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AITHISG OIFIGEIL

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# Scottish Parliament

Wednesday 26 January 2022

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

## Point of Order

**The Deputy Presiding Officer (Annabelle Ewing):** 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.

Willie Rennie has a point of order.

**Willie Rennie (North East Fife) (LD):** I wish to raise a point of order under rule 7.2.1 of standing orders.

Integrity is important, which is why I am standing here today. I was criticised by the First Minister in her statement to Parliament yesterday, but was unable to respond.

Numbers are important, and the whole picture is necessary to understand those numbers. That is why I asked the UK Statistics Authority to investigate the First Minister's selective use of a per cent difference. I was concerned with how the First Minister had presented Covid rates in the United Kingdom. Therefore, I am grateful to Sir David Norgrove for his guidance on best practice.

On Friday, I acknowledged that rates were lower in Scotland—I referenced 5.47 per cent and 4.49 per cent in my letter. However, I was concerned that the First Minister had not used the Office for National Statistics official formulation of "1 in 20" for both Scotland and England, or the percentage point difference of 1 point.

When the First Minister used her unique platform to attack my request for expert opinion, she failed to quote all of the letter from the Statistics Authority, including the section that says that "percentage points" and per cent can be used together to give the public a fuller understanding of the numbers.

Having selectively used the statistics on Thursday to make her political point, the First Minister then repeated that behaviour when she selectively used sections of the letter from the UK Statistics Authority to make a political point again.

This is not about trying to prove that the more cautious approach that was taken by the First Minister did not work. How could it be, as I have always been in favour of caution, throughout the pandemic? This is about being straight with the people.

I am sorry that it has been necessary to take up precious time in the chamber. However, I seek your advice on how back benchers, without the unique platform that the First Minister has, can respond or seek remedy if they are singled out in any ministerial statement in the future?

**The Deputy Presiding Officer:** I thank the member for the advance notice of his intention to raise an issue. However, it is not a matter for me, as chair, to rule on the content of members' contributions. If any member wishes to correct their own contribution or request the correction of another member's contribution, an *Official Report* correction mechanism is available.

## Portfolio Question Time

### Justice and Veterans

14:03

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is portfolio questions. The first portfolio questions are on justice and veterans.

I point out to members that questions 3 and 6 are grouped together, as are questions 5 and 8. I will take supplementaries on those questions after the grouped questions have been answered. If a member wishes to request a supplementary question, they should press their request-to-speak button, or enter R in the chat function, during the relevant question.

#### Scottish Fire and Rescue Service (Repairs Backlog)

**1. Neil Bibby (West Scotland) (Lab):** To ask the Scottish Government how it will address the reported repair backlog in Scottish Fire and Rescue Service properties. (S6O-00660)

**The Deputy Presiding Officer:** I call the minister, Ash Regan, who joins us remotely.

**The Minister for Community Safety (Ash Regan):** Doing more to keep our communities safe and to deliver positive outcomes for the people of Scotland is a priority for this Government. That is why we have increased the SFRS resource budget in recent years to invest in service modernisation, which is a programme for government commitment. We have provided additional capital in-year over the past two years.

Decisions on the allocation of its budget are a matter for the SFRS. It is currently looking to modernise the service that it provides, to ensure that the right assets are available at the right time and in the right place to deal with the current and future risks that our communities face.

**Neil Bibby:** The Fire Brigades Union says that

“Some of Scotland’s fire stations are no longer fit for or meet the expectations and demands of a 21st century fire and rescue service.”

Citing the example of the modernisation in 2008 of Greenock fire station in my region, the union says that the Scottish Government must urgently take forward the modernisation of the estate on a multi-agency basis.

Will the minister investigate and report on which fire stations are no longer fit for purpose and what further plans there are to modernise the fire and rescue estate in the west of Scotland to address the Fire Brigades Union’s concern?

**Ash Regan:** I thank the member for raising that important point. I stress that the draft budget, as with budgets in previous years, includes an uplift for the Scottish Fire and Rescue Service. In the draft budget, there is £9.5 million of additional spending available to the service. That demonstrates that the Scottish Government continues to invest in the Scottish Fire and Rescue Service and considers it to be extremely important.

On the member’s specific question, I think that we all recognise that we have a number of ageing fire stations in the service. The service is well aware of the state of its assets, and it has a plan in place to address that. Obviously, decisions on how the budget is spent are for the SFRS. However, the health and safety of firefighters while they are protecting the public in any emergency situation is obviously of the highest priority.

**Jamie Greene (West Scotland) (Con):** I note that the minister did not actually answer the member’s question, but I can help with that answer. Fourteen fire stations in Scotland currently have flat roofs that have been identified by the service as being in poor or worse condition and at risk of collapsing. More than half the stations in the fire service estate are identified as being in poor or worse condition. How have things got so bad in the Scottish Fire and Rescue Service? Do not our firefighters deserve better? What is the minister going to do about it?

**Ash Regan:** I did answer the question, because I said that the fire service is perfectly aware that maintenance needs to be carried out on a number of fire stations. Much of the capital backlog, which that is part of, was inherited from local authorities when the national service was formed in 2013. The SFRS has a plan in place to carry out the maintenance. The member is right that 14 stations have been identified as having defective roof panels that need to be replaced. The SFRS has carried out remedial action to ensure that those buildings are safe to use. Decisions on each of those stations will form part of a wider review that the SFRS is carrying out of its assets.

**The Deputy Presiding Officer:** Sharon Dowe has a supplementary question.

**Sharon Dowe (South Scotland) (Con):** Sorry, Presiding Officer, but my supplementary is for question 4.

**The Deputy Presiding Officer:** Okay. I remind members who are seeking a supplementary question please to press their button during the relevant question. That would be very helpful.

#### Summary Courts (Modernisation)

**2. Gordon MacDonald (Edinburgh Pentlands) (SNP):** To ask the Scottish Government what lessons it has learned from the pilot schemes

introduced at the three sheriff courts, in Dundee, Hamilton and Paisley, to modernise summary courts. (S6O-00661)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** Work on the summary case management pilot courts in Paisley, Hamilton and Dundee was suspended in March 2020 because of the pandemic. In the meantime, the Scottish Courts and Tribunals Service-led multi-agency workstream that has been progressing the work has been utilising the early progress that was made in the limited timeframe when the pilot courts were in operation, along with the positive feedback from the pre-intermediate diet meeting procedure that was introduced in December 2020, to determine when and in what format the evidence and procedure review pilots might be restarted later this year. Further details will be available once the group makes its recommendations.

**Gordon MacDonald:** Can the cabinet secretary provide any further information on when the scheme could be rolled out across the country and what impact it will have on the efficiency of the summary court system?

**Keith Brown:** It is probably too early to make any determinations about the next stages, given the suspension of the pilots in March 2020 because of the pandemic, as I mentioned. It is important that the workstream focuses on ensuring that the circumstances are right to enable the piloting of the summary criminal model to recommence later this year and that appropriate measurement criteria are agreed and in place to enable a full evaluation to be completed at the conclusion of the pilots. As I outlined in my original answer, it is a Scottish Courts and Tribunals Service-led multi-agency workstream, and it will be very much for the operational partners to make any determinations about the next steps.

**Willie Rennie (North East Fife) (LD):** If the reform is implemented, there will be consequences for legal aid, and that is just one of the areas under question with legal aid. Will the cabinet secretary make a full parliamentary statement on the future of legal aid, particularly summary criminal legal aid?

**Keith Brown:** I am not in charge of the business of the Parliament. It is for the Parliament to decide its business through discussion between the appropriate parliamentary bodies. As Willie Rennie knows, criminal legal aid and civil legal aid are live issues. The Minister for Community Safety and I are involved in discussions with the Law Society of Scotland and others. We will continue those discussions, and we will respond to any requests for statements.

## Legal Services Regulation Reform

**3. Murdo Fraser (Mid Scotland and Fife) (Con):** I remind members of my entry in the register of members' interests, in that I am a member of the Law Society of Scotland.

To ask the Scottish Government what its response is to the reported criticisms expressed by the legal sector concerning the proposals outlined in the legal services regulation reform consultation. (S6O-00662)

**The Minister for Community Safety (Ash Regan):** The consultation was based on the recommendations of an independent review of legal services regulation, which was established as a result of calls for regulatory reform by the legal sector and others. Additional alternative proposals in the consultation were developed collaboratively with stakeholders representing the legal sector and the consumer view. The purpose of the consultation is to open debate, and a wide range of views have been gathered. We are carefully considering the responses to the consultation. The Scottish Government supports a strong and independent legal profession that upholds the rule of law, regardless of any reform that might be taken forward.

**Murdo Fraser:** Numerous legal professionals, including Lord Carloway, the Lord President of the Court of Session, have raised concerns that elements of what is proposed by the Scottish Government amount to political "interference" with the independence of the judiciary. That is an extraordinary intervention from Scotland's most senior judge. How did the Scottish National Party Government end up in a situation in which the judiciary are criticising it for potential political "interference" in the independent legal system?

**Ash Regan:** I do not agree with the member's characterisation. As I said in my previous answer, the Scottish Government consulted following calls for reform from within the legal sector and from the Competition and Markets Authority. The proposals considered what changes might be required to the statutory framework for the regulation of legal services in order to protect consumer interests and promote a flourishing legal sector. The fact that we are asking for views on the matter does not mean that a particular course of action will be taken.

I point out to the member and the chamber that, in England and Wales, the Legal Services Board acts as the overarching legal services regulator and is accountable to Parliament through the Lord Chancellor.

That said, in taking forward the reforms, the Scottish Government is committed to working collaboratively with the legal sector—I believe that I have shown that to be the case—and with those representing the consumer interest. We will

carefully consider all views before taking any action.

### Legal Services Regulation Reform

**6. Pauline McNeill (Glasgow) (Lab):** To ask the Scottish Government whether it will provide an update on its plans for legal services regulation reform. (S6O-00665)

**The Minister for Community Safety (Ash Regan):** The Scottish Government committed in our most recent programme for government to launch a public consultation on legal services regulation reform to consider what changes might be required to the statutory framework in order to protect consumer interests and promote a flourishing legal sector. Delivering on that commitment, we published the consultation on 1 October 2021. The consultation closed quite recently, on 24 December 2021. The proposals in the consultation were developed collaboratively with stakeholders representing the legal sector and the consumer view. The Scottish Government is carefully considering the responses to the consultation, and a consultation analysis report will be published later this year.

**Pauline McNeill:** Will the minister take the opportunity to comment on what the Scottish judiciary have said? They said that the consultation worked on the

“flawed premise that the legal profession ... regulates itself. This is incorrect.”

Moreover, the judiciary indicate that their previous attempts to raise the matter with the Scottish Government have been ignored. They go on to say that

“political regulation is simply not appropriate under any circumstances”

and, as has been said already, is

“a clear threat to the separation of powers”.

That the Robertson report does not seem to understand the whole premise of the current position on regulation in the first place is a serious accusation, especially as the judiciary raised the issue in 2019. I appreciate that the recommendations are those of the Robertson report, but surely the Government would want to address what seems to be a poor relationship. Will the Scottish Government consider that it is time to rerun that consultation?

**Ash Regan:** The public consultation sought the views on what the role of the Lord President and the Court of Session would be in any new regulatory framework. Without predetermining the results of the consideration of the responses, the latter might indicate that there should be no or little change to those roles, which is perfectly legitimate.

The review made proposals that were designed to lead to improvements to transparency and accountability in how services are regulated and how the legal complaint system operates in Scotland. As I said in my previous answer, the independent oversight regulator in England and Wales, the Legal Services Board, is accountable to Parliament through the Lord Chancellor.

**Michelle Thomson (Falkirk East) (SNP):** My constituent has recent direct experience of the Law Society of Scotland’s processes. Despite having been awarded expenses in her favour by the Scottish Solicitors Discipline Tribunal, they subsequently had to go to the Court of Session to ensure that the Law Society made payment. My constituent is now trying to establish who made decisions to withhold payment and on what basis. I will write to the minister with the detail.

Does the minister agree that that situation points to an issue of culture as well as process at the heart of the Law Society? In the light of the review that is under way, will she consider ensuring that freedom of information requests are included in any legislation?

**Ash Regan:** I would be happy to look into the situation that the member has just raised, and I will look at it carefully if she writes to me.

The recent consultation on legal services regulation sought views on reform of the legal complaints process and on freedom of information in respect of those regulatory functions, so we are carefully considering all those points as part of our wider reforms.

### Sentencing (Young People)

**4. Sharon Dowey (South Scotland) (Con):** To ask the Scottish Government what its position is on the Scottish Sentencing Council’s “Sentencing young people” guideline, which is due to come into force on 26 January 2022. (S6O-00663)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** The independent Scottish Sentencing Council, with members comprising the judiciary, prosecutors, the police, academics and victims’ interests groups, and on whose establishment members agreed unanimously, prepared the guideline. Although the guideline is a matter for the council and the High Court to approve, I support the council in progressing its work in that area, which complements the Scottish Government’s vision for youth justice. That vision was published in June 2021, with a focus on early and effective intervention; opportunities to divert young people from prosecution; and improved experiences for those who enter the criminal justice system.

**Sharon Dowey:** The new guideline is misleading in title as it refers to under-25s. People



in their 20s are clearly responsible for their actions and should be punished appropriately if they commit a crime. However, the guideline states that people as old as 24 should receive a lesser punishment for committing exactly the same crime as people who are aged 25 or over. Does the cabinet secretary think it right that, under the new guideline, 24-year-olds can receive less punishment than 25-year-olds for committing the same crime?

**Keith Brown:** The member should address the Scottish Sentencing Council, which proposed the guideline, if she has an objection to it, as I have said that I would support it. The council is independent. It might be that the Conservatives, who supported it, now want to have a go at it because they do not like one of its recommendations—they are entitled to do that. However, the guideline is not, as Conservatives elsewhere have said, soft justice; it allows other factors to be taken into account when the courts, which are independent from the Government, consider what they intend to do in relation to a young person who is before them. Iain Smith, of Keegan Smith Defence Lawyers, has described the guideline as “huge progress” and “smart” justice, which will lead to there being fewer victims.

This is the Sentencing Council’s decision to make. It has made it and the guideline has been approved by the High Court. I will certainly support it and support efforts to make sure that it is adopted when the Government has a role in that. However, the Sentencing Council is independent, as are the courts. This is not really just another facet of the Tories’ facile attack on soft justice; it is proper smart justice being administered, not least with the benefit of the scientific and expert evidence of the Sentencing Council and the people on whom it relies. The continuing attempts to label this smart justice as soft justice means that the Tories are content to have the darkness of sub-standard justice that does not take into account other factors. We will oppose that.

**The Deputy Presiding Officer:** I have a supplementary question from Collette Stevenson, who is joining us remotely.

**Collette Stevenson (East Kilbride) (SNP):** Although sentencing decisions from the courts must take into account the seriousness of the crime and its impact on victims, does the cabinet secretary agree that, more generally and particularly for young people, rehabilitation is more effective in the long run in reducing reoffending and in building safer communities?

**Keith Brown:** The member makes an important point. We are all trying to achieve a reduction in the number of victims and the presence of crime

and society. If rehabilitation helps to achieve that, surely we should all support it.

As I have said, however, sentencing is on individual cases and is a matter for the courts. All that the guideline says is that the court should be able to take into account all the facts and circumstances of the case. The court will consider the guideline on the sentencing of young people, which places rehabilitation at their heart. However, as the Sentencing Council has made clear, the guidance also allows for other considerations, including, of course, punishment, and, more generally, rehabilitation must be a key factor in the operation of justice. Although there is more to do, I am pleased that the reconviction rate is 11 per cent lower for the most recent cohort, people who committed offences in 2018-19, when compared with 2009-10.

**The Deputy Presiding Officer:** Question 5 is from Siobhian Brown, who is joining us remotely.

**Siobhian Brown (Ayr) (SNP):** I am in the chamber, Presiding Officer.

**The Deputy Presiding Officer:** Indeed you are. Apologies.

### Cybercrime

5. **Siobhian Brown (Ayr) (SNP):** To ask the Scottish Government how it is working with Police Scotland to tackle the reported increase in cases of cyber crime and extortion. (S6O-00664)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** The Scottish Government works closely with Police Scotland and other CyberScotland partners, including the National Cyber Security Centre, to protect the public and organisations from cyber threats. We also work with Police Scotland and partners on the serious organised crime task force to oversee work that is being carried out to reduce the harm that is caused by serious organised crime in Scotland.

The sharing of intelligence and experience is key to responding to cyber threats, particularly when it comes to ransomware attacks that seek to extort victims. The Scottish Government, along with Police Scotland, is an active member of the UK cyber security information sharing partnership—CISP—which we encourage all eligible organisations in Scotland to join.

**Siobhian Brown:** In my Ayr constituency in recent months, there has been an increase in the amount of extortion, particularly of elderly constituents who have fallen prey to scammers and have given them personal bank details. Some of them have lost four-figure amounts. The scammers are sophisticated and they are continually evolving to prey on the vulnerable.

How many people in Scotland have been charged with cybercrime in the past five years?

**Keith Brown:** The member is right to draw attention to the real effects of those crimes. I was involved in working on them in a previous role in relation to consumer protection.

In 2019-20, 485 people were proceeded against for a main charge of fraud, with a conviction rate of 85 per cent. During the same period, 42 people were proceeded against for a main charge of threats and extortion, with a conviction rate of 79 per cent. Those figures include crimes that were committed both online and offline.

Fraud is committed by a broad range of criminals from domestic lone actors to complex international organised crime groups. Although the victims might be in Scotland, the criminals who target them often operate outwith Scotland and it can be challenging to identify who they are and prosecute them.

**The Deputy Presiding Officer:** Question 8 is from David Torrance, who is joining us remotely.

### Cybercrime

**8. David Torrance (Kirkcaldy) (SNP):** To ask the Scottish Government how it is working with Police Scotland to tackle cybercrime. (S6O-00667)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** The Scottish Government works closely with Police Scotland to tackle cybercrime in a number of ways, including by working with other CyberScotland partners and the serious organised crime task force, which seeks to identify threats, share intelligence and oversee work that is carried out to reduce the threat of cybercrime in Scotland.

The CyberScotland Partnership will celebrate its first anniversary during CyberScotland week 2022, which will take place in the week commencing 28 February. This year's theme is learning for life online, and the week will include dozens of events that are aimed at all audiences and organisations, and everyone from school age to pension age. Of course, older people are a particular target for scammers. We encourage everyone to get involved in the week and take advantage of the learning resources that are available.

**David Torrance:** How does the 2022-23 budget ensure that Police Scotland will have access to appropriate resources to tackle cybercrime?

**Keith Brown:** I have mentioned elsewhere the uplift in the budget to deal with the issues that the member raises, and with the backlog that we continue to have because of Covid.

