous a fashion as possible.

Members may wish to know that in the previous session of Parliament, a protocol was put in place with the Scottish Government to confirm the processes for the scrutiny of Covid measures and the information that would be provided to the Parliament to better enable that scrutiny. That included the provision of draft regulations to the then COVID-19 Committee on the Wednesday afternoon following any statement by the Scottish Government. The protocol was agreed in the previous session as part of a package of enhanced scrutiny measures. I plan to invite the Parliamentary Bureau to review the protocol to ensure that it remains content with its operation.

We have arrived at decision time earlier than expected. I invite the minister to move a motion without notice under rule 11.2.4, to bring forward decision time to now.

*Motion moved,*

That, under Rule 11.2.4, Decision Time be brought forward to 5.04 pm.—[George Adam]

*Motion agreed to.*



## Decision Time

17:04

**The Presiding Officer (Alison Johnstone):**

There are three questions to be put as a result of today's business. I remind members that if the amendment in the name of Donald Cameron is agreed to, the amendment in the name of Monica Lennon will fall.

The first question is, that amendment S6M-01512.1, in the name of Donald Cameron, which seeks to amend motion S6M-01512, in the name of Michael Matheson, on legislative consent to the Environment Bill, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

There will be a short suspension to allow members to access the digital voting system.

17:05

*Meeting suspended.*

17:11

*On resuming—*

**The Presiding Officer:** Members may vote now.

**For**

Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Dowe, 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)  
 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)  
 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)

**Against**

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)  
 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)  
 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)  
 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)  
 Torrance, David (Kirkcaldy) (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)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**The Presiding Officer:** The result of the division on amendment S6M-01512.1, in the name of Donald Cameron, which seeks to amend motion S6M-01512, in the name of Michael Matheson, on legislative consent to the Environment Bill, is: For 27, Against 92, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that amendment S6M-01512.2, in the name of Monica Lennon, which seeks to amend motion S6M-01512, in the name of Michael Matheson, on legislative consent to the Environment Bill, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### For

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Choudhury, Foysol (Lothian) (Lab)  
 Clark, Katy (West Scotland) (Lab)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Duncan-Glancy, Pam (Glasgow) (Lab)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Griffin, Mark (Central Scotland) (Lab)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Marra, Michael (North East Scotland) (Lab)  
 McArthur, Liam (Orkney Islands) (LD)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mochan, Carol (South Scotland) (Lab)  
 O'Kane, Paul (West Scotland) (Lab)  
 Rennie, Willie (North East Fife) (LD)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Sweeney, Paul (Glasgow) (Lab)  
 Villalba, Mercedes (North East Scotland) (Lab)  
 Whitfield, Martin (South Scotland) (Lab)  
 Wishart, Beatrice (Shetland Islands) (LD)

#### Against

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)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Briggs, Miles (Lothian) (Con)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Brown, Siobhian (Ayr) (SNP)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Maggie (North East Scotland) (Green)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dowey, Sharon (South Scotland) (Con)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)  
 Findlay, Russell (West Scotland) (Con)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallacher, Meghan (Central Scotland) (Con)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Golden, Maurice (North East Scotland) (Con)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Gray, Neil (Airdrie and Shotts) (SNP)  
 Greene, Jamie (West Scotland) (Con)  
 Greer, Ross (West Scotland) (Green)  
 Gulhane, Sandesh (Glasgow) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hoy, Craig (South Scotland) (Con)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kerr, Stephen (Central Scotland) (Con)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Lumsden, Douglas (North East Scotland) (Con)  
 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)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Nicoll, Audrey (Aberdeen South and North Kincardine)

(SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ross, Douglas (Highlands and Islands) (Con)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Simpson, Graham (Central Scotland) (Con)  
 Slater, Lorna (Lothian) (Green)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Webber, Sue (Lothian) (Con)  
 White, Tess (North East Scotland) (Con)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Whittle, Brian (South Scotland) (Con)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**The Presiding Officer:** The result of the division on amendment S6M-01512.2, in the name of Monica Lennon, which seeks to amend motion S6M-01512, in the name of Michael Matheson, on legislative consent to the Environment Bill, is: For 26, Against 92, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The final question is, that motion S6M-01512, in the name of Michael Matheson, on legislative consent to the Environment Bill, 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)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 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)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Dunbar, Jackie (Aberdeen Donside) (SNP)  
 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)

Gray, Neil (Airdrie and Shotts) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 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)  
 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)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAllan, Màiri (Clydesdale) (SNP)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McLennan, Paul (East Lothian) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNair, Marie (Clydebank and Milngavie) (SNP)  
 Minto, Jenni (Argyll and Bute) (SNP)  
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)  
 Robertson, Angus (Edinburgh Central) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Roddick, Emma (Highlands and Islands) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Slater, Lorna (Lothian) (Green)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Collette (East Kilbride) (SNP)  
 Stewart, Kaukab (Glasgow Kelvin) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Thomson, Michelle (Falkirk East) (SNP)  
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (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)  
 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)  
 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)

#### Abstentions

Baillie, Jackie (Dumbarton) (Lab)  
Baker, Claire (Mid Scotland and Fife) (Lab)  
Bibby, Neil (West Scotland) (Lab)  
Boyack, Sarah (Lothian) (Lab)  
Choudhury, Foysol (Lothian) (Lab)  
Clark, Katy (West Scotland) (Lab)  
Duncan-Glancy, Pam (Glasgow) (Lab)  
Grant, Rhoda (Highlands and Islands) (Lab)  
Griffin, Mark (Central Scotland) (Lab)  
Johnson, Daniel (Edinburgh Southern) (Lab)  
Lennon, Monica (Central Scotland) (Lab)  
Leonard, Richard (Central Scotland) (Lab)  
Marra, Michael (North East Scotland) (Lab)  
McArthur, Liam (Orkney Islands) (LD)  
McNeill, Pauline (Glasgow) (Lab)  
Mochan, Carol (South Scotland) (Lab)  
O'Kane, Paul (West Scotland) (Lab)  
Rowley, Alex (Mid Scotland and Fife) (Lab)  
Sarwar, Anas (Glasgow) (Lab)  
Smyth, Colin (South Scotland) (Lab)  
Sweeney, Paul (Glasgow) (Lab)  
Villalba, Mercedes (North East Scotland) (Lab)  
Whitfield, Martin (South Scotland) (Lab)

**The Presiding Officer:** The result of the division on motion S6M-01512, in the name of Michael Matheson, on legislative consent to the Environment Bill, is: For 66, Against 30, Abstentions 23.

#### *Motion agreed to,*

That the Parliament notes the supplementary legislative consent memorandum on the UK Environment Bill lodged by the Scottish Government on 9 July 2021, and the report of the Net Zero, Energy and Transport Committee of 29 September 2021; calls on the UK Government to respect the devolved powers of the Scottish Parliament with respect to measures with an environmental purpose in Scotland; further calls on the UK Government to amend clause 119 (formerly 107) to adequately reflect the devolved purpose of these regulations, and calls on the UK Government to remove clause 20(4) – (6), as it is inappropriate for the UK Government to seek to impose its own environmental principles on UK ministers for decisions with respect to Scotland.

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

## Big Noise Programme (Wester Hailes)

**The Deputy Presiding Officer (Liam McArthur):** The final item of business is a members' business debate on motion S6M-00554, in the name of Gordon MacDonald, on the big noise programme in Wester Hailes. The debate will be concluded without any question being put. Members who wish to speak in the debate should press their request-to-speak buttons.

#### *Motion debated,*

That the Parliament commends Sistema Scotland, an award-winning music education charity, on launching a major new music project in spring 2022 in Edinburgh's Wester Hailes; notes that the programme aims to transform the lives of hundreds of children growing up in the area; understands that the Big Noise community orchestra will gradually be created by the project, which aims to reach more than 400 participants in its first year, and will eventually involve all ages from babies to school-leavers; recognises that the charity targets disadvantaged parts of Scotland for intensive long-term programmes offering youngsters up to four after-school sessions of intervention and support a week during term time, and up to four days each week during the spring, summer, and autumn holidays until they leave school; notes that the project will be working in partnership with the City of Edinburgh Council, and with Clovenstone, Canal View, and Sighthill Primary School and Nursery, and intends to also work alongside local charities and community groups to bring additional support and value to Wester Hailes; appreciates that Big Noise has a long-standing track record of delivering high-quality music education and social change to communities that helps children improve their concentration and language skills, enhance their problem solving and decision making, increase their self-esteem and creativity, and develop strong friendships and support networks, and notes Sistema Scotland's belief that all children and young people have great skills, talents and potential, and that it has never been more important to think and act creatively to ensure that children across Scotland are given the opportunities and support that they deserve.

17:21

**Gordon MacDonald (Edinburgh Pentlands) (SNP):** It is with great pleasure that I welcome the announcement that Sistema Scotland's big noise project will open next spring in the Wester Hailes area of my constituency. I thank colleagues from across the chamber for supporting my motion and enabling the debate to take place.

The Parliament is not yet open to the public due to the on-going pandemic, but I am aware that many of the young people who enjoy being part of the big noise orchestra are watching at home along with their tutors, volunteers and staff. I welcome them to the Scottish Parliament, albeit on a virtual basis via Holyrood television.

Sistema Scotland is a national charity. It was established in 2007 and launched the first big noise programme in the Raploch area of Stirling in

2008. The charity is on a mission to create permanent social change in some of the most deprived communities in Scotland.

The big noise orchestra aims to change lives through the medium of music by fostering confidence, discipline, teamwork, pride and aspiration in the children and young people who take part. We all want Scotland's young people to reach their full potential and to lead successful and fulfilled lives. Sistema Scotland provides nurturing support so that they can do so.

A briefing from Sistema Scotland explains:

"The big noise programmes give children and young people invaluable life skills and experiences. Big noise provides a place of safety and wellbeing and a nurturing community in which children are supported to realise their full potential. Through their participation in the programme, the children develop confidence and learn to work together and be kind to each other. They build resilience, pride and aspiration and are supported to lead successful and fulfilled lives.