How cybercrime is dealt with will, of course, be an operational matter for Police Scotland and the

Scottish Police Authority. I have mentioned some of the methods that are used. There will also be joint working with other partners, such as the United Kingdom Government, which has the responsibility for online security. We will work with all partners including the UK Government to ensure that, through the police, we bear down on what is a horrendous crime that affects many people in a very profound way.

**Russell Findlay (West Scotland) (Con):** The state can go after the stolen money that is held by criminals using proceeds of crime laws, but millions of pounds of confiscation orders remain unpaid. The cabinet secretary mentioned what he called "smart justice". When is he going to get smart about fixing proceeds of crime laws on behalf of crime victims?

**Keith Brown:** I am not sure that the question is when I am going to get smart; I think that the matter is really one for the police and the justice authorities, which have the relevant responsibility. I am satisfied that they are making real progress with the legislation on getting money back from criminals, which is relatively new. Because of the fact that they are criminals, it can sometimes be difficult to extract those funds, but the police, along with other justice agencies, are making every effort to get back from criminals the proceeds of crimes that have been perpetrated, and to make sure, where possible, that that money is funnelled into anti-crime initiatives or used to help victims.

### Women's Prisons (Biological Sex of Inmates)

**7. John Mason (Glasgow Shettleston) (SNP):** To ask the Scottish Government how many people whose biological sex is male are currently in women's prisons in Scotland. (S6O-00666)

**The Cabinet Secretary for Justice and Veterans (Keith Brown):** The Scottish Prison Service has advised that there were five transgender women located in the women's estate in Scotland as at 21 January.

**John Mason:** I thank the cabinet secretary for that answer, because the Scottish Prison Service would not give me the answer when I asked the question in September. I am glad that the answer is there, but does the cabinet secretary not think that female offenders, many of whom have suffered violence and sexual assault previously, should be entitled to a single-sex prison?

**Keith Brown:** The practice that is undertaken by the Scottish Prison Service—in common, I think, with other prison services throughout the United Kingdom—is to adopt a process that seeks to make sure that the rights and safety of everyone in prison are looked at when such issues are taken into account, and I think that it does that in a very structured and sensitive way.

However, John Mason will know, because he mentioned that he had previously corresponded with the Scottish Prison Service, that the service is going through a review to look at the collection of further information. That will help with the provision of the information that he sought previously, which he now has. I hope that the fact that that information, which will be specific to the day on which the question is asked, will be provided more regularly will help John Mason.

The SPS regularly judges people's rights and the safety of all the prisoners in its care in a very sensitive way, not least in relation to transgender prisoners.

**Maggie Chapman (North East Scotland) (Green):** I thank the cabinet secretary for the comments that he has just made, in which he highlighted that the rights and welfare of prisoners are paramount. I must say that there was a very shrill anti-trans dog whistle in John Mason's question, which is deeply troubling, especially given the rise in the number of transphobic hate crimes that are being reported.

What systems and protections are in place to deal with violence in prisons, regardless of who the perpetrator is? How can we reduce the number of women who are in prison for non-violent crime?

**The Deputy Presiding Officer:** I am sure that the member did not want to suggest that, by asking his question, John Mason was doing any of those things. His question was selected and it was in the *Business Bulletin*.

**Keith Brown:** I think that Maggie Chapman's question was about ensuring that people are protected from crimes of different types while they are in prison.

A host of things are undertaken by the Prison Service in relation to that, not least when people are first admitted to prison. That process will take into account, for example, whether a person might be involved with or allied to serious organised crime groups and whether, because of the nature of the crime that they have committed, they might be under undue threat. At that point, an assessment is made as to which establishment and which unit within the establishment they should go to, whether they should be put in a single-cell facility, and many other factors.

The Scottish Prison Service is not new to doing that. It does it for every prisoner, and it will continue to do it and to review its processes to ensure that it safeguards and cares for all prisoners in its custody.

## Finance and the Economy

**The Deputy Presiding Officer:** The next portfolio is finance and the economy. Again, if any member wishes to request a supplementary question, they should press the request-to-speak button or indicate so in the chat function by entering the letter R during the relevant question.

Evelyn Tweed joins us remotely.

### Labour Shortages

1. **Evelyn Tweed (Stirling) (SNP):** To ask the Scottish Government what actions it is taking to address the reported labour shortages. (S6O-00668)

**The Deputy Presiding Officer:** The minister joins us remotely.

**The Minister for Just Transition, Employment and Fair Work (Richard Lochhead):** The Scottish Government recognises that employers across many sectors are experiencing challenges in attracting and retaining workers, with some directly linking labour shortages to the end of freedom of movement in Europe. Brexit has of course had a particular impact on the labour market due to European Union nationals leaving the United Kingdom in large numbers, with the resultant loss of skills making the situation even more difficult for the sectors that have relied on EU talent.

However, we are also aware of the challenges in attracting skilled workers into a number of sectors that predate those events, and we will invest an additional £500 million over the course of this Parliament to support new jobs and to reskill people for the good, fair and green jobs of the future.

**Evelyn Tweed:** A number of businesses in my Stirling constituency—including hospitality, social care and public transport providers—have contacted me to say that they are struggling to recruit and retain staff, with Brexit and the UK Government's immigration policies being major difficulties.

It is clear that the UK Government's immigration policies simply do not work for Scotland. Will the minister advise what steps the Scottish Government is taking to press the UK Government to create an immigration policy that works for us? Does he agree that, if the UK Government is not willing to act, powers over immigration should be in Scotland's hands?

**Richard Lochhead:** Evelyn Tweed highlights a massive issue that is impacting on the labour market in Stirling, and which is replicated across the whole of Scotland. As she said, it is clear that the UK Government's immigration system is failing

to meet the needs of our communities, public services and economy.

The Cabinet Secretary for the Constitution, External Affairs and Culture wrote to the Home Secretary in September setting out constructive proposals for changes to the immigration system, including a 24-month temporary workers visa to address the needs of all sectors, a full review of the costs of the immigration system—which are disproportionate and a significant barrier for employers and individuals—and a proper review of the role and function of the shortage occupation list. The letter also asked for a formal role for Scottish ministers and this Parliament in determining what roles should be on the Scottish shortage occupation list.

I agree with Evelyn Tweed that, if we do not have a positive response from the UK Government, not only will the situation damage Scotland's economy and many of the sectors that are directly affected even more, it will make the case for those powers to be devolved to the Scottish Parliament to allow us to address Scotland's distinctive needs, particularly the distinctive needs of our labour market.

**The Deputy Presiding Officer:** There are a number of supplementary questions, which I will take.

**Liz Smith (Mid Scotland and Fife) (Con):** Notwithstanding the minister's previous answer, there are concerns among some Scottish employers that there are people out there who would be available for work but who are not willing to take some of the jobs in the market. What is the Scottish Government doing to address that particular aspect?

**Richard Lochhead:** Liz Smith raises an issue that the Government also wants to address by encouraging people into the labour market. There are so many initiatives under way that I cannot go through them all just now. However, under the "No one left behind" policy of the Scottish Government, working with local employment partnerships across Scotland, we are doing our best to break down the barriers that keep some people at a distance from the labour market so that they can get back into work. That is meeting with some success, but there is a long way to go. Clearly, we do not have full powers over employment and those schemes. However, where we have powers, we are doing what we can for those people who are some distance from the labour market.

The most recent published statistics—which I believe take us up to November 2021—showed a slight decline in inactivity in the labour market, which is a step forward. We will continue to work on that and with the "No one left behind" initiative.

**Jackie Baillie (Dumbarton) (Lab):** Today, the Royal College of Nursing Scotland published its employment survey. It found that a staggering 61 per cent of nursing staff in Scotland are thinking of leaving their post. The key reasons for that include

"feeling undervalued"

and

"feeling under too much pressure".

Sixty-seven per cent say that

"they are too busy to provide the level of care they would like".

Given that our national health service is already in crisis, what does the minister plan to do to retain staff and to avoid further labour shortages in our NHS?

**Richard Lochhead:** We all recognise that our nurses in Scotland have been through a very challenging time over the past couple of years of Covid, and I know that we all want to pay tribute to them for all their dedication, professionalism and hard work. I know that the health secretary is devoting a lot of resources and time to addressing the issues that Jackie Baillie raises. Clearly we want to ensure that we continue to attract record numbers of staff to the NHS in Scotland and address some of the other issues that she highlights.

**Kenneth Gibson (Cunninghame North) (SNP):** Brexit is, indeed, making skilled migration into Scotland difficult, and we have increasingly acute labour shortages. Nevertheless, at a time of record vacancies, we also have a claimant count of 145,000 unemployed people in Scotland. What steps are being taken to upskill people who are currently unemployed, to help them return to work and to ensure a wider dispersal of Government jobs to areas of high unemployment?

**Richard Lochhead:** The recent labour market statistics, which were published in the past few days, showed that employment has increased in Scotland, unemployment and youth unemployment have decreased, and there has been a slight decline in inactivity. That is progress, although, as the member suggested, there is a long way to go.

In the coming year, the Scottish Government is investing £35 million in our "No one left behind" approach, which demonstrates our commitment to person-centred and place-based—to come back to the point that Kenneth Gibson raised—employability support for those who are at risk of long-term unemployment.

As I said earlier, we clearly have limited powers over employment law and in terms of employability schemes, but we are making the most of the resources that we are putting into the system, and

I hope that that trend of decline of inactivity in the labour market continues.

### **Scottish Wholesale Food and Drink Resilience Fund**

**2. Audrey Nicoll (Aberdeen South and North Kincardine) (SNP):** To ask the Scottish Government what progress is being made with the latest Scottish wholesale food and drink resilience fund. (S6O-00669)

**The Cabinet Secretary for Finance and the Economy (Kate Forbes):** The member will know that, on 17 December, the First Minister announced that funding will be made available to food and drink wholesalers who were affected by hospitality cancellations in December. We have been working with the Scottish Wholesale Association to finalise funding criteria and we will ensure that that information is publicised widely as soon as we can, so that nobody misses the detail. I expect that to be in the coming days.

I can confirm that I am also making available additional discretionary funding in recognition of the food and drink wholesale sector's ineligibility for non-domestic rates relief and to help compensate for the adverse impacts felt by businesses during the first part of 2021. That will bring the total amount of funding available to the sector to £15 million.

**Audrey Nicoll:** I thank the cabinet secretary for that helpful answer. Access to the fund will provide a lifeline to many wholesale businesses that were severely impacted by the omicron variant just as they were beginning their recovery and looking forward to the festive season. One such business in my constituency is experiencing added uncertainty about eligibility, arising from having been unable to apply for previous business support. Can the cabinet secretary provide an assurance that funding will be forthcoming as a matter of urgency and that all eligible applications will be considered, regardless of whether the business received funding in the previous round?

**Kate Forbes:** I can confirm that, and I commend the member's representation of the business in her constituency, through speaking to me, in writing and in the question that she has now raised. I can confirm that the fund will be open to all food and drink wholesale businesses in Scotland that meet the eligibility criteria.

**The Deputy Presiding Officer:** Minister Ivan McKee is joining us remotely for question 3.

### **Covid-19 Support (Bed and Breakfasts and Guest Houses)**

**3. Willie Rennie (North East Fife) (LD):** To ask the Scottish Government whether it will provide additional Covid-19 support funding for bed and

breakfast and guest house operators. (S6O-00670)

**The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee):** The emergence of the omicron variant of the virus and the reality that the funds available for financial support for business are finite have meant that we have had to make difficult choices. We have prioritised support for those businesses that have been most severely impacted by cancellations due to public health advice and the reintroduction of restrictions. There are no immediate plans to widen support to B and B and guest house operators, but I understand and regret that that sector has also been affected.

We recognise that this is a challenging time for many businesses across Scotland and we will continue to make the case to the United Kingdom Government for additional, comprehensive financial support.

**Willie Rennie:** The trouble with the minister's answer is that bed and breakfast and guest house operators in England have received support. Similar businesses in Scotland have been hit hard by restrictions but have been excluded from support—the minister referred to that.

Does the minister understand that those businesses might not survive? Will he reconsider support for the backbone of the tourism and hospitality sector in Scotland?

**Ivan McKee:** As the member is aware, different choices are made in different parts of the United Kingdom about what support to give to sectors and when to give it.

There has been support for the sector that we are talking about, for example through the bed and breakfast hardship fund, which was available in Scotland but not south of the border, and the small accommodation providers paying council tax fund, which, again, supported eligible bed and breakfasts and guest houses in Scotland but was not available south of the border. The member is not comparing like with like, because decisions about the most appropriate way to use funds have been made at different times in each of the four nations. There are several examples of bed and breakfasts receiving funding that was not available in other parts of the UK.

**Rachael Hamilton:** I do not accept the minister's answer and I agree with Willie Rennie.

Given the festive period losses and the Scottish National Party's costly and burdensome licensing scheme, which has just been implemented, the rural economy faces a perfect storm.

Will the minister please tell us why self-catering businesses are not deserving of Covid mitigation funds to deal with the impact of the regulations

that were put in place in Scotland at the time? Does he agree with Councillor Gordon Adam, of Highland Council, who is concerned that the SNP Government's short-term lets licensing legislation will affect the income of thousands of businesses in rural Scotland? How will he mitigate the loss to those businesses?

**The Deputy Presiding Officer:** That has taken the subject matter slightly wider, but the minister may respond as he thinks is appropriate.

**Ivan McKee:** I am happy to answer that. I know that Rachael Hamilton has a particular interest in these matters and I think that this is at least the third time that she has raised short-term lets.

Rachael Hamilton is aware that the legislation in that regard is in place and that I support it. It makes perfect sense that accommodation providers should be required to comply with standards and should be licensed, to ensure that they do. Many of the member's comments about the impact of that on the sector are inaccurate and misguided. It is absolutely right to ensure that guests who avail themselves of those services can be assured of a high standard of safety, and the licensing regime ensures that.

**Rachael Hamilton:** On a point of order, Presiding Officer.

Presiding Officer, I seek your guidance on the assertion that my comments were "misguided" and "inaccurate".

I want to say something that I did not say earlier. The chairman of the Scottish Guest House and Bed and Breakfast Alliance, Sinclair Williams, said:

"If businesses like ours fail, then it has a knock-on effect."

**The Deputy Presiding Officer:** Ms Hamilton, I advise you that that was not a point of order. The Presiding Officer is not responsible for the content of members' comments in the chamber. As I said at the start of this afternoon's meeting, there are ways in which a member can request a correction to another member's contribution, if they feel that it needs to be corrected, through the *Official Report* corrections mechanism, which Ms Hamilton will be aware is available.

Question 4 has been withdrawn.

#### **GFG Alliance (Scottish Government Financial Exposure)**

**5. Richard Leonard (Central Scotland) (Lab):** I direct members to my entry in the register of members' interests.

To ask the Scottish Government what it considers its financial exposure to be in relation to

its arrangements with GFG Alliance and its related companies. (S6O-00672)

**The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee):** The Lochaber guarantee between the Scottish Government and companies belonging to the GFG Alliance, which the cross-party Finance and Constitution Committee approved in 2016, has helped to secure the future of aluminium and renewable energy production in Lochaber.

The combined smelter, hydroelectric power station and estates businesses are now operating profitably. Since 2016, they have created 40 new jobs, thereby increasing direct employment in the complex to 200 jobs, while supporting a valuable supply chain with hundreds of associated jobs, which I am sure the member welcomes.

The Scottish Government's contingent liability is protected by a series of cross guarantees and a comprehensive security package that covers the noted Lochaber businesses. The net present value of the remaining guaranteed revenue stream is £284.2 million, while in contrast, the companies have valued the business assets at Fort William at £438 million in their 2019 accounts.

**Richard Leonard:** In his statement to the Parliament on 15 December, the minister described it as an "evolving situation". Last month, the Auditor General for Scotland reported that the financial exposure of public money—our money—to GFG and its constituent parts on one deal alone, being the power purchase agreement at Lochaber, had risen from £37 million to £161 million.

Now that the Gupta's supply chain banker, Greensill Capital, has gone bust and GFG itself is under Serious Fraud Office investigation for fraudulent trading and money laundering, with auditors resigning, finance directors leaving, accounting deadlines changing and a corporate structure that is described as "opaque", it is clearly in the public interest, and the interest of the GFG workforce, that the Scottish Government publishes details of all the deals that it has done with GFG and all its subsidiary companies. Will the minister agree to do that today?

**Ivan McKee:** I am well aware that Richard Leonard wants to make as much of the situation as possible, but the reality is much more straightforward. The deal at Lochaber was approved by the cross-party Finance and Constitution Committee in 2016. The deal ensures that there is more than adequate cover from the value of the assets for any exposure of the Scottish Government. Therefore, if there were a situation in which GFG Alliance was unable to operate the plant, the protection of the public purse would be ensured, and options would be

available to enable the business to continue. That is exactly why we have those guarantees in place.

The note in the consolidated accounts for 2020-21 was merely a technical assessment of a range of credit risk scenarios, which is an accounting standards requirement. However, that does not take away from the fact that, based on Treasury green book analysis and analysis that was undertaken by independent auditors, the value of the assets far exceeds the value of any liability to the Scottish Government.

### Green Ports (Green Recovery)

**6. Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government whether it will provide an update on its proposals on green ports as part of the wider investment to support a green recovery. (S6O-00673)

**The Minister for Business, Trade, Tourism and Enterprise (Ivan McKee):** We are determined to ensure that the roll-out of the United Kingdom Government's free port programme in Scotland should deliver for Scottish businesses, communities and workers, and make a strong contribution to a green and fair recovery. That is why we developed the green port model, with its strong focus on a just transition to net zero and fair work, including payment of the real living wage.

For the past few weeks, we have been in active discussions with the UK Government on a joint approach that will deliver a full package of reserved and devolved incentives to Scottish ports that apply to the green ports. So far, those discussions have been positive, and we hope to set out the way forward soon.

**Colin Beattie:** I note the minister's comment about positive discussions. Will he expand on those?

**Ivan McKee:** As I said, so far, the discussions have been very constructive. I am hopeful that agreement is—*[Inaudible.]*—Parliament with more details in the near future.

**Liam Kerr (North East Scotland) (Con):** England has two free ports up and running, and it has named eight. Teesside alone is expected to create 18,000 jobs in the next five years. Yesterday, it was announced that a Welsh free port deal could be imminent. When will the Scottish Government put the grievance, division and grandstanding aside and start working to deliver the free ports that would help the green recovery and secure jobs for the people of Scotland?

**Ivan McKee:** I am afraid that what the member says is completely misguided and inaccurate. The Scottish Government only heard about the details

of the English free port offer when the bid prospectus was released—the UK Government did not bring us into the discussions earlier.

We were clear that we will not take part in a race to the bottom where environmental standards, workers' standards and the payment of wages and so on are reduced. We are clear about the fair work agenda and its centrality to Scotland's economic recovery. As I am sure the member is, we are clear that in relation to the transition to net zero and the importance of that, having those requirements is central to any green port operation in Scotland.

We negotiated with the United Kingdom Government through the course of last year in good faith, but it made it clear that it was not willing to engage in a process in which payment of the real living wage and net zero requirements were part of the offer. I am glad to say that the UK Government has returned to the table on the basis of our requirements for—*[Inaudible.]*—and as a consequence we are moving forward with the discussions. I recognise the economic benefits of green ports but I also recognise that treating workers fairly, looking after the environment and moving towards net zero are central to our agenda, which is why those are red lines for us.

**The Deputy Presiding Officer:** I will take a supplementary question from Paul Sweeney, who joins us remotely. Can we have a succinct question and answer, please?

**Paul Sweeney (Glasgow) (Lab):** In light of the green ports project, what key industrial capabilities will be developed to ensure that we build up a wind turbine manufacturing base in Scotland?

**Ivan McKee:** Paul Sweeney makes a hugely important point. As someone who has spent all my life in manufacturing, those issues are important to me and Mr Sweeney will know that I am as passionate about them as he is. As he will also know, the ScotWind process required a strong supplier with development commitments for the Scottish supply chain as part of the bid. Recent work that has been taken forward in Nigg to provide manufacturing capability for offshore wind towers is hugely welcome, and the work that is ongoing through our supply chain development programme, which identifies Scottish businesses in the supply chain that are capable of supplying components for offshore wind manufacturing facilities, is central to what we are doing. We are very focused on looking for businesses that we can work with to help them get the investment, skills, capability and capacity to be part of those supply chains. We will continue that work. I would be delighted to discuss the issue in more detail with the member as we both have a strong interest in it.

**The Deputy Presiding Officer:** Fulton MacGregor joins us remotely.

### **Covid-19 (Financial Support)**

**7. Fulton MacGregor (Coatbridge and Chryston) (SNP):** To ask the Scottish Government what financial support it has made available for those business sectors that were impacted by Covid-19 restrictions required to control the omicron wave of infections. (S6O-00674)

**The Cabinet Secretary for Finance and the Economy (Kate Forbes):** The Scottish Government has made available funding of £375 million to support businesses affected by the necessary public health restrictions to control omicron. That funding has been targeted at the sectors most affected by those measures, including hospitality, leisure, culture, sport, tourism and industries that support them. Payments to businesses are now under way.

**Fulton MacGregor:** I welcome the financial support that has been given. The cabinet secretary knows that I have contacted her previously during the pandemic about financial arrangements for nightclubs, of which there are a couple in my constituency. How much money from that fund will go to individual nightclubs as part of the on-going support?

**Kate Forbes:** I commend the member for his consistent advocacy throughout the pandemic on behalf of nightclubs. The £5 million nightclub closure fund provides a one-off payment to support eligible nightclubs that are required to close. That is categorised in three ways. There will be £25,000 for premises with a rateable value of up to and including £40,000; £35,000 for premises with a rateable value of up to £75,000; and £55,000 for a rateable value of £75,001 or above.

Nightclubs that have previously received support were contacted by the Scottish Government and asked to complete an application. Those applications are being processed and payments will be made as soon as possible. Nightclubs that have not previously received support have also been contacted and asked to complete an application. Any nightclub business that has not been contacted should check whether they are eligible on the Find Business Support website and contact the Scottish Government using the details that are provided.

**Pauline McNeill (Glasgow) (Lab):** Many businesses in Glasgow had no income or half of their income over the period of restrictions. Although they welcome the funding, they do not have it in their bank accounts and their situation is getting serious because they are getting ready to open. Could the cabinet secretary look at whether

anything can be done about that? To be straight about it, they fear that councils are dragging their feet. I hope that the cabinet secretary agrees that those businesses should have that money in their bank accounts as soon as possible.

**Kate Forbes:** I agree with Pauline McNeill that the important part is that that payment is made into business bank accounts as quickly as possible. Yesterday, I wrote to all chief executives of organisations that are distributing the funding—local authorities, enterprise agencies, VisitScotland and others—to encourage them to accelerate payments. I am monitoring the situation daily. A lot of the payments are being made and many are being made without an application, so that the money gets into accounts quickly. However, I understand that we need to do everything possible to ensure that businesses receive that payment.

### **Homelessness (Local Authority Funding)**

**8. Miles Briggs (Lothian) (Con):** To ask the Scottish Government how much funding for local authorities it has allocated in its draft budget to help tackle homelessness. (S6O-00675)

**The Minister for Public Finance, Planning and Community Wealth (Tom Arthur):** In the 2022-23 draft budget, we have maintained the £23.5 million allocated to local authorities for homelessness prevention and response measures. In addition, we have provided a further £10 million from the ending homelessness together fund. That includes £8 million for local authorities to support rapid rehousing transition plans, which help move people as quickly as possible into settled accommodation. There will also be further support for local authorities within the remaining £2 million of that fund—for example, to support housing options hubs. The detail of how the spend will be allocated is still to be finalised.

**Miles Briggs:** Due to administrative decisions that were taken some years ago, the City of Edinburgh Council is losing out on vital resources to help to address homelessness in the capital. For example, last year, Glasgow City Council was able to recover £8.8 million through the health mobilisation plan arrangements, which were administered through its integration joint board. Will Scottish Government ministers agree to review the spending allocation to tackle homelessness so that the capital does not miss out on the equivalent of £9.3 million of funding due to that administrative issue? I am aware that Scottish National Party and Labour leaders of the city have written to the minister on the issue.

**Tom Arthur:** If correspondence has been addressed to me, I have yet to receive it. I undertake to write to Miles Briggs on his detailed question in due course if he is content with that.



## Electric Vehicle Charging Network

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is a statement by Michael Matheson, on supporting the transition to zero emission vehicles and the Scottish Government's vision for the future public electric vehicle charging network. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

I think that the cabinet secretary's card is not in properly. You should extract it then reinsert it.

14:57

**The Cabinet Secretary for Net Zero, Energy and Transport (Michael Matheson):** How we travel in Scotland will be transformed in the next decade. We want people to travel more sustainably. Last week, I set out the Government's 20-year strategy for investment in transport infrastructure, with a clear emphasis on making transport in Scotland more sustainable. On Monday, the first under-22s will start travelling free by bus to anywhere in Scotland, which will help the next generation to choose to travel more sustainably. We have also set out our route map to cutting the kilometres that are travelled by car in Scotland by 20 per cent by 2030.

I am pleased to announce the publication of a draft vision for Scotland's public electric vehicle charging network. I acknowledge that that might seem to be at odds with the route map. The route map makes it clear that we want more people out of their cars—however they are fuelled—and travelling more sustainably, but when road journeys are needed, they must use the cleanest technologies that are available.

Electric vehicles have a key role to play, not least in helping us to reach our targets to cut emissions by 70 per cent by 2030 and to zero by 2045. Moreover, we have already acknowledged that cars and vans will still be needed, particularly to get around in rural and island communities. If we want those cars to be electric, we will also need a seamless network of public electric vehicle chargers. That network must be accessible and available to all. The draft vision sets out how we will seek to achieve that, and recognises that tomorrow's network will be very different from today's. *[Michael Matheson has corrected this contribution. See end of report.]*

The public charging network must become an essential part of local and national infrastructure—a key pillar of a prosperous green economy and of a cohesive and fair society. We can be rightly proud of the progress that Scotland has already

made in delivering the ChargePlace Scotland network. We have invested more than £50 million to create a network of more than 2,100 public charge points across Scotland. According to the latest statistics, that network is the largest per head of population in the United Kingdom outside London, and Scotland's rapid charge point provision far outstrips that of anywhere else in the UK.

In December 2021, electric cars made up 21.4 per cent of all new car sales, and the rolling 12-month average of new electric car sales grew by 24 per cent from the figure for 2020. The Scottish Government has supported that growth. We have provided almost £150 million of interest-free loan funding to enable households and businesses to switch to zero emission vehicles. We have supported the installation of more than 14,000 charge points in people's homes, and almost 1,400 charge points in business premises. In addition, we have invested more than £60 million to help the public sector to decarbonise almost 3,500 public sector vehicles.

It is clear that demand will continue to grow. We might expect that, by 2030, there will be between 500,000 and 1 million electric vehicles; from then on, it will not be possible to buy a new petrol or diesel car or van. Meeting that demand requires a comprehensive approach. Last July, a joint report from Transport Scotland and the Scottish Futures Trust set out how we might develop the public electric vehicle charging network, including through greater use of investment, skills and expertise from the commercial sector.

This point is key: I recognise that some people might wish for a fully publicly owned and funded network, but, with the fiscal levers and resources that we currently have, that is simply not feasible. In addition, it is not desirable—30 per cent of people do not own or run a car, and that figure rises to 60 per cent among people on lower incomes and those who live in deprived areas. The market is growing fast, with rapidly developing technologies and innovation, and a mix of new companies and established businesses in the car and fuel industries and in related industries. We want Scotland to benefit from that.

A key aim in the draft vision is to lever in more private sector investment to support the growth of Scotland's public charging network. I announce today that we will launch a new public electric vehicle infrastructure fund worth £60 million over the next four years, with about half of that coming from the private sector. We anticipate that that investment will double the size of Scotland's existing network of charge points over the next few years.

The new fund will draw in and smooth commercial investment so that the future charging

network works for everyone. In particular, it will seek to ensure that public and private funding reaches remote, rural and island communities, as well as more-deprived urban areas. It will deliver charging opportunities in areas where off-street parking is not possible, thereby supporting households who are living in flats, in order to ensure that every individual, family and business can benefit from the transformation.

Our partnership with local authorities matters, too. I can announce today, therefore, that we have provided £350,000 of funding to projects that cover 17 local authorities, which will enable those authorities to determine how best to develop electric vehicle infrastructure in their areas.

Scotland's public electric vehicle charging network must also be sustainable in its own right—there is no point in creating infrastructure to help to reduce emissions if that infrastructure is fuelled in a way that indirectly contributes to emissions. In short, our public charging network must be powered on clean green energy.

A whole-system approach is needed, as was signalled in our 2017 energy strategy, and work is under way to deliver that. Collaboration is already delivering results, as is demonstrated through the strategic partnership with Scotland's electricity distribution network operators, including project PACE, which delivered about 170 charge points in North Lanarkshire and South Lanarkshire, with savings of up to £2.6 million.

We want our vision for Scotland's public charging network to deliver jobs and investment and to support a just transition. By aligning with future smart grids as well as adapting and innovating, the network will seek to place Scotland as the global destination for investment in zero emission mobility.

This Government is determined to realise all the opportunities for new jobs, skills and businesses to support the implementation and maintenance of a widespread EV charging infrastructure, as part of our plans to transform Scotland's economy. However, there is no point in developing an infrastructure if it is not easy to use or reliable. Scotland's future charging network must deliver what the public needs and wants.

We know that existing charging infrastructure does not always adequately serve people with mobility needs, and that women drivers have also raised concerns about some charge points being in poorly lit locations making them feel unsafe. Residents, pedestrians and people with disabilities also complain of charging infrastructure that impedes pedestrian access to pavements and impedes their ability to move around freely. We can do things better. I am pleased, therefore, that we will soon begin working with design specialists

at the V&A Dundee to plan a genuinely user-centric public network. This innovative and groundbreaking approach will see people's diverse needs and interests shape the future network.

Transforming how Scotland travels requires bold ambitions and actions. Over the past few weeks, those are what this Government has set out—and, of course, there is more to come. Our draft vision for Scotland's future public charging network and the announcements that I have made contribute to that. The draft vision sets out how we will involve other public agencies and the private sector to create a truly nationwide network. It outlines how the network will contribute to a sustainable economy and to a greener and fairer Scotland.

Our aim, ultimately, is to build a network that is available to everyone who needs to use it, everywhere in 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.

**Liam Kerr (North East Scotland) (Con):** I thank the cabinet secretary for advance sight of his statement.

We all share a vision of car journeys being made in the cleanest way possible, but, absent the seamless, accessible and available EV network that the cabinet secretary dreams of—and it is absent—it is difficult to see how that will happen. The UK Climate Change Committee said that we need 30,000 public chargers by 2030. The statement suggests that we have around 2,100, which means that we need to be installing around 4,000 a year.

Despite the fact that I stood here in September and made exactly this point, all we have here is an intention to double the network over the next few years. I ask again, will the Scottish Government get to the necessary 30,000 chargers by 2030?

Secondly, the public EV infrastructure fund of £60 million over four years has half of that amount coming from the private sector. Can the minister tell us which companies are investing that £30 million? Also, when he says that he anticipates that investment doubling the size of the network, does his anticipation have any basis in data and analysis that can be supplied?

Finally, the cabinet secretary says that the Scottish Government's partnerships with local authorities matter, too, yet the Net Zero, Energy and Transport Committee heard that there has been a lack of strategic consultation and co-ordination between the Scottish Government and those local authorities. What consultation has taken place with local authorities to determine what is deliverable? Why are 15 local authorities

not getting anything? Does the cabinet secretary really think that this funding will compensate for a £371 million cut in the budget?

**Michael Matheson:** Let me pick up on a number of points that the member has made about our anticipation that this will double our network. On the basis that our existing network has been delivered with around £60 million of investment, it would be reasonable to say that it will at least double the network. Also, technology is moving on in terms of the way in which chargers operate as well as the costs associated with them.

The member rightly makes a point about the potential demand for charging infrastructure across the whole of the UK. In fact, he makes the point that about 30,000 potential chargers will be required in Scotland, as part of what is actually 250,000 charging points across the whole of the UK. It is a significant challenge, because it is a significant piece of infrastructure that needs to be put in place.

That is why I am sure that the member is grateful for the fact that Scotland has one of the most detailed and highest-level charging infrastructures of any part of the UK outside London. In seeking to almost double that charging network over the next two years, we are demonstrating the scale of our ambition to drive that forward.

In relation to private sector investors, it is very clear from the work that we have carried out through the Scottish Futures Trust and Transport Scotland that there is significant interest in the private sector in investing in our public charging network. The key issue is in ensuring that that investment complements the investment that taxpayers are making as well, so that we get the best spread of investment across all parts of Scotland.

It is also key that we do not repeat the errors of the UK Government—for example, its roll-out of broadband, which left rural areas completely disadvantaged. We want to get the investment right so that we do not find ourselves having to clear up a mess like the one that was created by the UK Government in broadband, and we will do that by making sure that the investment is spread right across the country. That is the difference between the right action being taken by the Government in Scotland and the action being taken by the member's colleagues at Westminster.

I assure the member that the ambitious approach that we are taking in Scotland will deliver the charging infrastructure that will see investment happening not only in urban areas, but in our rural and island communities. That will ensure that no one loses out in the transition to low-carbon vehicles.

**The Deputy Presiding Officer:** I call Colin Smyth, who joins us remotely.

**Colin Smyth (South Scotland) (Lab):** I thank the cabinet secretary for advance sight of his statement. He says that today's announcement will mean that, over the next few years, the size of Scotland's existing network of public charging points, which he says is currently just over 2,000, will double. However, we need to go further and a lot faster than that.

As we have heard, the Climate Change Committee has implied that a total of around 30,000 charging points will be needed in Scotland by 2030. Transport Scotland also quotes a ratio of one public charge point for every 10 electric vehicles as a guide for provision. On the basis of the estimate that the cabinet secretary has given today for the number of electric vehicles, we will need anywhere between 50,000 and 100,000 public charging points by 2030. Does the cabinet secretary accept that what is in today's announcement will not deliver 30,000—never mind 50,000—of those public charging points? What exactly is the Government's target for 2030?

The cabinet secretary says that our partnership with local authorities matters, too, but we know that charging points must be maintained. Can he tell us what revenue funding will be given to councils to carry out that maintenance?

Finally, the announcement refers only to public charging points. When will the Government bring Scotland into line with England and make it a legal requirement that all new homes with a parking place be built with an electric charging point?

**Michael Matheson:** I will deal first with the last point that Colin Smyth raised. We have consulted on that in relation to both new homes and new non-residential properties, and we are considering the feedback from that consultation with a view to introducing requirements for charging infrastructure to be provided in new homes and new non-residential premises. We will make an announcement on that in the very near future.

The member refers to partnership working with local authorities. He will recall that I have just announced that £350,000 is being made available to take forward six pilot projects, which will work across 17 local authorities that have indicated an interest in helping to shape their charging infrastructure planning. The money is being provided to them to assist in that process and to allow them to develop those plans in order to ensure that the public and private sector investment that goes in reflects what they believe is required in their local communities.

On the member's point about 30,000 charging points, as I said to Liam Kerr, I accept the challenge and the need to scale up the level of

investment in our public charging network. That is why we need to lever in commercial finance to support the delivery, which is exactly what I have announced today. The proposal is for up to £60 million of public and private finance over the next couple of years to deliver on the objective of what I hope will be a doubling of our network in that period. We want to build on that in the years to come, following that investment.

**Gillian Martin (Aberdeenshire East) (SNP):** The announced fund is hugely welcome. Will it mean that there will be more rapid chargers on our main routes across Scotland, and will they be in safe and well-lit locations? Full disclosure: as someone who has an electric car, it has become apparent to me in the past seven or eight months that, for lone female drivers, reliable rapid chargers are absolutely essential so that they do not spend hours alone in their car, and the chargers should be located in safe areas. I was therefore pleased to hear that referenced in the cabinet secretary's statement.

What is being done to ensure that issues with chargers are fixed more quickly by the companies that have the contracts to do so? I hope that those who have the contracts take drivers' experiences into account. I would be happy to pass on my experiences, both good and bad.

**Michael Matheson:** Gillian Martin raises an important point about the location of chargers and the need to ensure that they are in safe and well-lit locations. I can think of a couple of examples of facilities that I have been involved in directly. One is at Falkirk Stadium, which is a well-lit area that is covered by closed-circuit television cameras. The same applies at Castleview in Stirling, which is another new facility. Some older facilities are not in that type of location, and they can be poorly lit and have no CCTV coverage. We need to ensure that the planning takes that into account. We are providing funding to local authorities to support them in planning and to ensure that chargers are in the types of locations to which the member refers.

On the expansion of rapid chargers, as I said in my statement, Scotland has one of the most extensive networks of rapid chargers of any part of the UK, and we are building on that with further investment in the public sector rapid charger network.

On repairs, the contract has shifted to a new agency that is responsible for ChargePlace Scotland. By and large, most chargers that have a fault reported are repaired within 48 hours. There is an issue in that it sometimes takes longer than that, however, and that issue continues to be pursued with the charger maintenance companies.

**Graham Simpson (Central Scotland) (Con):** I want to go back to Liam Kerr's question about how the cabinet secretary plans to hit the target of 30,000 chargers by 2030, if he thinks he can do so. At the current rate of progress, it will take us until 2066 to hit the target. I do not see anything in the statement or its accompanying document that charts a course for getting there, but perhaps I have missed it. If I have, can the cabinet secretary correct me?

**Michael Matheson:** There are a number of factors to take into account. There will be a combination of public charging and private domestic charging, with a much greater expansion of domestic charging than we have had until now. Although we have seen investment that has supported the installation of some 14,000 chargers in homes and premises, we will see a greater expansion of that, particularly if we change the legislation to require chargers to be installed in domestic and non-domestic premises. That will support the delivery of the overall number that will be necessary for the way in which people use the charging infrastructure.