The programme works intensively with the children and young people, and inclusively with families and the broader community, to achieve permanent social change. Key to this are the long-term, trusting relationships which the children develop with big noise staff musicians. The unique design of the big noise programme allows this relationship to develop based on consistent daily contact over many years, free at the point of delivery, with the musicians acting not only as educators, but also as compassionate mentors and inspirational role models, supporting positive behaviours and life choices."

The Glasgow Centre for Population Health study of the existing big noise projects found that, in relation to addressing health inequalities, the

"evidence is clear that the types of impacts big noise is achieving at present act upon important determinants of health and wellbeing in adulthood. Because big noise is targeted to disadvantaged communities, it therefore has the potential to reduce health inequalities in later life. This evaluation also includes an economic analysis which concludes with the long-term projection that for every £1 spent on big noise delivery; around £9 of social benefit is generated."

Another benefit of the big noise programme is that young people have had the opportunity to take part in a variety of high-profile performances. Those have ranged from the big concert that was staged in 2012 to mark the opening of the Olympics to a performance in 2019 as part of the Edinburgh international festival with the Youth Orchestra Los Angeles, which is another project that supports, nurtures and inspires young people through music. Incidentally, those performances were led by world-famous Venezuelan conductor and patron of big noise, Gustavo Dudamel.

The big noise programme is already established in Stirling, Glasgow, Dundee and Aberdeen. Prior to the pandemic, 2,800 children and young people were taking part. The new Edinburgh big noise orchestra will be the fifth to be established in

Scotland over the past 14 years. Establishing the big noise programme in Wester Hailes will require an investment of £2.6 million over the first five years, and the good news is that the charity has already raised 60 per cent of the funding required. Sistema Scotland and the City of Edinburgh Council are in discussions about funding beyond the initial five years and what in-kind support the council could provide at present, including office space, practice halls and instrument storage.

It is estimated that the investment in the Wester Hailes community will benefit about 500 children and young people. Since 2012, the Scottish Government has invested £4.8 million in the charity and its contribution in 2021-22 represents 18 per cent of Sistema Scotland's funding.

Discussions have already taken place with the headteachers of Canal View, Clovenstone and Sighthill primary schools to begin the programme from spring 2022, and the after-school club will begin in early autumn 2022. Big noise Wester Hailes will work initially with children in primaries 1 and 2. Over the course of its first year, the programme will expand to reach all nursery to primary 3-age children.

Big noise will grow year on year. A child in the big noise programme, once it is established, will move from baby and carer classes to nursery sessions, and then they will take part in orchestra initiation involving a percussion band and a paper orchestra before moving into the primary 3 string orchestra. Children can then opt to join the after-school orchestra, which involves rehearsing intensively up to three afternoons per week during school terms and attending holiday clubs for eight weeks of the year. There is no charge for the tuition, instruments, healthy snacks, trips or T-shirts.

The programme is an incredible opportunity not only for children and young people across Wester Hailes but for the local community as a whole. Through its big noise programme, Sistema Scotland has an outstanding record of delivering positive outcomes for participants, including increased confidence, better school attendance and encouraging and supporting aspiration. Those are just a few of the programme's benefits since it began in 2008.

The programme has a fantastic track record in improving lives, and I have no doubt that big noise Wester Hailes will prove to be a great opportunity for children and young people across the local area. I wish the staff, tutors and volunteers of Sistema Scotland well as they embark on their newest project in my Edinburgh Pentlands constituency, and I look forward to my invitation to the first Wester Hailes big noise orchestra concert.

17:29

**Michelle Thomson (Falkirk East) (SNP):** I thank Gordon MacDonald for securing this debate to celebrate a new big noise programme in Wester Hailes. I put on record that I am a graduate of the Royal Conservatoire of Scotland, a former musician and the convener of the cross-party group on music.

Given that start in life, many people would ask how I came to be an MSP. Music had a key role; its power is encapsulated simply by one of Sistema's board members, Kenny McGhee, who describes it as "transformative and life affirming". That is my experience.

My early years were not as they seemed from the outside. I found it hard to make sense of the adult world. I did not make friends easily. As the American poet Maya Angelou put it:

"Music was my refuge. I could crawl into the space between the notes and curl my back to loneliness."

I was not unique.

As an adult, I now know that the intensity of my musical experience helped to create the complex neural networks that have opened multiple doors to me throughout my career. The creativity that it fostered benefited me and is increasingly sought after in the world of work today.

There is increasing evidence that the detrimental effects of trauma in children, which affect attention, memory, processing speed and so on, can be alleviated by participation in music. My recollections are that the self-quietening that music required and the setting aside of emotional turmoil that was needed to make sense of the patterns, structure and sounds moved me forward, as did taking the risk of trying. I became part of a team. I became more confident and started to expand my social network. It is arguable that the resilience that I have as an adult can be traced back to my learning to be heard through music—not so much a big noise, I concede, but certainly a mezzo squawk, especially on the clarinet.