Alongside that, the number of chargers is dependent on the nature and strength of the chargers. The duration for which a vehicle is on a rapid charging point is shorter than with standard chargers. Therefore, if we put in a greater number of rapid chargers, we can get a quicker turnaround of vehicles. It will be a combination of the application of technology and greater expansion of domestic and non-domestic charging infrastructure that will help us to achieve the target, which is necessary to support people to transition to using zero-emission vehicles.

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** I have been approached by owners of new homes who are disappointed by the lack of EV charging points in new-build developments. The cabinet secretary has talked about specific charging points for specific homes, but what opportunities are there to ensure that a significant number of publicly available charging points can be secured during the planning and build processes when new housing developments are being proposed?

**Michael Matheson:** That is a key issue. As I mentioned, we have just completed a consultation that looked at ensuring adequate provision of EV charging points when new-build domestic and non-domestic premises are being constructed. We are pursuing the matter with not only the private sector but the social housing sector. We are looking at ensuring that, when social housing provision is being developed, we put in place the necessary charging infrastructure in order to address the very issue that Bob Doris has raised.

**Richard Leonard (Central Scotland) (Lab):** Does the cabinet secretary think that it is right that 74.2 per cent of Scotland's public network spend on electric vehicle charging points went to one private company—the Austrian multinational corporation SWARCO—leaving home-based suppliers out in the cold? Only today, SWARCO has had to publicly apologise because, once again, the entire network has come crashing down. This morning, one electric vehicle driver said to me that it has been

“an unmitigated disaster since SWARCO took over”.

Does the cabinet secretary really think that an overseas-owned private monopoly supplier is the best way to meet Scotland's needs?

**Michael Matheson:** I presume that the member is referring to the operating company rather than the hardware company. The reason why we have an operator behind the charging points is to provide connectivity between our public electric charging point network, so that there is a consistency of approach in dealing with any problems that arise from the public sector network.

The company was able to secure the contract through a normal tendering process. I hope that the member is reassured that it is not about choosing one company over another, as there was a normal public procurement process; it is about trying to ensure that there is a consistency of approach on public sector electric vehicle charging infrastructure through having an operating company behind it.

If the member has a particular issue that he believes has not been properly addressed on behalf of his constituent, I would be more than happy for him to write to me. I am sure that the matter will be properly looked into.

**Jackie Dunbar (Aberdeen Donside) (SNP):** I welcome the role that is envisaged for the private sector, but how do we ensure that its involvement does not distort the market and that we do not end up with a network that is driven by commercial considerations and leaves rural and deprived communities behind?

**Michael Matheson:** The member makes an important point. As I said earlier—to hilarity, as ever, from the Conservatives—the danger is that we take the approach that the UK Government has taken on broadband. It allowed broadband to be open to the market, and rural areas were deprived of the network that was necessary, so the Scottish Government had to step in and provide investment in order to deliver the network. We needed to do that because of the UK Government's approach.

I do not want to take that approach to our charging network. Our plan ensures that there will

be investment not just in our urban areas but in our rural areas and island communities, so that no one is left behind. That is a clear demonstration of a Government that is acting in the interests of the whole nation. In contrast, the UK Government often acts in the interests of the big metropolitan areas in England, not in the interests of rural communities across the country.

**The Deputy Presiding Officer:** I call Beatrice Wishart, who is joining us remotely.

**Beatrice Wishart (Shetland Islands) (LD):** I thank the cabinet secretary for advance sight of his statement.

People in rural, remote and island communities in particular rely on their cars, and they will rely on the EV charging network in the future. What can the cabinet secretary say about the greater commitment to ensuring that all new public sector vehicles are electric? As demand grows, what commitment can be given that the charging network will be reliable and robust enough to keep up?

**Michael Matheson:** The member makes a good point, particularly given that Orkney is served by one of the most extensive charging networks and has one of the highest levels of EVs in any part of the UK.

On average, 90 per cent to 95 per cent of the existing charging network is available at any particular point. There will be on-going reporting of faults to ensure that they are addressed. Around 30 faults in around 2 per cent of the network occur per day, most of which are repaired within 48 hours. I mean to ensure that that level of performance is maintained or improved where it can be.

Supporting the transition is about ensuring that we provide support to those who want to move to electric vehicles. We do so through our electric vehicle loan scheme, which, with a zero rate of interest, supports people in making that choice. We are the first part of the UK to have opened up the scheme to second-hand electric vehicles.

We are also bringing forward our commitment to banning the sale of diesel and petrol vehicles to 2030 to ensure that, as of that date, anyone who purchases a new vehicle will need to purchase an EV.

It is important to take forward all those measures to help to support the transition to low-carbon vehicles, which individuals are using across the country, including in the member's constituency.

**Liam McArthur (Orkney Islands) (LD):** On a point of order, Presiding Officer.

**The Deputy Presiding Officer:** I think that I know what that might be about.

**Liam McArthur:** Thank you very much for your indulgence, Presiding Officer. Although the cabinet secretary is correct about Orkney leading the way in relation to electric vehicle roll-out and the charging network—we have aspirations to go much further, as he is aware—my friend and colleague Beatrice Wishart represents Shetland, not Orkney.

**The Deputy Presiding Officer:** The member has made his point, and the cabinet secretary has noted it. *[Interruption.]* To respond to a comment from a sedentary position, I said “his point”. I did not refer to a point of order.

**John Mason (Glasgow Shettleston) (SNP):** In his statement, the cabinet secretary mentioned flats and places where people do not have available off-street parking. Can he say anything about what can be done for residents, including myself, who live in tenements or work in places where no off-street parking is available?

**Michael Matheson:** I offer my humble apologies to Mr McArthur and Ms Wishart for giving the wrong constituency—although I noticed that Ms Wishart was nodding in agreement when I made that point. I recognise Mr McArthur’s long-standing interest in that particular issue on behalf of his constituents.

Mr Mason makes a good point. We need to recognise that not all domestic premises will be able to have a charging point for a variety of reasons. That is why we need to ensure that the public charging infrastructure, alongside the commercial charging infrastructure, is fit for purpose and that anyone who has an EV is able to utilise it, whether or not they are able to charge their vehicle at home.

Those who live in tenement or flatted properties are often in urban areas and have other options, such as using public transport. We need to recognise that it will not always be possible for all houses to have access to a dedicated charging point, which is why we need to create the right hubs in the right places to help to support people who own an electric vehicle to charge it when they need to.

**Dean Lockhart (Mid Scotland and Fife) (Con):** At the Net Zero, Energy and Transport Committee meeting yesterday, we heard about a major supermarket that is rolling out EV charging points across the UK. In England, the charging points come under permitted developments but, in Scotland, each site has to go through the planning process, which significantly slows down progress. Will the cabinet secretary now work with local authorities to tackle that issue, in order to ensure

that the planning process does not act as a roadblock to the roll-out of charging points?

**Michael Matheson:** Supermarkets can play an important part in helping to support the deployment of electric vehicle charging infrastructure. I believe that the issue that the member has raised is being considered at the moment, and I have no doubt that the minister who is responsible for planning, who is in the chamber, will be more than happy to ensure that the member is kept informed of progress on that particular issue.

**Mark Ruskell (Mid Scotland and Fife) (Green):** Most people who have EVs want to charge them at night, which, of course, has some benefits for the electricity grid. As John Mason has said, the issue is off-street parking. Householders have difficulties with putting in their own infrastructure, as well as difficulties with accessing Energy Saving Trust and other grants. Can the cabinet secretary say anything more about that? Might the design work that he has commissioned from the V&A provide a solution so that we get better public facilities that are close to where people live and they have a convenient choice rather than having to travel to some hub in the middle of the city, which might be a considerable distance away from where they live?

**Michael Matheson:** Again, I recognise the point that the member has made. One of the things that we are doing with the initiative with the V&A in Dundee is looking at how we can design the type of infrastructure that will be much more accessible to people who want to make use of it.

I mentioned hubs. It might be that we are talking about localised hubs if there is no off-street parking that can be utilised by the community for charging the vehicles. That does not have to be miles away; it can be within the community’s neighbourhood. Local authorities need to plan for that, which is why the details in the plan are important. We want to balance out where public sector investment can provide that type of infrastructure and where the commercial sector might want to provide that type of infrastructure in local, urban communities. We need to make sure that we get that right, that we are not competing with one another, and that the people who live in locations where there is no off-street parking are able to charge their cars somewhere within a reasonable distance from where they live.

**Kaukab Stewart (Glasgow Kelvin) (SNP):** Many businesses and other organisations have EV charging points for the exclusive use of their staff and customers. What discussions have taken place with businesses and other organisations about making private EV charging infrastructure available to the public EV charging networks when

their staff and customers are not using such facilities?

**Michael Matheson:** The challenge with that is that such infrastructure is often privately owned by the company that has paid for it to be installed, and it would be at that company's discretion whether to allow those facilities to be used outwith the core times that it might be utilising them.

Most of the investment that we make in supporting businesses and public sector organisations to put in infrastructure will often mean that it has an element of being open to the public to make use of the facilities outwith core hours.

We will continue to work with the private sector to look at how we can capitalise on and make as much use as possible of the EV charging infrastructure that is being installed by the private sector by opening it up to public use when it might be available. Again, the challenge with that is that the infrastructure is funded privately, so such a decision is very much at the discretion of the owners of those particular facilities.

**The Deputy Presiding Officer:** Thank you, cabinet secretary. That concludes the questions. I apologise to the couple of members whom I was not able to squeeze in, but we have overrun our time, and we need to move on to the next item of business. There will be a short pause before we do so.

## **Budget 2022-23 (Committees' Pre-budget Scrutiny)**

**The Deputy Presiding Officer (Liam McArthur):** The next item of business is a debate on motion S6M-02901, in the name of Kenneth Gibson, on behalf of the Finance and Public Administration Committee, on committees' budget scrutiny. As ever, I invite members who wish to participate in the debate to press their request-to-speak button now, or as soon as possible.

I call Kenneth Gibson, on behalf of the Finance and Public Administration Committee, to speak to and move the motion. You have around 10 minutes, Mr Gibson.

15:34

**Kenneth Gibson (Cunninghame North) (SNP):** I am pleased to open, on behalf of the Finance and Public Administration Committee, this committee debate on pre-budget scrutiny. The debate is an important part of the full-year budget process, and it is intended to enable conveners to set out how their committees have sought to influence the budget and to give the Government an opportunity to respond.

Having greater influence in the formulation of the Scottish Government budget proposals is one of the four core objectives of the budget process, as recommended by the budget process review group back in June 2017. The others are: to improve transparency and raise public understanding and awareness of the budget; to respond effectively to new fiscal and wider policy challenges; and, to lead to better outputs and outcomes.

Due to time constraints in the budget process in recent years, this is only the second time that the Parliament has held this committee debate, so I very much look forward to listening to all the contributions from colleagues and hearing about the pre-budget scrutiny that their committees have undertaken.

However, first I wish to thank the Finance and Public Administration Committee's clerking team: Alan Hunter, Chris Hynd, Joanne McNaughton, Sarah Robertson and Jane Williams, who work so diligently and provide such sound advice and support to me and my committee colleagues, as well as excellent briefing papers and notes. I also want to thank Ross Burnside of the Scottish Parliament information centre's financial scrutiny unit, our committee adviser, Mairi Spowage, Eric MacLeod in media, and my six committee colleagues: Ross Greer, deputy convener Daniel Johnson, Douglas Lumsden, John Mason, Liz

Smith and Michelle Thomson. All of them have worked hard and contributed significantly to our work, despite the often steep learning curve that is initially faced, particularly by members who are new to Holyrood.

The Covid-19 pandemic required public investment at an unprecedented scale and speed, and its devastating impact will be felt for years to come. That is why we in the Finance and Public Administration Committee decided to look at the impact of the pandemic on Scotland's public finances as part of our pre-budget scrutiny. I shared some of our findings about the short-term impacts of Covid-19 during a recent committee debate on Covid recovery. Today, I want to explore some other aspects of our report and to look at the longer-term challenges ahead and some cross-cutting measures that could help to support fiscal sustainability. Our deputy convener, Daniel Johnson, will return to some of our findings on the impact of Covid-19 in his closing speech.

The pandemic has exacerbated pre-existing inequalities and moved more people into poverty and debt, and we received specific calls for funding to address those issues. Age Scotland, for example, argued that the budget should include measures to assist with pensioner poverty, citing the fact that more people than ever have been pushed into fuel poverty and loneliness during the pandemic. At the other end of the age spectrum, we heard from the Child Poverty Action Group that the top priority in this year's budget should be the doubling of the child payment, which the Scottish Government is taking forward in the 2022-23 budget.

Public finances will be under significant pressure in the years to come, and the Scottish ministers will continue to face difficult decisions on how to prioritise spend and raise revenue. We have therefore asked that the Government explores which policy interventions would have the greatest impact on cross-cutting issues, such as addressing inequalities and poverty. Both the upcoming resource spending review and the annual medium-term financial strategy provide timely opportunities for the Scottish Government to prioritise that approach, and we look forward to hearing more about that work from the cabinet secretary in due course.

We believe that multiyear budgets are crucial in securing certainty for Scotland's public finances, including for local government, the third sector and other key bodies. It can, of course, be more difficult to deliver that approach in situations in which the Scottish Government does not have confirmed multiyear block grant funding from the United Kingdom Government. We therefore recommend that the UK and Scottish Governments consider how multiyear budgets can

be achieved more routinely as part of the upcoming review of the fiscal framework.

The fiscal framework review also presents an opportunity to consider how communication and transparency between the UK and Scottish Governments can be improved, with witnesses describing a decline in intergovernmental relations and suggesting that the tension seems to be increasing in the light of the UK Government's spending in devolved areas.

In future years, we will seek to widen the pool of individuals and organisations that provide evidence to the committee and to expand the focus of that evidence. For example, when stakeholders give evidence on their asks, it would be helpful if they specified the extent of the additional resources that they sought, should such resources be available, and how the provision of those resources could be funded. We need to move on from witnesses simply asking for more money, which they often do with a clear idea of how such resources would be utilised, but without knowing how much money is required or suggesting from where such resources could be found in anything but the vaguest fashion.

Following Brexit, we consider that managing replacement European Union funds requires greater communication and sharing of information to enable effective public spending in areas where there may be a common interest. We look forward to exploring the evidence that we have received from local authorities on how the funds are operating with the Secretary of State for Levelling Up, Housing and Communities, Michael Gove MP, when he appears before the committee next month. A time and date have still to be finalised, despite our clerks pressing for that since last October.

When we reported back in November, concerns were raised about a lack of clarity on whether the Scottish public sector would incur additional costs as a result of the proposed increase in employer national insurance contributions under the UK Government's health and social care levy. In its response, the Scottish Government told us that the public sector in Scotland would incur additional costs of around £150 million per annum through increased national insurance contributions. I asked a written question on that matter. The Treasury has confirmed that the Scottish Government will receive Barnett consequentials, but the exact breakdown was not available at the time of its response. It would therefore be helpful to know whether the cabinet secretary has an update on that important matter. Local government is concerned that such consequentials are not being passed on.

Before Christmas, the committee took evidence on the position 10 years on from the Christie



commission and revisited the commission's priorities of prevention, people, partnership and performance. In our report, we said that we could see economic and societal benefits from prioritising expenditure on preventative measures, whether they were to protect the environment or to protect the nation's health in future years.

The Scottish Government's resource spending review provides an opportunity to introduce bold preventative measures to protect funds and create a wellbeing economy for the longer term. We look forward to hearing more from the Government on how it is prioritising preventative spend and how that approach has resulted in a shift in policy direction and expenditure.

The committee felt that more efficiency could be achieved by streamlining and linking up the various strategies and plans that have an impact on growing the economy and fiscal sustainability, as we move out of the pandemic. We asked the Scottish Government to outline how it would progress that; that recommendation has not yet been addressed in the Scottish Government's response.

The upcoming statutory review of national outcomes provides an opportunity to reposition the national performance framework at the heart of the Government, and all priorities and plans should flow from that. We have asked the Government to look at how the NPF can be more closely linked to budget planning, and we await the response to that recommendation.

When we reported back in November, we noted that the declining working-age population and the increasing number of over-65s present what we described as a

"double 'whammy' to fiscal sustainability".

We argued that, in that scenario, the provision of public services and welfare payments would need to be funded from a smaller and more productive working population and that reversing those trends would require a focused and sustained approach to policy making over a number of years. We would appreciate details of how Scottish ministers will address that vital and pressing issue.

Latest forecasts from the Scottish Fiscal Commission show weaker income tax revenues in Scotland than in the rest of the UK, along with higher levels of social security spending, at a time when the fiscal resource that is available to the Scottish Government is in decline. That suggests that pressures will soon be even more acute than we warned back in November that they would be. Our report on the Scottish budget 2022-23, which was published last week, explores in more detail the trends that are behind the data. I look forward to speaking more about the issues in the stage 1 debate on the Budget (Scotland) Bill tomorrow.

In the meantime, I move,

That the Parliament notes the pre-budget scrutiny undertaken by the Finance and Public Administration Committee, and other parliamentary committees.

**The Deputy Presiding Officer:** I remind members who wish to speak in the debate to press their request-to-speak button or place an R in the chat function.

15:42

**The Cabinet Secretary for Finance and the Economy (Kate Forbes):** Thank you, Presiding Officer—I think that I was one of the guilty ones who did not press their button.

The debate marks a welcome return to the full Parliament scrutiny process for the Scottish budget, and I thank all the committees for their consideration of and engagement on the budget and for the inquiries and questions that they posed to me in their scrutiny sessions. Across the chamber, I am sure that we all appreciate the difficulties that the pandemic has created and the challenges that we are continuing to manage, which the Finance and Public Administration Committee's convener helpfully set out in his opening speech.

As we consider the budget, I will highlight positive news, which is that today's statistics illustrate that Scotland's gross domestic product is now back above pre-pandemic levels—above those of February 2020—for the first time. That is hugely encouraging news in the light of the enormous challenges that our economy has faced in the past two years. Our economy continues to broadly track that of the UK as we recover from the pandemic's impacts.

That is important context for next year's Scottish budget, particularly because we know that Covid is still with us, although there is a distinct absence of future Covid funding from the UK Government, which is creating additional budget pressures and difficult choices for the budget—difficult choices that I have not shied away from. Despite that, the budget delivers on three key priorities, which are reducing inequalities, taking action to tackle climate change and investing in economic recovery.

The budget scrutiny that the Parliament's committees undertake is a key part of the budget process. I will focus on the committees' perspectives on the budget. The stage 1 debate on the Budget (Scotland) Bill tomorrow will allow us to air other key issues and might well involve less consensus than this afternoon's debate.

The Constitution, Europe, External Affairs and Culture Committee focused its attention predominantly on support for the culture sector.

We recognise the vital contribution that Scotland's culture and heritage sector makes, which is why the budget proposes to spend £277 million on it next year.

The Criminal Justice Committee recognised the effects of the pandemic on the justice sector, which are well documented. We will be investing £53.2 million to continue the recover, renew, transform programme across the justice system next year. The programme is tasked with remobilising the justice system. In total, we will invest almost £3.2 billion across the justice sector, including almost £1.4 billion of support for policing.

Understandably, the Economy and Fair Work Committee focused its pre-budget scrutiny predominantly on economic recovery and support. This is a particularly crucial time to support businesses across Scotland, and I am proud that next year's Scottish budget continues to offer a generous non-domestic rates package, with the lowest poundage in the UK for the fourth year in a row. We will also invest £635 million across the enterprise agencies, the Scottish National Investment Bank and VisitScotland, to support economic recovery and transformation. That is the highest level of investment for our enterprise agencies since 2010—and for good reason, because our economic recovery underpins our spending decisions across the public sector.

I recognise the importance of the issues that were raised by the Education, Children and Young People Committee. I am pleased to confirm that next year we will provide the first £50 million of the whole family wellbeing fund and will continue to prioritise funding for raising attainment, providing 1,140 hours per year of high-quality early learning and childcare, and supporting the further and higher education sectors. I want to reference the way in which those portfolios are trying to ensure that there is a whole-Government approach to supporting children and young people in particular, as part of our mission to tackle child poverty.

The Equalities, Human Rights and Civil Justice Committee indicated an on-going interest in how we do equality and human rights budgeting. Equality impact assessment is an essential part of the budget scrutiny process, and our analysis across the range of protected characteristics is recognised as progressive and inclusive and is a key part of our process.

I welcome the Finance and Public Administration Committee's acknowledgement of the challenging economic outlook. In simple terms, despite being in the middle of a global pandemic and a cost of living crisis, there is less funding available for Scotland in next year's budget compared with this year's budget. That is not just a matter of political opinion; the Scottish Fiscal Commission has noted that the overall Scottish

budget for next year is 5.2 per cent lower in real terms. That is why the new budget is particularly challenging and why it has required difficult choices, particularly around how we inflation proof our budget lines

The pandemic has demonstrated why the fiscal framework is currently inadequate for Scotland's needs, and I continue to welcome the Finance and Public Administration Committee's scrutiny of the issues, because there is an opportunity to build cross-party consensus on how we ensure that the review of the fiscal framework makes it easier for us to budget and to tailor our response to Scotland's needs.

The Health, Social Care and Sport Committee offered considered comments on key areas of health spend. The health and social care budget is vital to Scotland—that has been particularly the case over the past two years, as we have all seen. Next year, the Scottish Government will deliver £18 billion of funding for health and social care. The budget provides new investment in excess of £1 billion for health and social care, and lays the groundwork for the national care service.

I turn to the Local Government, Housing and Planning Committee's scrutiny. I am aware that there has been much debate recently on local government funding. I appreciate the important element of scrutiny of that budget line, as well as the importance of local government across Scotland. The budget will offer local government a total funding package of more than £12.5 billion, which represents an increase of £917.9 million, which is 7.9 per cent in cash terms or 5.1 per cent in real terms. That is not to shy away from some of the challenges that we have identified, particularly with regards to the significant increase in inflation.

I turn to the Rural Affairs, Islands and Natural Environment Committee. The rural affairs and islands budget is wide ranging and will provide £967 million of support across Scotland next year, including more than £630 million to provide on-going agricultural support for farmers, crofters and land managers.

The Social Justice and Social Security Committee offered a view on a range of important areas. In line with the Scottish Fiscal Commission's forecasts, we are committing more than £3.9 billion for benefits next year, which will provide support to more than a million people in Scotland and progress our national mission to tackle child poverty, with £197 million going to the new Scottish child payment, which will double to £20 per week from April 2022.

Last but not least, I recognise the work of the Net Zero, Energy and Transport Committee. We are investing around £2 billion next year to deliver, collaboratively, a just transition to net zero. With a

combined net zero, energy and transport portfolio budget of more than £4.4 billion, we will spend more than £3.4 billion on transport in Scotland.

On that note, I thank all the committees for their budget scrutiny, much of which reveals that members of this Parliament agree on more than they disagree on when it comes to Scotland's priorities. I hope that, tomorrow, we can all back the budget.

**The Deputy Presiding Officer:** I call Clare Adamson to speak on behalf of the Constitution, Europe, External Affairs and Culture Committee.

15:51

**Clare Adamson (Motherwell and Wishaw) (SNP):** I am delighted to speak on behalf of the Constitution, Europe, External Affairs and Culture Committee.

I am sure that a few

“weel-swail'd kytes ... Are bent like drums”

in the chamber today. Burns night is, quite simply, a global phenomenon and it is estimated that 9.5 million people take part in Burns suppers across the globe each year. We know from the report, “Robert Burns in the Scottish Economy”, by Murray Pittock of the University of Glasgow, that Burns contributes £203 million to the Scottish economy. The reach of Burns is impressive, but that is by no means all the depth, value, inspiration and excellence of all that Scotland has to offer culturally.

Culture provides insight and perspective. It challenges us. It is innate. It inspires innovation and dares us to think differently. Indeed, one of the few positive outcomes of the pandemic was cultural innovation through the digital adaptations, performances and activities that were shared with wider and more remote, sometimes international, audiences.

There is, however, a prevailing irony in our relationship with culture amid the pandemic. Culture is one of the hardest-hit sectors of our society, yet our continued reliance on it for our mental health and wellbeing is undeniable. How many of us were uplifted during lockdown by a book, a poem, a film, a television series or a favourite song—or by picking up an instrument or honing an old craft or hobby or learning a new one?

Culture and the arts are our lifeblood. Culture is a basic sustenance, even to people who might not think of it in those terms.

Icon of culture Alasdair Gray said:

“People in Scotland have a queer idea of the arts. They think you can be an artist in your spare time, though

nobody expects you to be a spare-time dustman, engineer, lawyer or brain surgeon.”

As members think of their relationships with the arts, I urge them to think what lockdown would have been like without the arts and artists, many of whom are freelancers.

Our committee's pre-budget scrutiny focused on the culture sector—its recovery and opportunities for a more strategic response. I thank the people who provided written and oral evidence, and I especially thank the community organisations who took part in our round-table sessions. Charities and social enterprises, with an army of volunteers, have done much to protect wellbeing in our communities, in uniquely difficult times.

As I said, the pandemic hit the sector hard, with an estimated 400,000 potential job losses across the United Kingdom. Since the start of the pandemic, the Scottish Government has provided £175 million to the culture, heritage, and events sector. The 2022-23 budget commits to investing £277 million in Scotland's culture and heritage sector. It is understandable that the budget focuses on recovery.

The committee welcomes the initiatives, including bursaries and hardship funds, that have covered gaps in the furlough scheme. We welcome the commitment to three-year funding settlements for regularly funded programmes. We would very much welcome that certainty being passed on to bodies that are funded by Creative Scotland; those bodies could also benefit from three-year funding.

One of the community contributors to our focus groups wanted a re-imagining of the traditional approach to funding, including a move away from the blue chips and bigger organisations, and from the haves to the have nots.

Creative Lives made a similar point to the committee. It told us that professional expertise can kick-start intervention, but without local buy-in and capacity building, those projects tend not to be long term, and any tangible benefits to wellbeing can be lost. Creative Lives said that as little as few hundred pounds can make things happen in a local community, and such microgrants can have a ripple effect. Therefore, we asked the Scottish Government to explore the issue with Creative Scotland and the Convention of Scottish Local Authorities, and that all work more closely with the third sector when it comes to funding the grass roots.

The mainstreaming of culture was the key theme in our scrutiny. We called for the resource spending review to address how budgetary decisions can support mainstreaming, and for an outcome-based process that is based on the health and wider social benefits of culture. We

heard a plethora of evidence in that area. One example was Braw Talent, which is a social enterprise that worked with several schools to make a short film about Scottish education and how it should look in the future. It was supported by the Parliament's own Scotland's Futures Forum. I know that some members will have seen the film. The opening lines are:

"In 2030 the curriculum needs to be all about creativity and project work. Our film project was active and practical ... We learn best by doing things. In 2030 we should be learning every subject through the expressive arts and projects like this one."

The committee welcomes that the Government has promised to pass on the £40 million of consequential when they are received from the UK Government, and we welcome the Government's cultural recovery fund, which was announced in March 2021. We also welcome the Scottish Government's aspirations to mainstream culture in its policy making. However, we now need to move beyond the aspirations and meet the ambition of the culture strategy, which states that

"Culture must be valued first and foremost in and of itself. It is central to who we are and who we seek to be."

Therefore, let us put culture at the heart of all Government policy making to meet the expectations of a wellbeing society.

15:57

**Ariane Burgess (Highlands and Islands) (Green):** I thank the Finance and Public Administration Committee for securing the debate.

The experience of the pandemic has emphasised just how critical local authorities are to the communities that they serve. Through the dedication and hard work of council staff, and the community and third sector workers with whom they have collaborated, local authorities ensured that communities were able to access vital services throughout the pandemic, and they continue to do so as the pandemic endures.

Although our pre-budget scrutiny considered matters in relation to housing and planning, our primary focus in our follow-up session earlier this month was on what local government needs to lead recovery from the pandemic, which is what I will focus on today.

For there to be meaningful and transformative recovery from the pandemic, local government needs to take a leading role in the process. Simply returning to the status quo is not good enough. A recovery from the pandemic must involve tackling the inequalities that have been exacerbated by the pandemic, which can only be achieved with the full involvement of local government. However, to do that, local government needs to have the finances,

workforce and tools to deliver a transformative recovery.

In the rest of my contribution, I will talk about what needs to be in place for local government to be capable of playing that role. First, local government needs sufficient resources and funding. The intention of any local government funding settlement is to allow local government to deliver vital services. As with every year, different views were presented to the committee on whether local government funding has or has not gone down in this year's budget. Irrespective of a person's view on whether local government funding has or has not gone down, funding is not keeping pace with the ever-increasing demands on local government, and that needs to be recognised.

We hope that the forthcoming conversations between the Scottish Government and local authorities can be productive. We note that there are no new plans to review funding methodology, but we hope that those conversations might begin to explore the issue. Careful consideration should be given to how funding can be better targeted to tackle inequalities.

For local government to continue to deliver those vital services and play a leading role in the recovery, not only does it need to be sufficiently resourced, it needs more long-term certainty about resources. COSLA stressed how important multiyear funding settlements from the Scottish Government are to local authorities. Not only has the absence of multiyear funding frustrated the ambitions of local authorities in preventing them from developing long-term plans, it also impacts on their partners in that, without certainty about their funding, local authorities are unable to make long-term commitments to their partners, which include third sector organisations.

We recognise that the Scottish Government has not to date been in a position to offer multiyear funding. However, with the announcement from the UK Government of its intention to set out three-year spending plans, that opportunity is there and we welcome the Scottish Government's intention to produce multiyear settlements. We look forward to seeing the outcome of the spending review.

Witnesses also raised concerns with us about the extent of ring fencing and the constraints that it places on local authorities to act flexibly. It appears that the bulk of additional funding provided to local authorities during the pandemic was not ring fenced, which enabled local authorities to act flexibly to meet the greatest needs in their areas. We would all accept that there will always be some funds that it is appropriate to ring fence, but at the same time, local authorities were able to act effectively and

responsively during the pandemic because of the flexibility that was afforded to them. We hope that the positive lessons from that experience are not lost.

It would be helpful to hear from the cabinet secretary about the overlap between ring-fenced funding and shared priorities. As we considered the role of local government in the recovery from the pandemic, we looked at the funding framework for local government. We will pursue that issue in the context of our consideration of the local governance review over the coming year. There appears, however, to be agreement that for local authorities to be able to act flexibly and deliver better outcomes for their communities, they need to have greater financial autonomy and certainty of funding.

We recognise that local authorities have been given greater flexibility in setting council tax, but in and of itself, that does not offer a resolution to the issue. The Scottish Government committed to developing a fiscal framework in the last parliamentary session. We recognise the delays that have arisen as a result of the pandemic, but that needs to progress with more urgency. To that end, it is welcome to hear the Scottish Government's commitment to progressing the framework in the early part of this year.

Any recovery from the pandemic must focus on tackling inequality and building a fairer Scotland if it is to be sustainable, and to do that, local government must be supported and encouraged to play a full role.

16:03

**Stephen Kerr (Central Scotland) (Con):** It is a pleasure to speak in this debate on the Scottish Government budget for 2022-23. In particular, it is a pleasure to speak for the first time in the chamber in my capacity as convener of the Education, Children and Young People Committee. I thank members of the committee for the constructive manner in which they have engaged in budget scrutiny, and I pay particular thanks in that regard to the committee's deputy convener, Kaukab Stewart. I trust that the fact that I am speaking as the convener of the committee will result in a substantial reduction in the number of interventions that tend to accompany my contributions in the chamber.

The budget process relies on a year-round cycle of scrutiny. Inevitably, our budget scrutiny is truncated at the beginning of a parliamentary session. The Education, Children and Young People Committee's approach was to use budget scrutiny as a means of setting out the key priorities that the committee intends to pursue over the course of the parliamentary session. The

committee took evidence from the Auditor General for Scotland and the Accounts Commission and considered the key messages in Audit Scotland's influential report, "Improving outcomes for young people through school education".

An outcomes focus is a key principle of the Parliament's budget process. The extent to which there is a clear line of sight from spending decisions to outcomes has been a regular feature of debate in relation to budget scrutiny since the publication of the Christie commission report in 2011. It was emphasised by the Auditor General for Scotland in his evidence to the committee that that remains an issue across the Scottish public sector, including in relation to education expenditure by the Scottish Government.

The committee intends to pursue an outcomes-focused approach to its budget scrutiny. We recognise the efforts that the Scottish Government is making in that regard, for example through the national improvement framework. However, further progress is essential and we look forward to a continuing dialogue with the Cabinet Secretary for Education and Skills on the issue.

It is clear that the pandemic has had a particularly significant impact on children and young people. The learning, wellbeing and economic circumstances of children and young people—in particular, those who live in the most challenging circumstances—has been significantly affected by Covid-19. The cabinet secretary emphasised in evidence to the committee the importance of the Scottish attainment challenge as a key plank of the Scottish Government response to addressing inequality in educational outcomes. The committee agrees that addressing the poverty-related attainment gap is even more critical as a result of the pandemic. As the cabinet secretary stated to the committee, the most recent statistics on the attainment gap in Scotland are "exceptionally concerning".

Members might not often associate these words with me, but I strongly agree with the cabinet secretary. That is why the committee launched an inquiry last week into the operation of the Scottish attainment challenge. Four key but simple questions will guide our work. What has worked? What could improve? How is the impact of funding measured, and what has been the pandemic's impact on attainment and achievement in schools?

I was struck last week by the words of Josh Kennedy, the outgoing chair of the Scottish Youth Parliament, when he delivered time for reflection. He stressed the importance of meaningful engagement with young people in decision making. Integrating the perspectives of children and young people into our work is a key principle that informs the Education, Children and Young

People Committee's work. We also intend to hold the Scottish Government to account on it.

The return to multiyear funding allocations is a long-standing demand across the Scottish public sector. It is true also of local authorities and the further and higher education sectors. The committee is supportive of the move back to multiyear funding allocations and recognises that they allow for improved planning of services by public sector partners.

The committee has written to the Finance and Public Administration Committee to set out its views on the Scottish Government's resource spending review framework, which was published alongside the budget for 2022-23. We welcome the Finance and Public Administration Committee's review of the content of the medium-term financial strategy. We also welcome the emphasis in the framework document on an outcomes-focused, evidence-informed and consultative approach to setting multiyear financial plans. In that regard, the committee recognises that the Scottish Government has announced multiyear funding allocations over four years for the Scottish attainment challenge.

The Scottish Government has also committed to exploring providing multiyear funding assumptions for colleges and universities. During the budget process, the committee received a joint letter from Colleges Scotland and Universities Scotland expressing significant concern at the budget settlement for the further and higher education sectors. Audit Scotland also highlighted in evidence to the committee the impact of increases in employer contributions to pension funds and additional staff costs arising from the cost-of-living pay awards and the outcome of national bargaining.

The committee recognises how critical further and higher education are to recovery from the pandemic and to providing opportunities for our young people. Therefore, it intends to undertake an inquiry into colleges and the impact of regionalisation on the sector. Scrutiny of attainment and colleges will, therefore, form key strands of the committee's budget scrutiny in the coming financial year. As ever, the committee's scrutiny of both issues will focus on whether Scottish Government policy is improving outcomes for children and young people.

**The Deputy Presiding Officer:** Thank you, Mr Kerr—you just escaped an intervention from the Presiding Officer there.

16:10

**Gillian Martin (Aberdeenshire East) (SNP):** I am pleased to speak on behalf of the Health, Social Care and Sport Committee on the

committee's consideration of the budget in relation to its portfolio. My contribution is divided into the themes to which the committee drew the cabinet secretary's attention in our letter. The first theme is preventive spend, which I was pleased to hear Kenny Gibson mention in his contribution. As he said, a key recommendation of the Christie commission on the future delivery of public services was to divert more public funds towards preventative spend.

Committee witnesses highlighted the challenge of prioritising preventative spend measures while seeking to reduce pressure on acute services and backlogs in primary care, which have resulted largely from the pandemic. That is entirely understandable, as the pandemic has thrown its worst at the nation's health and at our national health service. However, as we come out of the pandemic and move—we hope—into recovery, we need to prioritise preventative spending appropriately in the health, social care and sport sectors in Scotland.

I turn to health and social care integration and the proposed national care service. We heard evidence of particular challenges in achieving integrated finances and financial planning as part of the process of integrating health and social care. Four years on from the launch of the integration process, budgets for health and social care continue, to a large extent, to be managed and deployed independently of each other. We are keen that on-going challenges around financial integration are addressed as part of the proposed creation of a national care service.

Stakeholders in our portfolio continue to highlight issues of availability and evaluation of data. Evidence to the committee has highlighted the crucial importance of comprehensive high-quality data, to enable effective targeting of health and social care funding to areas in which it will have the greatest impact. Unfortunately, however, availability and quality of data varies significantly in different parts of the country. We welcome all efforts that the Scottish Government is making to improve quality and availability of data, but there remains a lot more work to be done in that area.

It will not surprise anyone that widening health inequalities across society are having a significant negative impact on health outcomes, which has been further exacerbated by the Covid pandemic.

Back in 2013, the Scottish Government commissioned an international policy review of health inequalities from NHS Health Scotland, which resulted in the publication of a ministerial task force report on health inequalities. We welcome the efforts that the Scottish Government has already made to implement the task force recommendations by funding a range of projects and programmes that are aimed at tackling some

of the key drivers behind health inequalities, in particular those relating to child poverty and social security. It is important to ensure that, over time, the impact of those interventions is carefully monitored and evaluated so that we continue to learn lessons for the future on how best to tackle health inequalities where we can do so within our devolved powers.