Before Sistema, Wester Hailes had already produced the world-famous saxophonist Tommy Smith. Who knows how many more such musicians are out there? Sistema understands the complex needs of the 2,800 children who are involved today and the many more in Wester Hailes who will come through the system.

Music has a great tradition as an enabler in Scotland. For many years, it appeared that the former Bellarmine secondary school in Pollok provided more undergraduates for the RCS than anywhere else. It appeared that nearly every guitarist came from St David's Roman Catholic high school in Dalkeith. Every child had access to free musical tuition, and I am thankful that that has

been restored by the Scottish Government, in addition to the big noise programme.

The health and wellbeing benefits of music in every facet of society are so pronounced that there is a case for setting aside, just for music, a small percentage of multiple budgets that are allocated in this Parliament, so that there are budgets for music not just in education but in health and social care, our justice system and so on. Perhaps that relates to the figures that Gordon MacDonald quoted about every £1 spent generating £9 of benefit.

I simply say: well done, Sistema; you are transformative and life affirming.

17:32

**Sue Webber (Lothian) (Con):** As we heard from my local colleague Gordon MacDonald, the big noise programme in Wester Hailes is a fantastic initiative. I thank him for bringing this members' business debate to the chamber.

Wester Hailes is a residential area in the south-west of Edinburgh, which is home to about 10,000 people. As a child, I lived in the adjacent neighbourhood—I still do—and when I was growing up I used many of the services that were available for sport, leisure and retail. That all sounds grand but what it means is that I played badminton at the local high school and loved going to Presto with my mum, so that I could go on the escalator.

Back then, there was a strong sense of community across Wester Hailes, as there is now. However, the reality is that the area is one of the most deprived parts of the city and it has many complex issues. So much money has been spent on that part of Edinburgh and nothing seems to have broken through.

Despite that, Wester Hailes is a melting pot of great initiatives, ideas and people who are key to initiating and driving through positive physical and social change. I am keen to welcome anything more that can be done that can be a catalyst for change.

I share the sentiments that Benny Higgins, chairman of Sistema Scotland, expressed when he said:

"We also know that many of Scotland's communities face long-standing inequalities and challenges that make it extremely difficult for children to achieve their hopes, ambitions and dreams ... Our charity is committed to ensuring that more children and communities across Scotland are able to take part in Big Noise and I am delighted that Wester Hailes will be the home of the next Big Noise programme."

I am delighted, too.

My colleague Douglas Lumsden will speak about his experiences with the big noise programme in Aberdeen and the big difference that the programme has made to Torry.

The programme will work in partnership with the City of Edinburgh Council and with the primary and nursery schools at Clovenstone, Canal View and Sighthill. I am delighted that many schools will take part in the programme.

Independent evaluation of the big noise model by the Glasgow Centre for Population Health has consistently observed positive impacts on the big noise participants across the different centres. We heard much of that background from Mr MacDonald. The centre's findings note that participants have increased their confidence, discipline, academic skills, happiness, sense of belonging and fulfilment. I hope that, like Mr MacDonald, they also have great clarinet skills and are not like me, as I have none of that genetic material.

It is for those reasons, as well as for the positive contributions and commitments from colleagues across the chamber, that I am delighted that a new big noise programme will begin in Wester Hailes in spring 2022. I cannot wait to watch the positive impact that it will have on so many young people in my local area.

17:35

**Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** I congratulate Gordon MacDonald on bringing the motion to the chamber. I am delighted to speak in a debate celebrating big noise Wester Hailes. I refer members to my entry in the register of members' interests, which shows that I am a councillor in the Torry/Ferryhill ward of Aberdeen. Torry is the home of big noise Torry.

We have heard about the pivotal role that Sistema Scotland plays in delivering big noise, from Aberdeen in the north, to Dundee, Stirling, Glasgow and, of course, Edinburgh early next year. Sistema Scotland believes that music and nurturing relationships play a critical role in inspiring individuals and communities. Within that, big noise recognises the impact of poverty and inequality on opportunities for children and young people to develop self-esteem, confidence and friendships, all of which are key components to them realising their ambitions and aspirations for the future.

In 2015, big noise Torry was born. Funded by Aberdeen City Council and many local partners, it has transformed the lives of many local children and young people through music. I pay tribute to Jim Kiddie, a former local Torry councillor who, like so many others, worked tirelessly to make big noise Torry happen. The programme now

supports over 600 children and young people, working directly with Walker Road and Tullos primary and nursery schools. Incredibly, big noise Torry reached a milestone last August when its oldest participants started secondary school in Lochside academy.

Throughout the pandemic, big noise Torry has worked closely with local schools to maintain the wellbeing of children and families and ensure continuity of learning. During the first lockdown, big noise Torry went virtual, delivering numerous online music lessons. Such was the demand for lessons that its delivery extended beyond primary 1 to 3 and went all the way up to primary 7. During the second lockdown, the strength of the partnerships between local primary schools and big noise enabled musicians to become key workers, supporting educational delivery and wellbeing support for vulnerable children.