I turn to the allocation of funding to NHS boards. We recognise the increased spend in the area over the pandemic but, looking to the future, we note that the Scottish Government, in responding to the committee's pre-budget scrutiny, advised that, although it remains

"committed to undertaking a review of the"

existing "NRAC formula" for allocating funding to NHS boards, that work will "take time to complete" and has—like so many other things—been delayed by the pandemic. In the meantime, we have heard evidence that there is scope for improved transparency in applying and communicating the existing formula, and we encourage the Scottish Government to consider what action it can take to address that in the short term.

With regard to budget setting, I am grateful to the Scottish Government for updating the committee on its planned timetable for bringing forward an updated medium-term financial framework for health and social care. We acknowledge the on-going uncertainty that the pandemic has created in making future cost projections and other step changes such as the forthcoming resource spending review and proposals for the transformative national care service. At the same time, we highlight the negative impact of a continuing short-term approach to budget setting on effective planning and spending in health and social care—a point that Kenny Gibson made well in relation to constraints in the current fiscal arrangements between the two Governments. However, we do not want to see the publication of an updated medium-term financial framework delayed any longer than necessary.

We cannot get away from the impact of Covid-19, including the wide range of financial impacts on the delivery of health and social care services. It is important to embed the positive innovations for the future as well as developing strategies for overcoming the negative impacts. That means building the long-term resilience of the health and social care sector.

Innovations in e-health has been a positive outcome of the crisis that our health service has faced. As we modify services to become more digital, for example, we must protect against threats such as cyberattacks. Those changes to

working practices during the pandemic mean that services could be more exposed.

In that context, the committee is encouraged to see that the Scottish Government is making strenuous efforts to ensure that appropriate lessons are learned for the future and that those lessons are helping to inform the NHS recovery plan in particular.

**The Deputy Presiding Officer:** I call Claire Baker to speak on behalf of the Economy and Fair Work Committee.

16:16

**Claire Baker (Mid Scotland and Fife) (Lab):** I am pleased to contribute to the debate on behalf of the Economy and Fair Work Committee. Our committee took evidence from the Cabinet Secretary for Finance and the Economy last week, when we raised some of the key issues that I will talk about today.

In the context of the pandemic and its impacts, we are facing particular economic challenges and we must ensure that the "Build back better" slogan can be turned into reality. We have an opportunity to rebuild and refocus in a way that will make the economy work better for us as a country and as a society.

The Economy and Fair Work Committee is clear that support that encourages investment, growth, prosperity and employment opportunities must be front and centre of the budget. We must also learn lessons from the pandemic and build resilience and protection against any future economic shocks.

We have been operating in the context of the Scottish economy not growing at the same rate as that of the UK, with our growth rate typically being two percentage points behind. The estimated GDP figures that were published today offer some shoots of growth and encouragement, but compared to pre-pandemic levels GDP, employment and earnings are recovering more slowly in Scotland than in the rest of the UK, and the Scottish Fiscal Commission's outlook for Scotland is more subdued than the Office for Budget Responsibility's outlook for the UK. That underlines the particular challenges that Scotland faces and the need for targeted actions to boost our recovery. The publication of the 10-year economic national strategy will be crucial, and, in parallel with annual budgets, it must be transformational for Scotland's economy.

I will now speak on some of the key issues that were raised by the evidence session and the committee's considerations. The committee wishes to emphasise the importance of tourism. The tourism sector is key to Scotland's economy,

but it has been hit hard by the pandemic in relation to both providers at home and those catering for overseas trips. The committee recognises that the Scottish tourism response group received £25 million for its phase 1 recovery plan, but more needs to be done to instil confidence in the sector. It is regrettable that the cabinet secretary has said that the Scottish Government is not including recovery funds for the sector in the bill.

Notwithstanding assurances that the cabinet secretary gave to the committee about the possibility for in-year budget allocations, the committee would ask the cabinet secretary to reflect on the need for a commitment to fund phase 2 for tourism recovery and how that can be delivered through the upcoming budget.

I appreciate that there is financial support available for tourism more generally in the budget, but many in the sector are struggling. The committee also notes the loss of income to VisitScotland as a result of the pandemic and the need for it to scale down its work. We will be taking evidence from representatives of the tourism and hospitality sectors at our meeting next week, and we look forward to hearing their views.

The role of our enterprise agencies is core to boosting investment and growth. They have an important part to play in supporting national outcomes, but we also need to measure their impact and scrutinise their budgets. There is a cash-terms increase of £30 million, and the committee welcomes that substantial investment. However, although there is a cash-terms uplift, which protects and maintains spending power, in real terms the Scottish Enterprise budget is flat and the Highlands and Islands Enterprise budget is reduced. The committee recognises the efforts that have been made to protect those budgets but notes that, given the importance of those agencies at this stage of the recovery, any opportunity to invest more in their budgets would be welcome.

We would also like to see a clear road map developed for supporting businesses—particularly smaller businesses—in their pursuit of net zero. That should be backed up with practical support and more non-loan-based funding, which could both drive and sustain the efforts that will be required. The committee is also calling for a consistent approach to conditionality for business support.

Regarding a one-stop portal for support, the committee recognises the work that was done during the pandemic in setting up the Find Business Support website, but the support environment continues to be complex and challenging to navigate. The committee expects there to be regular progress updates on how the Scottish Government is building on the Find

Business Support website and on streamlining and improving joint working between agencies.

The committee has also looked at the particular impact of the pandemic on women, noting the disproportional impact that it has had on women's employment, difficulties in accessing financial support and a lack of consistent gender-disaggregated data. We welcome the Scottish Government's intention to look at what can be done to disaggregate data and the recognition that only by capturing and publishing more information can there be an appropriate policy response. The committee also asks that the Scottish Government prioritise its commitment to progress a women's business centre. Although we note that proprietary work has been undertaken, the committee is disappointed that no undertaking was given to accelerate the timescale for getting it up and running, and I would encourage the cabinet secretary to look at that.

The committee's remit on fair work and skills is another important area to consider, and we must ensure that our efforts to rebuild progress the fair work and wellbeing agenda. The cabinet secretary conceded that we can always move faster, particularly on fair work, and spoke of the role of conditionality in that area.

On employee-owned businesses, we recognise the ambition that the Scottish Government has to increase these, but we wish to see more detail of how that can be delivered and the introduction of interim targets to pick up the pace of delivery.

As I have highlighted, the committee is aware of the impact of the pandemic on the employment opportunities of women, but we also recognise the impact on young people, as well as the mismatch between vacancies and the skill sets of those who are looking for work. We ask for a clear commitment in the budget to ensure that work-ready young people have access to training and support that will equip them with the skills that match vacancies. The committee also wants to see budget support create stronger links between employers and employability services. We recognise the comments in the recent report from the Auditor General on the need for urgent action on skills alignment, and we highlight that as an area that the committee is likely to consider in the coming year.

The committee notes the budget allocations from its remit and appreciates the evidence that we have received from the cabinet secretary. We have highlighted a number of areas of particular interest, and we will explore some of those further in our work programme. We will also continue to examine areas in which additional support is needed to support Scotland's economy to recover and ensure that everyone can benefit from our future prosperity.



**The Deputy Presiding Officer:** I call Natalie Don, who is speaking on behalf of the Social Justice and Social Security Committee.

16:22

**Natalie Don (Renfrewshire North and West) (SNP):** I welcome the opportunity to speak on behalf of the Social Justice and Social Security Committee in the Parliament's first pre-budget debate of the session. I have gladly stepped in today because the former convener, Neil Gray, has been appointed Minister of Culture, Europe and International Development. I hope that the chamber will join me in wishing him well in his new role. He has led the committee with great drive and passion to ensure that we focus our efforts on addressing poverty.

Our predecessor committee's legacy report stressed that measures to tackle poverty span several committee remits. At times, there has been a lack of clarity around which committee should take the lead in scrutinising this important policy area. My committee has used its extended social justice remit to focus its budget considerations on the cross-cutting issue of poverty and spending on social security.

During this parliamentary session, we hope to bring together committees with a shared focus on tackling poverty and social inequality. Meeting our child poverty targets is a national responsibility that is shared between Parliament and Government, and that is why the committee chose the Scottish Government's progress in meeting the interim targets for 2023-24 as the central focus of its pre-budget scrutiny.

Our ability to meet those targets has been made much harder as families face reductions in household income, price rises and the withdrawal of Covid-19 support measures such as the £20 universal credit uplift. This year, the convener, along with UK committee chair counterparts, wrote to the Chancellor of the Exchequer and the Secretary of State for Work and Pensions to call for the £20 universal credit uplift to be made permanent and to be extended to legacy benefits, which are disproportionately claimed by disabled people. Families on the lowest incomes; those with children, and particularly single parents; black, Asian and minority ethnic families; and families in which someone is disabled are disproportionately affected by the ending of the uplift.

Modelling that was carried out by the Child Poverty Action Group suggested that as many as 22,000 children in Scotland would be pushed into poverty due to the removal of the uplift, and third sector organisations advised that the cut would result in indebtedness, rent arrears and

homelessness for families. We felt that there was compelling evidence that the Scottish child payment should be doubled. We therefore welcome the fact that the budget now commits an additional £103 million, bringing investment to £197 million overall.

The committee recognises that social security will have to do the heavy lifting in the short term and that other levers that are available to the Scottish Government, such as tackling low pay and reducing housing costs, could take longer to achieve results. However, we are keen for the Scottish Government to continue to prioritise increasing access to childcare and improving employment prospects to reduce child poverty.

Poverty is gendered. While giving evidence to the committee, Satwat Rehman from One Parent Families Scotland relayed a quote from a parent that summarises the difficulties that working parents face. That parent said:

"Childcare costs are crippling—I earn what I always considered to be a reasonable salary, but it costs more than I earn to send my two children to nursery for only 3 days a week."

We are aware that women and people with disabilities face challenges in finding good employment opportunities and suitable childcare. The committee welcomes the Scottish Government's expansion of funded early learning to all one and two-year olds, starting with children from low-income households in this session of Parliament.

Women have withstood more caring responsibilities during the pandemic. Eilidh Dickson of Engender advised:

"Women have also experienced labour market disruption because of the distribution of care, which was removed from the state back into the household over the pandemic: care for children, care for older people and care for disabled people."—[*Official Report, Social Justice and Social Security Committee*, 7 October 2021; c 12, 3.]

When scrutinising the Carer's Allowance Supplement (Scotland) Bill, we heard that carers are looking for more assistance in relation to respite care. The committee notes that the Scottish Government's budget includes £20.4 million to expand local carer support, including short breaks, to meet increasing demand under the Carers (Scotland) Act 2016. The committee will monitor whether that has the desired impact.

On behalf of the committee, I thank all those who contributed evidence to inform our pre-budget letter. It is evident from our deliberations that a preventative approach to spending is needed to maintain the sustainability of anti-poverty measures and the social security budget.

As I have referred to throughout my contribution, social security is an investment in people.

However, the social security budget is demanded, and therein lie risks. On 23 December, Dame Susan Rice from the Scottish Fiscal Commission advised the committee that the commission forecasts that spending on devolved social security will rise by £400,000 to £4.1 billion in 2022-23 and will

“reach £5.5 billion in 2026-27, once the full costs of the adult disability payment and the Scottish child payment are included.”—[*Official Report, Social Justice and Social Security Committee*, 23 December 2021; c 2-3.]

The commission told us:

“by 2026-27 spending on the Scottish Government’s social security benefits will be £760 million more than the corresponding funding received”

through the block grant adjustment, thereby

“reducing the funding available for other parts of the Scottish Budget.”

The hybrid benefits system means that UK Government decisions can impact on Scottish Government policies, as we have seen with the cut to the universal credit uplift. Scotland is also reliant on UK infrastructure and data sharing to deliver benefits. It is clear from our scrutiny that we need a more joined-up approach in which the principle of devolution of social security is honoured. That is illustrated in the recent minutes from the joint ministerial working group on welfare, which highlight the Scottish Government’s concerns about infrastructure in the Department for Work and Pensions to deliver the Scottish child payment for six to 15-year-olds by the end of this year.

I take this opportunity to appeal to committees to look at ways to tackle poverty through their remits. We have called on Government departments to work together to reduce the potential long-term demands on the social security budget. We hope that, with committees, Government departments and national Governments working together, everyone can redouble their efforts to make headway in tackling poverty and social inequality once and for all.

16:29

**Joe FitzPatrick (Dundee City West) (SNP):** I am pleased to speak about the work of the Equalities, Human Rights and Civil Justice Committee. There is much in the budget to be welcomed, such as the 39 per cent increase in the promoting equality and human rights budget line, from £32.28 million to £44.98 million. That has the potential to provide continued funding for many organisations that support some of the most vulnerable people in Scotland.

Surely everyone will welcome the Scottish Government’s commitment to tackling inequality and poverty, including the pay rise for those who

work in social care and the Scottish child payment increase and expansion, which will support women and those on low incomes. In its evidence, the Joseph Rowntree Foundation welcomed the doubling of the Scottish child payment, but cautioned that it will not be sufficient on its own to eradicate child poverty.

We welcome the progress that has been made on the equality and fairer Scotland budget statement, which the chair of the equality budget advisory group said just yesterday has led to really significant improvements, has become more accessible and has developed into a tremendous resource.

What are the main areas in which the committee feels that progress is needed? First, although the increase in the promoting equality and human rights budget line will be crucial, that is just one budget line, and it accounts for about £1 in every £1,000 in the overall budget. There is a bigger picture, and a bigger prize, if we look at the effects of the overall budget on equalities and human rights and try to ensure that different budget areas do not work against one another but, instead, contribute to and complement one another.

The committee heard about the need for much more extensive equalities data, which should underpin everything that the Government does. For example, there are still many challenges in relation to gender-disaggregated data, even before we consider any additional protected characteristics. Witnesses pointed to perceived shortcomings in relation to data on learning disabilities, ethnicity and poverty. Although the Scottish Government told us about the positive work on the equality data improvement programme, data has been a recurring issue for our committee.

Yesterday, we heard that data challenges continue and, indeed, have been made worse by the pandemic. Without the right data and thorough analysis, including on how current data compares with the data that we might have relied on to analyse trends before the pandemic, it is more difficult for us to understand, for example, how the pandemic response has fared in protecting particular groups, or which groups have fared worse. The committee will continue to explore why those challenges exist and how they might be resolved.

I will provide an update on two other areas of the committee’s work. On women’s unfair responsibility for unpaid care and domestic work, our pre-budget scrutiny highlighted that pre-existing inequalities were exacerbated and brought into stark focus by the Covid-19 pandemic and the response to it. The committee heard that the burden placed on women, such as unpaid caring duties for elderly parents and children and

an increase in domestic work during the pandemic, is likely to have a long-term negative impact on their future rights and economic prospects.

That led to our inquiry into women's unfair responsibility for unpaid care and domestic work. Although we are in the early stages of the inquiry, we have heard that policy solutions need to be gender sensitive and to take account of intersectionality. Examples include gender-sensitive employment support and increased access to flexible childcare.

I highlight the committee's work on human rights budgeting. The committee is taking a year-round, human rights-based approach to its budget scrutiny, and we encourage other committees to factor that approach into their scrutiny. It was good to hear one or two other conveners mention equality in their contributions.

Taking a human rights approach means thinking about and discussing what are new concepts for many of us in relation to budgets, such as a minimum core, a progressive realisation of rights and maximising available resources to achieve rights. Previously, we heard from Dr Alison Hosie of the Scottish Human Rights Commission that the minimum core is simply the red line below which we are not prepared to accept that our society should fall in Scotland, so that everyone can live with human dignity.

Taking a human rights approach will involve identifying specific areas on which to focus during the year. That work might be in the form of short discrete inquiries, which we hope will inform our subsequent pre-budget scrutiny later in the year.

To complement our year-round approach to budget scrutiny, the committee has agreed to a Scottish Parliament information centre fellowship in human rights budgeting. That will commence in April, and we envisage that it will include a case study that will enable us to get into the practicalities and real-life circumstances of a specific group or focused issue.

We anticipate that that work will help to inform a consultative, participatory exercise to be launched in the summer that will give us real-life examples that we can take into our pre-budget scrutiny for next year. We hope that that exercise will offer an opportunity for a range of individuals and groups to get involved and engaged in a process that can sometimes seem distant, dry and formulaic.

We look forward to receiving an update from the Scottish Government on its response to the equality budget advisory group's recommendations. As noted in our correspondence of October 2021, that response requires some urgent consideration. We also note that the response is due in the spring and we

would be grateful for a little more clarity from the minister in his closing speech about precisely when that might be.

16:35

**Sharon Dowey (South Scotland) (Con):** I am pleased to speak in the debate on behalf of the Public Audit Committee. As members will know, the committee has an important scrutiny role to play in examining whether the Scottish Government and other public bodies spend public money efficiently and effectively. Key to our work are the reports that the Auditor General for Scotland prepares, which provide us with the information that we need to maintain an overview of how public money is spent and to hold public sector leaders to account for the use of that money.

Although the committee is not directly involved in the budget scrutiny process, the debate presents an opportunity to reflect on some of the themes that are emerging from our work in session 6, which might be of interest to other committees and are also intended to help inform today's discussion.

I start by highlighting our recent and on-going scrutiny of the Auditor General's report, "The 2020-21 audit of the Scottish Government Consolidated Accounts". The report sets out the challenging operating environment that the Scottish Government was working in last year, as it responded to the significant threats that the pandemic posed to lives, public safety, jobs and the economy. However, the report goes on to say that the Scottish Government now needs to be more proactive in showing where and how that money was spent, and to show a clearer line from budgets to funding announcements to actual spending.

Transparency in the Scottish Government budget is critical for all committees to be able to fulfil their budget scrutiny role effectively. The Public Audit Committee looks forward to exploring how the Scottish Government intends to improve its reporting in that area in due course.

A further theme that has been drawn to the committee's attention is the importance of long-term funding decisions. For example, during our scrutiny of "Scotland's colleges 2020", Colleges Scotland stated that

"colleges make lots of short-term decisions, which are often not the best financial decisions. If the sector could be afforded a multiyear funding settlement, that would go a long way to allowing us to be much more strategic and would be better use of the public purse." —[*Official Report, Public Audit Committee*, 23 September 2021; c 5.]

The committee notes the Scottish Funding Council's call for the provision of multiyear

financial settlements for colleges—a call that the Education, Children and Young People Committee supports. The Public Audit Committee waits with interest to see how the Scottish Government intends to take forward that call.

The committee also held a round-table evidence session on Audit Scotland's most recent work on child and adolescent mental health services. We heard that it is vital that improvements be made to track whether the significant investment in that area leads to improved outcomes for children and young people who need that support.

I will mention briefly our scrutiny of the Auditor General's recent report, "Community justice: Sustainable alternatives to custody". The report highlights that the Scottish Government has yet to achieve its objective of ensuring that people who are convicted of criminal offences increasingly receive community-based sentences where appropriate, instead of going to prison. The Scottish Government's reducing re-offending policy acknowledges that community sentences are more effective at preventing re-offending than prison sentences; however, community justice funding makes up less than 5 per cent of overall justice funding, and there has been little change in recent years. The committee considers that there is scope for the Scottish Government to review its budget in that area to ensure that it is sufficient to achieve its policy objectives.

The areas that I have highlighted will be of interest to other committees. The Public Audit Committee is keen to work collaboratively on issues where there is a shared interest and looks forward to doing so in order to support, help and contribute to the budget scrutiny process in the years to come.

16:39

**Colin Beattie (Midlothian North and Musselburgh) (SNP):** I welcome the opportunity to contribute to the debate as chair of the Scottish Commission for Public Audit. The SCPA's role is to scrutinise Audit Scotland's budget and accounts, and we have responsibility for appointing three non-executive members to Audit Scotland's board, choosing the chair and appointing Audit Scotland's accountable officer. Last Friday, we published our report on Audit Scotland's budget proposal for 2022-23 and recommended that the Parliament approve it.

I intend to spend the next few minutes highlighting the key issues in our report. Audit Scotland is seeking parliamentary approval for £11.63 million of its resource spending for 2022-23 with the rest of its funding—£19.2 million—coming from fees that it charges to those it audits. In relation to the funding for which parliamentary

approval is sought, Audit Scotland seeks an additional £573,000 compared with last year's budget. That increase arises from the costs of undertaking the national fraud initiative, the additional responsibilities arising from financial devolution, and from an increased number of public bodies whose audit work cannot be charged for.

Audit Scotland's budget, like those of other public bodies, has been prepared in the context of significant uncertainties, such as Covid-19, the timing of last year's UK and Scottish Government budgets, and the cost of goods and services since the UK left the European Union.

As part of its budget for 2021-22, Audit Scotland sought an additional £2.1 million to implement a strategic improvement programme and a multiyear plan for recovery from the disruption of the pandemic in 2020. That additional funding was approved by the Parliament and much of it has been subsumed into Audit Scotland's budget bid for 2022-23 through the recruitment of 33 additional staff.

Given that, the SCPA was keen to explore with Audit Scotland how much of its additional funding for the current financial year and for 2022-23 relates to the impact of Covid-19, and how much of its expenditure will be recurring over a number of years. Responding, the Auditor General for Scotland explained that, although Audit Scotland had not attributed the percentage of roles that relate to the global health emergency or to previously agreed and committed investment

"it is clearly the case that the majority ... recruitment of auditors during 2021-22 has been related to the Covid-19 pandemic and the public audit response to that."

Audit Scotland plays an important role in auditing the Covid-19 spend that has taken place across the public sector. The Auditor General has previously reported that greater transparency in showing where and how additional Covid money was spent will enhance reporting to the Scottish Parliament and the public, and help to strengthen accountability and scrutiny.

Therefore, although we have welcomed the quarterly updates on how the additional funding was spent in 2021-22, we have recommended that future Audit Scotland budgets also provide more detailed identification of funding related specifically to Covid-19. We have also recommended identification of the extent to which any requests for additional funding are for recurring or non-recurring expenditure, including in relation to any proposed use of the management contingency.

We also recognise that the pandemic has brought added uncertainty to Audit Scotland's financial planning, as it seeks to manage planned development work alongside responding to the

impact of the pandemic on existing work. Greater transparency in identifying what is Covid-19 spending and what is non-Covid-19 related, however, remains vital. Those are areas that the SCPA will return to when we consider Audit Scotland's annual report and accounts and future budget proposals.

We look forward to discussing those areas further with Audit Scotland.

16:43

**The Minister for Public Finance, Planning and Community Wealth (Tom Arthur):** I start by thanking all members for engaging in this important debate, and by thanking all members of the committees and the committee clerks for their scrutiny. Parliament's scrutiny is an essential part of the Scottish budget process.

The Scottish Government welcomes the contributions of all the committees. Although this might be the least contentious debate that we will have on the budget, it serves an important illustrative purpose, as well as providing scrutiny by indicating the breadth of competing demands and priorities that must be balanced in the budget process.

As we have highlighted, this is a challenging budget because of the loss of UK funding for Covid-19 in 2022-23. In simple terms, £3.7 billion of Covid-19 funding, which was included in last year's budget bill, has now been removed from the Scottish budget.

That loss is a challenge to manage when the effects of the pandemic remain with us, which is why difficult choices have had to be made in the budget.

I appreciate that members will have their own views on what the priorities for the Scottish budget should be, and I welcome the opportunity to debate those through the budget process. In addition, it is important that the budget scrutiny process includes recommendations on where spend can be reduced, as well as on where it should be increased. Overall, I am confident that we will reach a consensus position on what is best to support the people of Scotland.

The Scottish Government is clear on its priorities. The budget delivers on three key priorities for Scotland: tackling inequalities and progressing our national mission to tackle child poverty; taking action to tackle climate change challenges and secure a just transition to net zero; and investing in our economic recovery.

To help to tackle inequalities, the budget commits more than £3.9 billion to benefit expenditure, which will provide support to more than 1 million people in Scotland. That money will

go directly to the people of Scotland who need it the most.

The budget delivers on our commitment to doubling the game-changing Scottish child payment to £20 a week from April 2022, at a cost of £197 million next year. Our Scottish child payment is the most ambitious child poverty reduction measure in the UK, which has already reached around 108,000 children under the age of six with £10-a-week payments. It is essential in helping to reduce inequalities in Scotland.

In addition to funding the doubling of that payment, we will continue to deliver the child bridging payments, which are worth £520 in 2022, for every child who is in receipt of free school meals on the basis of low income, until the full roll-out of the Scottish child payment to children under the age of 16 by the end of this year.

The 2022-23 Scottish budget goes further in tackling inequalities. We will continue our action to close the education attainment gap by investing £200 million, as part of a commitment to provide £1 billion over the parliamentary session to address the poverty-related attainment gap.

To help to support people more widely, the budget delivers funding of £18 billion for the health and social care portfolio. That includes the provision of more than £1.6 billion for social care and integration, which will lay the groundwork for our national care service; in excess of £1.2 billion for mental health services, which will take forward our commitment to ensure that mental health funding increases by 25 per cent over the session; and £147.6 million to address the twin public health emergencies of drug deaths and the harms from alcohol, which includes £61 million specifically to address the national tragedy of drug deaths as part of our commitment to invest £250 million over the parliamentary session.

**Stephen Kerr:** A number of members have referred to the strong advice of Audit Scotland that there should be a clear line of sight from spending decisions through to outcomes. It has been a regular feature of Audit Scotland's reports that there should be more transparency on how the Government spends money. What will the Government do in the coming financial year to ensure that it does not receive such feedback and criticism in subsequent years?

**Tom Arthur:** I thank the member for his intervention and note the comments that he made in his capacity as convener of the Education, Children and Young People Committee. I also note the comments of the convener of the Finance and Public Administration Committee, Kenneth Gibson, who rightly suggested that it was important for our desired outcomes in the national performance framework to be linked with

budgeting decisions. We will continually reflect on and seek to strengthen that in our budgeting process.

The budget builds on our record level of front-line health spending in Scotland, which amounts to £111 per person. That is 3.6 per cent higher than the figure in England. That expenditure delivers significant investment in our health and social care service at a time when we have relied on it more than ever.

Of course, one of the signal challenges that we face is the generational challenge of climate change. Through this budget, we are investing around £2 billion across the Scottish Government to deliver a just transition to net zero and a climate resilient Scotland.

As the cabinet secretary noted in her opening remarks, with a combined net zero, energy and transport portfolio budget of more than £4.4 billion, we will spend more than £3.4 billion on transport across Scotland, including investing more than £414 million to support essential bus services and concessionary bus travel across Scotland, thereby delivering on our commitment to expand our concessionary bus travel scheme to young people under the age of 22.

We will spend £429 million on Scotland's environment and forestry to protect and restore nature, including our peatlands, expand Scotland's forests and tackle the causes of climate change and biodiversity loss.

As part of our net zero action, we will ramp up our delivery of the heat in buildings programme to make our homes and buildings warmer, greener and more energy efficient. That will include doubling the home energy Scotland scheme to £42 million and increasing warmer homes Scotland funding to £55 million to help to support the fuel poor through the heat transition.

Of course, all our ambitions have to be built on the bedrock of a solid economy, and supporting economic recovery runs through this budget. More than £1.75 billion of the finance and economy budget will support our economic response with a firm commitment to build a net zero wellbeing economy and to protect and create good quality green jobs across every region of Scotland.

**The Presiding Officer (Alison Johnstone):** I ask the minister to close now, please.

**Tom Arthur:** I am very grateful for the comments and contributions of all speakers this afternoon. We will of course reflect on them carefully. I look forward to the further debates in Parliament, and to the chamber backing the budget at stage 1 tomorrow.

**The Presiding Officer:** I call Daniel Johnson to wind up for the Finance and Public Administration Committee. Mr Johnson joins us remotely.

I ask Mr Johnson to pause for a moment. We want to make sure that we can hear you, Mr Johnson, so please bear with me for a moment.

16:51

**Daniel Johnson (Edinburgh Southern) (Lab):** Can you hear me any better now?

**The Presiding Officer:** That is lovely. If you would be good enough to begin again, Mr Johnson, I would be very grateful.

**Daniel Johnson:** I am very sorry to disappoint members, because now they have to listen to me. However, that will perhaps be more interesting than watching my mouth move but not hearing any of my words.

I concur with Stephen Kerr that it is somewhat strange speaking in a debate wearing a different hat, as the deputy convener of the Finance and Public Administration Committee. However, although the tone of my remarks may be somewhat more subdued, I hope that the substance remains largely the same.

I begin by repeating the thanks of the committee convener to the clerks, our advisor Mairi Spowage, and Ross Burnside of SPICe. I also thank all my fellow committee members for their work on our report.

Above all else in this important debate, which forms part of the budget process, I was struck by the degree of consistency and agreement on fundamental points. I was perhaps most surprised—and, indeed, encouraged—by the number of committees that referred back to Christie, because it is a topic that our committee has reflected on and is keen to focus on as part of our on-going work. Ultimately, it is in all our interests and an overarching priority that we ensure that spending is effective and goes on things that prevent negative outcomes.

I was also struck by the number of members who spoke about the need to focus on inequality and poverty. I take great encouragement from the fact that that seems to be an overarching priority for all committees. Regardless of the party persuasion of the convener who spoke in the debate, it is clearly a priority for this Parliament. I take huge encouragement from that.

Perhaps one of the most surprising topics that I saw as a common thread was data. Whether it came from the Health and Social Care Committee or the Social Security Committee, a clear theme was that we have to understand what is going on if we are going to spend our money correctly. I

reflect—again—that that is a theme that the Finance and Public Administration Committee is keen on.

I was struck by Stephen Kerr's comments about the need to focus on outcomes. Ultimately, that is an important element of all our spending, and I quite agree with the point in relation to education. If we are going to achieve our aim of eliminating the poverty-related attainment gap, focusing on outcomes is critical. That remains true across all spending.

I will briefly highlight Claire Baker's comments about the need to focus on growth, which I will say more about later. Ultimately, if we are going to have a successful economy and successful public services, addressing the issues that impact on long-term growth is an overarching imperative and a mission for us all.

The convener spoke about some of the broader issues that arose during our pre-budget scrutiny, including the need to prioritise policy interventions that can make the most difference to long-term issues such as inequalities and poverty, in a way that positions prevention, reform and national performance framework outcomes at the heart of Government spending plans and approaches. I look forward to looking into some of those issues in more detail in the committee's forthcoming inquiry.

For now, I want to focus on the specific findings in our pre-budget report that relate to the impact of Covid-19 on Scotland's public finances, which I would suggest was the core theme in all the contributions today. Unparalleled levels of public funding have been provided to our public services' pandemic response and to support businesses that have been impacted by restrictions. At the time that we published our report, £13.6 billion had been spent on the Covid response in Scotland in the current and preceding financial years. A further £0.5 billion is expected as a consequence of the UK autumn budget. At the end of 2021, the omicron variant brought with it more restrictions and the need for more financial interventions to support businesses.

With that level of funding, it is critical that there is clarity and transparency regarding how funds have been used—a point that was raised by the convener of the Public Audit Committee and a number of other contributors. Although the Finance and Public Administration Committee accepts that there can be challenges and that it can be difficult to delineate Covid spend and day-to-day spend, that point remains important as the situation normalises. The committee therefore asked the Government to commit to providing transparent and timely information on all Covid allocations, to allow proper scrutiny of where and how effectively the money is being spent, and to

allow us to learn any lessons for the future. In response, the Government said that it would continue to provide updates on Covid allocations. However, the Auditor General for Scotland has since repeated his calls for more openness and transparency in that area.

We heard that, in the early months of the pandemic, Her Majesty's Treasury had provided a funding guarantee of in-year funding to the devolved Governments, which brought more certainty to budget planning. With no such guarantee in place in 2021-22, the Scottish Government was in the uncertain position of having to allocate spend in Scotland without knowing whether the full amounts announced by the UK Government would be spent, and therefore whether they would flow to Scotland. That, we heard, made budget management much more challenging. We therefore asked the UK Government to commit to a similar guarantee if the fiscal situation rapidly develops. In the longer term, we have called on the two Governments to look at whether funding guarantees could be a better way of managing devolved finances.

We also highlighted issues that we think should be considered as part of the upcoming review of the fiscal framework, based on the experience of the pandemic. Although the framework broadly worked as intended, we heard that areas of concern remain. The health and economic impacts were largely the same across the UK, and additional funding arrangements were made available, such as the aforementioned guarantee and extra in-year Barnett consequentials. We have called for the review to look at how the fiscal framework might be strengthened to withstand a situation where future health or economic shocks impact disproportionately on one part of the UK. The latest forecasts from the Scottish Fiscal Commission, which suggest that Scotland is lagging behind the UK on a number of indicators, might bring more urgency to the issue.

Some sectors, including the hospitality, retail, leisure and travel sectors have, as we know, been disproportionately affected by Covid, with some building up significant levels of debt in the process. We therefore asked the Scottish Government to consider how it might best support those sectors to recover, rejuvenate and grow in the wake of Covid.

We note the Scottish Government's intention to continue some reliefs for the retail and hospitality sectors in the first three months of 2022-23.

The economic outlook is better than was forecast at the start of last year. Forecasters have revised upwards their expectations for growth over the next five years, following stronger-than-predicted growth in the first half of 2021, which was supported by the vaccine roll-out. The

economy is expected to return to pre-pandemic levels by the second quarter of 2022.

However, there are worrying signs. As I said, Scotland appears to be trailing behind the rest of the UK when it comes to economic performance. In particular, the Scottish Fiscal Commission noted in its report that employment and wage growth in Scotland are lagging behind the UK average. The SFC also said that Scotland's income tax receipts are forecast to fall behind the block grant adjustment, which will have an impact on Scotland's fiscal sustainability.

In our pre-budget report, we asked the Scottish Government to support the Scottish Fiscal Commission in its preparatory work for the production of a fiscal sustainability report, which would be produced in each session as we look ahead to the next 30 to 50 years. Given the most recent forecasts, such a report could be essential in the identification of longer-term trends and would allow a change of direction to reverse trends, if necessary.

I support the motion in Kenneth Gibson's name, on behalf of the Finance and Public Administration Committee.

**Liz Smith (Mid Scotland and Fife) (Con):** On a point of order, Presiding Officer.

I very much respect the Presiding Officer and the instructions that we receive from you, but I want to raise a serious issue. During this debate, I was provided with a note that said that I would not be permitted to speak in the debate, despite my being a member of the Finance and Public Administration Committee.

Although committee conveners are extremely important in the Parliament and have an important role to play in debates of this kind, I feel strongly that it is also the case that any committee member—indeed, any member of the Parliament—who would like to speak in a debate and has been accorded that facility by their whip's office should be permitted to do so.

I say that because there is an important point about democracy and how this place is run when it comes to scrutiny. It is important that members should be allowed to participate. Members of the committee—I think that the views that I am expressing are shared by other members of the committee—are on the front line of seeing all the evidence that informs debates of this kind. Therefore, Presiding Officer, I ask you to consider whether, in the future, it is appropriate that only conveners speak in these debates.

**The Presiding Officer:** Thank you for your point of order, Ms Smith.

At the Parliamentary Bureau this week, there was discussion about the format of this debate.

Today's conveners debate is a requirement under standing orders as part of the budget process—I can share the details with you. The point is to enable conveners to highlight the cross-party work of their committees in scrutinising the budget proposals. Tomorrow's stage 1 debate will be an opportunity for members across the chamber to make speeches.

However, I have heard your comments and I think that it is important that we keep our practices and procedures under review.



## Business Motion

17:03

### The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-02937, in the name of George Adam, on behalf of the Parliamentary Bureau, setting out a business programme.

#### *Motion moved,*

That the Parliament agrees—

(a) the following programme of business—

Tuesday 1 February 2022

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* First Minister's Statement: COVID-19 Update

*followed by* Scottish Government Debate: UK Elections Bill

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 2 February 2022

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Covid Recovery and Parliamentary Business; Net Zero, Energy and Transport

*followed by* Scottish Government Debate: Prevention of Homelessness Duties

*followed by* Scottish Government Debate: Scottish Income Tax Rate Resolution 2022-23

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.10 pm Decision Time

*followed by* Members' Business

Thursday 3 February 2022

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

*followed by* Members' Business

2.15 pm Parliamentary Bureau Motions

2.15 pm Portfolio Questions: Rural Affairs and Islands

*followed by* Scottish Labour Party Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 8 February 2022

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* First Minister's Statement: COVID-19 Update

*followed by* Scottish Government Business

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 9 February 2022

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Health and Social Care; Social Justice, Housing and Local Government

*followed by* Stage 3 Proceedings: Coronavirus (Discretionary Compensation for Self-isolation) (Scotland) Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.00 pm Decision Time

*followed by* Members' Business

Thursday 10 February

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

*followed by* Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Constitution, External Affairs and Culture

*followed by* Stage 3 Proceedings: Budget (Scotland) Bill

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 31 January 2022, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[George Adam]

*Motion agreed to.*

## Parliamentary Bureau Motions

17:04

**The Presiding Officer (Alison Johnstone):** The next item of business is consideration of nine Parliamentary Bureau motions. I call George Adam, on behalf of the Parliamentary Bureau, to move motions S6M-02938 to S6M-02946.

*Motions moved,*

That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 5) Regulations 2021 (SSI 2021/475) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 13) Regulations 2021 (SSI 2021/478) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 6) Regulations 2021 (SSI 2021/496) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 7) Regulations 2021 (SSI 2021/497) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 8) Regulations 2021 (SSI 2021/498) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment Regulations 2022 (SSI 2022/2) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment Regulations 2022 (SSI 2022/6) be approved.