Meanwhile, the team continued to play a leading role in digital development and was the first big noise centre to use Facebook live during the first lockdown. It subsequently supported other centres during big noise birthday week. Alongside the Wednesday wee ones videos, big noise Torry continues to have weekly Facebook live broadcasts for participants and community members. Lorna Carruthers has recently joined big noise Torry in the role of head of centre, bringing a wealth of experience and knowledge that will ensure that big noise Torry goes from strength to strength.

The 2019 evaluation of big noise undertaken by the Glasgow Centre for Population Health reported consistent positive impacts on participants' lives and recognised that, at the heart of big noise is a quality, meaningful and trusted relationship between musicians and participants. Big noise musicians are educators and mentors and can become role models. It is through those types of relationships that people change lives.

I welcome the inclusion of Sistema Scotland and similar initiatives in the Deputy First Minister's statement on the Covid recovery strategy earlier this afternoon as important strategies supporting the wellbeing of children. I wish big noise Wester Hailes the very best of luck and I cannot wait to watch its first online music performance.

17:39

**Michael Marra (North East Scotland) (Lab):** I welcome the debate and Gordon MacDonald's achievement in securing it.

I have had significant involvement with big noise Douglas in Dundee, and I declare an interest as the secretary of Optimistic Sound, which is the charity that was founded almost a decade ago to deliver the big noise project to Dundee in memory

of my late uncle. I want to put on the record my recognition of Chris van der Kuyl's leadership of that charity and to pay tribute to Peggy Marra, Clare Brennan, Donald Gordon, Michael Craig, Derek Thomson, Jane Richardson, Jennie Paterson and Jenny Marra for an extraordinary effort in raising in excess of £1 million to bring the project to Dundee. Through their support, the Gannochy Trust, the Northwood Charitable Trust and many more have backed not just the big noise vision, but a proven model for improving lives in communities in Scotland. I have had the great pleasure of witnessing on many occasions the work that is done in Claypotts Castle and St Pius primary schools in the Douglas community in Dundee.

Gordon MacDonald gave a very full exposition of the project that is about to be established in Wester Hailes. The model has been proven in Douglas, Torry, Govanhill and the Raploch, where it started. The Wester Hailes project represents a long-term commitment to the children of that part of Edinburgh, just as the projects in Dundee, Aberdeen, Glasgow and Stirling are long-term commitments to the children in the relevant parts of those cities. With that commitment to the children in those communities, we are saying, "Without you, we are smaller. You are essential. Without you, we are all weakened. You are equal. Without you, our light is dimmed. You are extraordinary." The personal relationships of big noise staff, which are long term, enduring and committed, tell those children that they are worthy of attention and care from their community, their family and themselves.

That message cannot be told through the mundane. It is a promise that must be sung, played and performed. The music of the big noise orchestra builds teamwork, self-esteem, concentration, creativity and discipline, but so does football, basketball, chess, coding or drama. It is the intensity of the long-term nature of the big noise project that sets it apart, along with the fact that it is a community endeavour, in which carrying instruments to school becomes the norm rather than the exception, and it is part of how the community sees itself. The stories that I have heard from Raploch over the years about how the community has changed its perception of itself through the big noise Raploch project pay testament to that.

None of this comes cheap, nor should it. For more than a decade, the budgets of local authorities have been decimated. In many places, only the ersatz veneer of a statutory minimum remains in place. Proactive youth work for children has been swept away in many places across Scotland. It was the "nice to have"—the roses rather than the bread—and, for that reason, it has been lost. When people have challenged the big

noise project and called it expensive, I have told them that it is a proven project that delivers. People have asked why a particular area has been picked when there is so much need, at a time of soaring child poverty, when institutions are in retreat, and when we have a Government that has, at times, convinced itself that better is make believe. With all that, it would take the wisdom of Solomon to answer, "Why here?", "Why Wester Hailes?", "Why Torry?" or "Why Douglas?" So, let us say, "This where it starts."

Dundee City Council committed unanimously across all parties to take on the cost of big noise Douglas from Optimistic Sound at the end of this year. That long-term commitment to this intensive model is absolutely vital. The scale of the budget pressures is such that the Scottish Government must do more to ensure that the commitment endures. I hope that, after the debate, the cabinet secretary will write to the members who participated in it to tell us how the Government intends to deepen its current commitment to the big noise project. I saw that Fiona Hyslop was here. As a minister, she had a long-standing commitment to the project, which was always greatly welcome. As the project grows and attempts to reach more people, it requires greater commitment from the Government.

I pay tribute to all the young musicians of the big noise family, to the outstanding leadership of Nicola Killean and to Richard Holloway, who conceived the big noise vision and has longed for many years to see it established in his city of Edinburgh. I say to Richard that nothing counts but lifetimes. His life of service has counted; he has lived it well. Let it be measured in the thousands of young people who know that they are essential, equal and extraordinary.

17:44

**Jenni Minto (Argyll and Bute) (SNP):** I thank my colleague Gordon MacDonald for bringing this debate to Parliament.

Confucius said:

"If one should desire to know whether a kingdom is well governed, if its morals are good or bad, the quality of its music will furnish the answer."

Parliament's opening ceremony at the weekend showcased the fantastic symphony of music that Scotland is creating just now. Orin Simpson on flute and the guitarist Seoras Chlad from the national centre of excellence in traditional music got our feet tapping, and Musicians in Exile were worthy ambassadors for the way in which music brings friendship and understanding across cultures. BBC Radio Scotland's young traditional musician of the year, Michael Biggins, played "Ae Fond Kiss" by Robert Burns and "Kirn Street",



which he composed. The feast of music was rounded off by the National Youth Choir of Scotland singing “We Hold The Future”.

I had the privilege of working with the BBC Scottish Symphony Orchestra for nearly 10 years. As a failed clarinettist in Fife Youth Orchestra, I relished the opportunity to work with musicians from backstage as opposed to being on the stage. BBC Scottish Symphony Orchestra players were involved when Sistema Scotland’s first big noise orchestra was established in Raploch in the mid-2000s. They buddied up with kids and joined them regularly for visits, lessons and performances. I asked one of my friends, Iain Crawford, who is a double bassist for the BBC SSO, what drew him to become a buddy with Raploch’s big noise orchestra. He reflected what Michelle Thomson spoke about. He said that music was his safe space when he was growing up: it was where he learned to work with others and where he forged friendships. He also got a feeling of self-worth through the exhilaration of performance. He wanted to share with children his experience and his knowledge of what playing a musical instrument had given him.

In 2011, big noise Raploch played a side-by-side concert at Glasgow city halls with its BBC SSO buddies. They played a medley of classical tunes. The atmosphere, the playing and the applause were fantastic. What a memory to have. As one of the young players said, it was their chance to play with players of the BBC SSO, so they could be like them when they grew up.

That outreach work still happens. The joy of music is shared with children throughout Scotland. In fact, this afternoon, 20 BBC SSO players are in Campbeltown grammar school in Argyll and Bute, teaching and playing bite-size excerpts from classical music pieces, and encouraging more than 200 schoolkids to connect with music.

The 2019 “People change lives” report, which Gordon MacDonald referred to, was on

“Consolidating five years of evaluation learning from Sistema Scotland’s Big Noise centres in Stirling, Glasgow & Aberdeen”.

A 16-year-old participant from Raploch said:

“Big Noise has had an impact in my life and has pushed me to see many open opportunities in and out of school ... I was so shy, now I’m an outgoing person by watching them teach and the way they treat us which has made me a much more confident person ... Big Noise has made me want to do volunteering and working with kids ... hopefully coming to volunteer here will keep me in music as if I wasn’t it would be a massive hole in my personality.”

That is an amazing and fantastic achievement, and Wester Hailes children and families have that to look forward to. Like colleagues, I am looking forward to seeing people perform. Who knows? Someone might follow in the footsteps of Ralph

Tartaglia, who grew up in Wester Hailes and now plays the viola for the Ulster Orchestra.

On Saturday, the chamber was filled with great Scottish music. Let us ensure that all Scots are brought up with music in their hearts.

17:48

**Douglas Lumsden (North East Scotland) (Con):** I thank Gordon MacDonald for bringing this debate to Parliament. I am sure that he will forgive me for not speaking about the big noise project at Wester Hailes, but instead sharing the experience of big noise Torry in Aberdeen, which is my home town. I hope that sharing my experience of that project will highlight its benefits and the difference that it can make to people’s lives.

I want to start with a confession. Just over four years ago, when I became a councillor, I had no idea what big noise Torry was. I was told by a fellow new councillor that it was music classes for kids. I was the convener of the finance committee at the time, and it was maybe seen as a potential saving. That all changed when I visited big noise Torry.

The big noise programme is not music lessons for kids; it is a social inclusion programme primarily for children but also for their families. Yes, the children learn how to play musical instruments, but there is much more to it than that. It is about kids who might not have taken any interest in anything before suddenly becoming interested in something. It is about kids who might not have taken any pride in anything that they have done before suddenly becoming proud of what they are achieving. It is about kids who might not have owned anything before suddenly having their own violin or cello that they cherish and look after. It is about parents who might not know any other parents in a school going to a concert and mixing with others. It is about bringing communities together and inclusion. As we have heard, it is about giving confidence to kids who had no self-confidence. I experienced that at first hand during my visits to big noise Torry.

As has been mentioned, an evaluation report was carried out on big noise Torry in June 2017, and it makes for very good reading. Like Jenni Minto, I found that the experiences that children and parents fed into the report were my favourite part. One parent said:

“My son is so funny—when we see someone from Big Noise, he always shouts ‘hello’ to them. He’s really proud that he’s in an orchestra, he was telling everyone over the Christmas holidays. He’s more open now, not just wanting to be on his own all the time.”

Another parent said:

“It’s nice seeing something give her confidence. Confidence with other people but for herself as well. She

knows she has a talent and that's really good for her. She's not just in front of the telly all the time now."

The report describes the impact on one pupil, which highlights the programme's worth. It says:

"Big Noise is described by his teacher and musician as providing Scott with a sense of purpose in school, and a feeling of belonging as a part of the team. Without going into detail, it is felt that Scott is a child who is at risk of being caught up in negative behaviours outwith school, particularly as he gets older. The routine, structure and stability of the after-school programme appear to provide a positive diversionary activity outwith school hours. It also gives him a chance to channel his energies positively. Perhaps most importantly it gives him an opportunity to develop skills and confidence and to be able to demonstrate that he is good at something and for this to be recognised by his teachers, family and peers."

I wish the big noise project at Wester Hailes all the best. I am sure that it will be a huge success and will change lives in the local communities for the better. As a Parliament, we do not always agree, but on this good news story, I am sure that we can. As Michael Marra said, local authorities face enormous budget pressures, but we need to do everything that we can to defend and protect such projects.

As we can see from the progress that Scott has made, big noise is the ultimate early intervention programme, which gives children hope, improves attainment and sets them on the right path in life. I encourage all members to visit a big noise project if they can, so that they can see for themselves the smiley faces and the impact that the projects have on communities.

17:03

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** I am pleased to be speaking in this important and uplifting debate, and I thank my colleague Gordon MacDonald for bringing it to the chamber.

As we have heard from the fantastic speeches across the chamber, music is vital to wellbeing and confidence, particularly for children and young people. I first heard of Sistema Scotland when it was set up in Raploch, in Stirling, in 2008. I was blown away by its ethos and purpose of building on children's natural potential and abilities by enhancing self-esteem and unlocking each individual's dreams and ambitions. The charity reduces harmful inequality and the poverty attainment gap. Importantly, the activities are great fun for everyone in the community and bring families together. More than 2,800 children now benefit from big noise projects throughout Scotland, which is utterly fantastic.

Every new initiative that is set up by the charity is, in my view, a bonus, and I am delighted that Wester Hailes will shortly be able to benefit from the great initiative. The big noise programme has

been evaluated by the Glasgow Centre for Population Health since 2013, and a wide range of positive impacts have been evidenced. It is, of course, entirely in line with the United Nations Convention on the Rights of the Child.

I am delighted that the big noise programme focuses on early years intervention. It begins by working with children at nursery and in primary 1 and 2, with them gradually building on core skills such as listening, concentration, rhythm, rhyme and teamwork while learning to play an instrument in a group. We all know how much children love music. I know of a young girl with learning difficulties who lights up when she hears music—instinctively, she feels happy and wants to sing and dance.

Typically, a big noise child receives up to four after-school sessions of intervention and support a week during term time, and up to four days each week during spring, summer and autumn holidays, until they leave school.

All eligible children are actively encouraged to participate, and the big noise teams work in partnership with children and families to overcome any barriers to attendance. There is a non-exclusion policy, and teams are trained in positive behaviour techniques, elements of child development and psychology and trauma-aware practice.

Even the dreaded pandemic has not silenced the big noise. Throughout 2020-21, Sistema Scotland used whatever ways were possible under the restrictions. Those ranged from delivering thousands of one-to-one online lessons to working closely with education and local authority partners to deliver Covid-safe in-school lessons, often providing additional support to schools by offering a greater number of lessons to a greater number of pupils than pre-pandemic.

Musicians act as educators, mentors and role models, supporting positive behaviours and life choices. They provide emotional and practical support and are inspirational. Young people open up to them and many say that they feel they can tell them anything, which is crucial for good mental health.

Sistema Scotland's funding is based on a blended model of public sector investment coupled with significant private sector support. The Scottish Government started supporting Sistema Scotland's work in 2012 and in the past nine years it has invested more than £4 million. Every pound of that investment has been worth it in so many ways. Music is an international language. There are no barriers to listening to and enjoying music.

Now, thanks to Sistema Scotland, there are no barriers to participating, learning an instrument,

and enjoying the lifelong benefits from such an inspirational early learning initiative.

**The Deputy Presiding Officer:** It should now fall to me to call on the cabinet secretary to respond to the debate, but having been absent from the chamber, it will be difficult for him to do so. As well as apologising to the chamber, cabinet secretary, I encourage you to look at the debate and write to each of the members in response to their speeches. I encourage members who have participated to raise any specific points as interventions. I will allow the cabinet secretary as long as necessary to accommodate them.

17:57

**The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson):** That is kind, Presiding Officer. I apologise to fellow members of the Parliament for my absence at the beginning of the debate and you, Presiding Officer, as convener of the meeting.

I thank Gordon MacDonald for securing this member's business debate on the inspiring work of Sistema Scotland as it expands its big noise programme to Wester Hailes. I commend the warm contributions that we have heard from across the chamber. It is so nice to see cross-party consensus on such a project.

The Scottish Government is proud to have been providing funding to Sistema Scotland since 2020. *[Angus Robertson has corrected this contribution. See end of report.]* We are also proud to have supported its growth from the first project in Raploch to the new big noise projects in Govanhill, Torry, Douglas and now Wester Hailes. Speaking as somebody who benefited from music tuition at primary and secondary school, I totally understand how beneficial it is.

I am pleased to be able to confirm today that our total investment for 2021-22 will be £1.1 million. That money will support the new project in Wester Hailes, which we are celebrating in tonight's debate, and it will help Sistema Scotland to continue to grow and innovate their model.

As culture secretary, I value the cultural and creative opportunities that big noise provides to young people. Many of us will have had the opportunity to see the talented musicians from the programmes perform. Sistema Scotland is, however, much more than a cultural organisation. One of the things that is so inspiring about it is that learning a musical instrument and being part of an orchestra is a means rather than just an end in itself. It is a means of supporting families and communities, and of helping young people to realise their potential.

Members will be aware that the long-term research from the Glasgow Centre for Population Health has demonstrated key impacts for participants, from increased confidence and aspiration to better school attendance and increased resilience, happiness and fulfilment. The big noise programmes are a brilliant example of how involvement in creative and cultural activity can have a positive impact on individuals and communities.

As members know, we published a culture strategy for Scotland last year. Two of its main themes are empowering through culture and transforming through culture. The transforming through culture theme highlights the ways in which culture can contribute to so many areas, including health and wellbeing, learning, and reducing inequality, and how culture has such huge transformational potential.

**Michael Marra:** The alignment with the culture strategy is clear in relation to both empowerment and transformation. We have heard eloquent speeches on that. I welcome the amount of money that has been committed by the Scottish Government, but is it a long-term commitment? At what stage are negotiations with Sistema Scotland about a genuinely long-term approach? As I said in my speech, it is about making a permanent commitment to those communities. It is great to hear that the big noise project is coming to Edinburgh, but we must ensure that that commitment is in place for many years to come.

**Angus Robertson:** That is a very well-timed point. The Scottish Government is currently drawing up a cultural renewal strategy as we emerge from the Covid pandemic. We have thought long and hard about the query at the heart of the member's intervention, which is the long-term ability of such important projects to continue. I am unable to give a sneak preview right now, but when we get to that stage I would be happy to answer the question more fully. The point is well made. The big noise project changes people's lives now, but it should also be able to transform people's lives in the future, too.

**Michael Marra:** That is key. Many councils have supported the projects locally through their own budgets. For example, Dundee City Council has committed to taking on support for the project in the coming year, on a tight financial settlement from the Scottish Government—I know that the minister and I disagree on whether that is a fair settlement. As Mr Lumsden highlighted in his speech in relation to Torry, and as other colleagues noted in relation to commitments in the Raploch and now in Edinburgh, the reality for such projects is that a central form of support is necessary, because we know what will happen if it is up to the local authorities to bear the load of the

cuts. The projects will come under extreme pressure. They need that central funding support in order to continue.

**Angus Robertson:** I commend the gentleman for putting his very persuasive arguments on the record once again. He will understand why I am unable to go any further at this stage, given that we are preparing for the cultural renewal strategy to be agreed. His point is well timed and will help to crystallise the thinking in that process.

The theme of empowering through culture celebrates culture as central to our communities and essential to everyday life. It recognises the importance of opportunities to participate in culture throughout our lives. The big noise programmes are proof of the importance of both themes.

The Scottish Government is proud of our wider youth arts programmes, including the youth arts emergency fund and the youth music initiative, which have provided a range of opportunities for young people to access cultural and creative opportunities that they might not otherwise have been able to get involved in. Our funding to Sistema Scotland fits within our overall work to widen access to high quality cultural opportunities.

We know that, in the last year or so during the pandemic, the programmes will have had a really important role in helping young people with their wellbeing and confidence. There is also an exciting range of creative and cultural opportunities funded through the get into summer programme. In August, I had the opportunity to visit WHALE Arts centre in Wester Hailes—another organisation doing fantastic work in the community through arts and culture.

The past 18 months have been tough on our young people in particular. I commend Sistema Scotland for continuing to support the families with which they work most closely, at the height of the pandemic. That is a great example of the way that so much of our voluntary sector helped communities through the worst of the pandemic. Sistema Scotland adapted quickly to keep lessons going for the young people by taking them online. Sistema provided IT equipment to families who did not have it and helped families to access wider support while children were not able to be at school.

That is just a short overview of the importance and power of culture and creativity to change lives and of the fantastic work that Sistema Scotland has been doing in communities for more than a decade. We know from the research that the impact of big noise programmes on young people is really meaningful. I am delighted that it is opening a programme in Wester Hailes and will be working with a new community in Fallin near Stirling.

I am proud that the Scottish Government continues to invest to support Sistema Scotland's growth. I am pleased to have had the opportunity to highlight and celebrate the fantastic work of the big noise programmes—both those already in place and those that are to soon to be.

*Meeting closed at 18:04.*

## Correction

Angus Robertson has identified an error in his contribution and provided the following correction.

**The Cabinet Secretary for the Constitution, External Affairs and Culture (Angus Robertson):**

*At column 93, paragraph 5—*

*Original text—*

The Scottish Government is proud to have been providing funding to Sistema Scotland since 2020.

*Corrected text—*

The Scottish Government is proud to have been providing funding to Sistema Scotland since 2012.



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

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