That the Parliament agrees that the Scottish Child Payment Regulations 2020 and the Disability Assistance for Children and Young People (Scotland) Regulations 2021 (Miscellaneous Amendments) Regulations 2022 [draft] be approved.

That the Parliament agrees that the Scottish Local Government Elections Amendment Order 2022 [draft] be approved.—[George Adam]

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

## Decision Time

17:04

**The Presiding Officer (Alison Johnstone):** There are two questions to be put as a result of today's business. The first is, that motion S6M-02901, in the name of Kenneth Gibson, on committees' budget scrutiny, be agreed to.

*Motion agreed to,*

That the Parliament notes the pre-budget scrutiny undertaken by the Finance and Public Administration Committee, and other parliamentary committees.

**The Presiding Officer:** I propose to ask a single question on nine Parliamentary Bureau motions.

As no member has objected, the question is, that motions S6M-02938 to S6M-02946, in the name of George Adam, on behalf of the Parliamentary Bureau, on approval of Scottish statutory instruments, be agreed to.

*Motions agreed to,*

That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 5) Regulations 2021 (SSI 2021/475) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 13) Regulations 2021 (SSI 2021/478) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 6) Regulations 2021 (SSI 2021/496) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 7) Regulations 2021 (SSI 2021/497) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment (No. 8) Regulations 2021 (SSI 2021/498) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment Regulations 2022 (SSI 2022/2) be approved.

That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment Regulations 2022 (SSI 2022/6) be approved.

That the Parliament agrees that the Scottish Child Payment Regulations 2020 and the Disability Assistance for Children and Young People (Scotland) Regulations 2021 (Miscellaneous Amendments) Regulations 2022 [draft] be approved.

That the Parliament agrees that the Scottish Local Government Elections Amendment Order 2022 [draft] be approved.

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

## Domestic Abuse

**The Deputy Presiding Officer (Annabelle Ewing):** 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 final item of business is a members' business debate on motion S6M-01604, in the name of Katy Clark, on domestic abuse charges. The debate will be concluded without any question being put, and I ask members who wish to speak to press their request-to-speak buttons now.

### *Motion debated,*

That the Parliament understands that there were over 33,000 charges with a domestic abuse identifier reported to the Crown Office and Procurator Fiscal Service during 2020-21; believes with concern that this is a 9% increase on the year before and the highest figure reported in five years; notes that charges reported under the Domestic Abuse (Scotland) Act 2018 accounted for 4.7% of all domestic abuse charges reported; understands that, in 87% of domestic abuse cases, the aggressor was male, and that one-in-four cases was classed as common assault; notes the view that the Scottish Government must analyse and evaluate the outcomes of specialist domestic abuse courts in Glasgow and Edinburgh and how they compare to outcomes in other courts, and notes the calls on the government to heed the requests from women's aid charities for it to lay out a strategy for rolling out these specialist courts across the country.

17:07

**Katy Clark (West Scotland) (Lab):** I very much welcome the opportunity to discuss the significant problem of domestic abuse in Scotland and how the legal system deals with such situations. First, though, I want to record my thanks to members who have signed the motion in order to enable the debate to take place. I should also say that I want to focus on the issues involved in domestic violence charges rather than on rape and sexual offence cases, which I have spoken about previously and which the Government is, of course, considering in relation to the recommendations in Lady Dorrian's report on rape and sexual offence cases.

In 2020 to 2021, more than 33,000 charges with a domestic abuse identifier were reported to the Crown Office and Procurator Fiscal Service, which is a 9 per cent increase on the previous year. About one in four of those cases was classed as common assault.

Of course, many women and girls do not go to the police. The fact is that violence against women and girls is endemic in our society. That relates to wider issues and the power relationship between men and women, but the justice system has a track record of failing to deal with in an acceptable way many of the domestic abuse cases that are

taken to the authorities. Many women and girls who have suffered domestic abuse have described their experiences of the justice system as retraumatising, and it is clear that improving their experiences will require significant changes to the system.

Since the Scottish Parliament's creation, MSPs of all political parties have attempted to highlight the issue of domestic violence and to make legislative changes to improve handling of cases. Things have changed. For example, some parts of the country now have separate facilities for domestic abuse cases so that the complainer does not have to go through the unpleasant experience of attending court. Moreover, in some cases, evidence is sometimes taken by commission, which ensures that the victim does not have to go to court. That is particularly important for young children who have to give evidence.

My motion calls on the Scottish Government to analyse and evaluate the outcomes of specialist domestic abuse courts that have been operating in some parts of the country, particularly Glasgow and Edinburgh, and to lay out a strategy for rolling out specialist abuse courts across the country. Such courts potentially offer an opportunity to massively change the way in which domestic abuse charges are dealt with, through use of trauma-informed approaches, use of specialist premises, a focus on consistent sentencing and use of specialist prosecutors to deal with cases.

When the Parliament debated a Government motion on gender-based violence on 30 November 2021, Scottish Labour lodged an amendment that called on the Scottish Government to evaluate specialist domestic abuse courts with a view to rolling them out across the country. On that occasion, the Scottish National Party voted against that amendment, but I very much hope that the Scottish Government is willing to look again at the proposal. After all, that particular vote rested on a technicality, and I hope that the Government accepts that it has the power to introduce those courts throughout the country.

Last May, the Scottish Courts and Tribunals Service set up a pilot project for virtual summary criminal trials in Aberdeen and Inverness sheriff courts. After an interim report, a virtual trials national project board was established on which all interested groups were represented. In Aberdeen, the pilot was continued for only domestic abuse cases, with a remote facility being used for witnesses under the supervision of Victim Support Scotland.

Last week, the project board reported to the Lord Justice General and the Cabinet Secretary for Justice and Veterans, recommending that every sheriffdom has a dedicated specialist online court for domestic abuse cases. The report said

that a virtual dedicated specialist summary court would offer advantages by increasing protection and reducing trauma for complainers; making it easier for witnesses to give evidence; offering some efficiencies through reducing the amount of travel; maintaining efficiency and consistency; and by introducing trauma-informed practices. It also said that virtual courts had an impact in mitigating delays caused by the pandemic, given that about a quarter of all outstanding summary court cases are domestic abuse cases.

Victims groups, which have been campaigning for such courts, have been positive about the pilot, and I would also point out that, in its conclusions, the report said that representation had been received from defence agents that the accused had received a fair trial. That is, of course, one of the concerns that have been expressed about virtual courts.

It is clear that the ways in which the police, courts and wider legal system have operated in the past have not delivered justice to women, and I hope that the Scottish Government will be willing to act to introduce specialist domestic violence courts. There is a debate to be had on the extent to which those courts should be virtual, and I have no doubt that the Criminal Justice Committee will be looking at that aspect over the coming weeks as it considers the Coronavirus (Recovery and Reform) (Scotland) Bill.

Violence—and the fear of violence—touches all women's lives. I look forward to hearing members' contributions, and I hope that we will get action from the Government on this issue.

17:14

**Paul McLennan (East Lothian) (SNP):** I thank Katy Clark for bringing this important topic to the chamber.

As we have heard, domestic abuse charges in Scotland have increased for the fifth consecutive year. Katy Clark mentioned a figure of 33,000 cases; in my constituency, 111 incidents were reported last year, or one incident every three days. That figure alone is staggering, but the fact is that such figures do not reveal the true extent of domestic abuse in our communities.

I recently visited Women's Aid East and Midlothian. It was mentioned that one of the barriers to talking about the issue is getting what it sees as justice for the act that has been carried out. For a myriad of reasons, abusers are often not reported.

I will let the minister address in summing up the key point about domestic abuse courts that Katy Clark mentioned.

The scale of violence in our society has reached pandemic proportions. At its core, that violence is gender based, whether it is men's violence against women and girls or men's violence against men and boys. Domestic abuse that is perpetrated by men against women is rooted in women's unequal status in society. That is at the core of the problem, and men need to say that more and more. That is part of the wider social problem of male violence against women and girls.

Research from the University of Bristol reveals that sexism and misogyny set the scene for male abusive partners' coercive and controlling behaviours. Dr Jackson Katz's research delves even further into the root causes of male violence against women. His work focuses predominantly on attitudes and beliefs of manhood that society actively teaches. He encourages us not to think of men who are violent towards women as pathological monsters and individual perpetrators

"Because it is our society that's producing these abusive men on a regular basis, generation after generation, across class, race and ethnicity."

All the influences of rape culture, sport culture, porn culture, peer culture and media culture teach men certain lessons about manhood and social norms, which are produced and reproduced at every level.

Earlier today, I met Graham Goulden, who is formerly of the Scottish Violence Reduction Unit. That was an eye-opening meeting for me. He told me that the same system produces not only men who abuse, harm and are violent towards women, but men who abuse, harm and are violent towards men. That is not said in the spirit of minimising women's experience of male violence; rather, it illustrates that men and women have the common enemy of male violence. That recognition is important in helping us to frame male violence against women in a way that brings men into the conversation. Again, we need to do that more and more, and we have a leadership role in our Parliament to do that.

Men have been erased from much of the conversation on the subject, which is essentially about men. Campaigns such as the "Don't be that guy" campaign are so important because domestic abuse and violence against women and girls are symptoms of the socialisation of boys and the definitions of manhood that society creates and upholds, which lead to the current outcomes.

For so long, women have been the only ones to stand up and speak out against male violence. I know men who care deeply about the issue but caring deeply is not enough. We need more men to have the courage and strength to stand up and not remain silent in the face of abuse. We need men to challenge the behaviours and attitudes that, if left alone, manifest and transform into the

rape and murder of women. We need that abusive behaviour to be seen as unacceptable not just because it is illegal, but because it is wrong and unacceptable in peer culture.

As Jackson Katz has said, we need men to break the

“silence in male culture about this ongoing tragedy of men’s violence against women”.

I thank Katy Clark for lodging the motion.

17:18

**Russell Findlay (West Scotland) (Con):** I am very pleased to speak in the debate, which has been introduced by Katy Clark. I agree with her motion, with what she said and with the very important points that Paul McLennan made about the deep-rooted nature of some of the crimes and the responsibility of men across society to do something about that.

I have faith in the new Lord Advocate, Dorothy Bain QC, who clearly has her work cut out. She has not only been left with the mess of the Rangers FC malicious prosecutions cases that were caused by her male predecessors, but has even bigger issues in respect of the backlog of tens of thousands of criminal cases and how so many women and girls are still failed by the justice system. Last month, she candidly told the Criminal Justice Committee that victims of sexual offences might not be getting justice. Her candour is welcome.

Although anyone can be a victim of domestic violence, we know that the majority of victims are female. The national procurator fiscal for domestic abuse, Moira Price, recently said that the Crown

“takes a rigorous approach to crimes of domestic abuse and stalking ... This includes a presumption in favour of prosecution where there is sufficient evidence”,

better training and prosecutors working more closely with the police.

However, I still hear far too many accounts of women being failed by the justice system. In recent times, there has been the so-called “boys club” of police officers in Moray. A female police officer reported a catalogue of alleged bullying and criminality, but her concerns were ignored.

Victims of stalking tell me how the criminal justice system exacerbates their ordeal. Manipulative men abuse our courts by using spurious excuses to string out proceedings. That can last for years, and was doing so even before Covid. It is a control tactic and is, in itself, an extension of the stalking campaign.

There is also the story of the woman whose serious domestic violence case limped through the courts for four long years. Her attacker played the

system at every turn, seeking delays and giving excuses not to proceed. In the end, he was even allowed to strike a plea deal to have numerous charges either dropped or significantly watered down.

That brave woman, and many others, have told me that they would not go through that again. It is damning that they say that they would advise others in the same position not to engage with the system. Although I would not encourage that, I can see that those people have been through horrific ordeals.

Some criminals know that using the tactic known as “churn”, which is the constant delaying of cases, can result in witnesses moving on or forgetting key details, and in victims simply losing patience. There is also the practice of plea deals, which operates largely unseen by the public eye. I was pleased when the Lord Advocate recently gave a commitment, in response to a question that I asked, that plea deals will not be misused in order to meet the temptation for prosecutors to clear backlogs.

As Katy Clark is, I am interested in the report by the virtual trials national project board. Among other things, the report calls for specialist online courts to deal with domestic abuse cases. From what Ms Clark said, it sounds as if those have been successful and have been welcomed not only by victims but by legal practitioners and others who are involved in the process. The board reports that virtual trials would increase protection and reduce trauma for victims.

That is the sort of radical approach that the Lord Advocate should consider. Although she has victims on her side, and many MSPs back change, a challenge might come from the powerful legal lobby, which often seems to be culturally resistant to change. I am sure that we all wish her the best of luck.

17:22

**Pauline McNeill (Glasgow) (Lab):** I thank my colleague Katy Clark for bringing this important debate to Parliament, and I commend the excellent speeches by Paul McLennan and Russell Findlay.

Domestic violence must remain at the top of Parliament’s agenda because, by its very nature, violence by men against women is committed behind closed doors. It has become more prevalent during the pandemic and, sadly, the figures are heading in the wrong direction.

The men who think that they will never be held accountable when they use physical or psychological violence must fear a robust criminal

justice system. That is why specialist domestic abuse courts can play a significant role.

Male violence against women is endemic in our society. We have debated that many times. It is a global issue and it is on the rise globally.

If we are to have any chance of making serious inroads, as I have said many times, I believe that we need to start teaching our boys and girls from a young age what is and is not acceptable in relationships. I have discussed with the minister how cross-cutting programmes of justice, education and equalities that are being conducted are absolutely vital. I know that we agree on that.

There is talk of rape culture in schools and the sending of unsolicited photographs becoming commonplace. I read more about that every time I open a newspaper. The sexual violence that is inflicted on teenage girls is alarming—sadly, more so than it was a few years ago. That is something for Parliament to address. A recent report in *The Sunday Post* said that three out of five girls have endured some form of sexual harassment. We need a seismic shift in attitudes to reverse that trend, and we need to focus on what is happening in our schools and our education system.

I fully support the Government's Equally Safe at School programme, which promotes healthy relationships, and I support the work of Rape Crisis Scotland. We need to hear how the programme can be rolled out across the country.

The pandemic has highlighted just how unsafe home is for many women. The United Nations declared it a “shadow pandemic”, as women across the world faced being stuck with their abusers, unable to get help or respite. Lockdown also cut off children's access to safe spaces out of the home.

In 2020-21, the number of domestic abuse cases that were reported to the police was more than 65,000, which is a shocking statistic. When we consider that it is estimated that only one in 10 cases is reported, it gives us even more pause for thought. Specialist domestic abuse courts seem to be an appropriate way to address the magnitude of the problem of domestic violence. If we think that they are an appropriate solution, we need to ensure that they are rolled out.

Of course, domestic abuse does not only take the form of violence. Psychological abuse, such as coercive and controlling behaviour, can have a profound, damaging and long-lasting effect on an individual. It is a pattern of behaviour that is often not obvious at first, but it can do real damage. It has been a crime since 2019.

We also have to be alert to the fact that perpetrators often use social media and technology such as Apple AirTags to track their

victims. Isabelle Younane from Scottish Women's Aid said,

“Stalking and tech abuse are very real and dangerous forms of abuse—with survivors who are being stalked by their ex-partner often at risk of greatest harm.”

Given the scope that domestic abuse can take, we need specialist courts to provide the resources and expertise to deal with the issue.

I am glad to take part in the debate, although I am, obviously, sad to reflect on the figures. I know that there is, absolutely, energy behind the Government's approach to the issue. The energy is cross-party; it is not a party issue. Sadly, it is an issue for society to deal with. It is a not problem only in Scotland, but we are leading the way. We can continue to do so by further adopting domestic abuse courts and using our specialist prosecutors and others who work in our courts to provide a solution and to make it clear to any man or woman who wants to abuse that we have a robust system in place.

17:27

**The Minister for Community Safety (Ash Regan):** I thank Katy Clark for lodging the motion for debate today, and I commend her clear desire for action on the subject, which I share and am glad to see.

Domestic abuse has been one of the Parliament's priorities, and there has been a sea change in public attitudes since the Parliament was formed. In the not-too-distant past, all too often the dominant view was that domestic abuse was a private matter that took place behind closed doors and was no business of the criminal law or the justice system. Thankfully, that misjudged view has been well and truly demolished—there is a broad consensus that domestic abuse is a shared issue, and that an effective justice system response is essential in protecting victims.

The vast majority of domestic abuse is committed by men against women. I think that we all now recognise that it is not a women's issue, but women are disproportionately affected by it. Men have to take responsibility, and it is heartening to see so many men taking responsibility for their own actions, no longer being bystanders to the actions of others. That point was well made by Paul McLennan.

The Parliament has taken significant steps to improve the criminal law response to domestic abuse. In 2010, the Parliament acted swiftly to close a loophole in breach of the peace law with the introduction of a new offence of threatening or abusive behaviour. In 2016, the Parliament introduced a new statutory aggravation of domestic abuse and, in 2018, a new specific offence of domestic abuse was introduced. That

has been lauded by experts who work with victims of domestic abuse as being “world-leading” and “gold standard” legislation. Countries all over the world are looking to learn from the Scottish domestic abuse offence.

The new offence captures for the first time under the criminal law the totality of what domestic abuse is for victims. Conduct that is criminalised includes physical abuse as well as psychological abuse, which is all too evident in the coercive and controlling behaviours that are displayed by perpetrators. The value of having a law that captures such insidious behaviour is that victims, and those supporting victims, can see that the law is on their side. Perpetrators will also understand that behaviour amounting to coercive and controlling domestic abuse is not tolerated and can be dealt with under the criminal law.

The motion raises important issues about how the justice system can respond to domestic abuse and the role that specialist domestic abuse courts may have. I agree with many members, including Katy Clark and Pauline McNeill, that such courts play a significant role.

It is important to briefly remind the chamber that the operation of the criminal courts is the independent responsibility of the Lord President as head of the Scottish judiciary. Parliament has enshrined that independence in statute through the Judiciary and Courts (Scotland) Act 2008. As such, it is not for the Parliament or the Scottish Government to instruct the judiciary as to how the courts should operate. Where the judiciary itself considers it appropriate for specialist courts to operate, it is right for the Parliament and the Government to consider how best that can be supported.

On 21 January, the virtual trials national project board, chaired by Sheriff Principal Pyle, published a report on the piloting of virtual summary trials, recommending that specialist online courts be set up to tackle domestic abuse cases. That report highlighted the opportunity to mitigate the impact of the pandemic on court processes for survivors of domestic abuse, as well as to reduce trauma. We will now work with justice agencies to move the recommendations forward.

A key aspect of specialist domestic abuse courts is that they guide survivors through the process to sentencing with built-in advocacy support and appropriately trained staff. Specialist courts can have a significant role to play in delivering better access to justice. That is why there are specialist domestic abuse courts operating in Glasgow and Edinburgh—they are part of the way that the judiciary considers it best to deal with such offending in those areas.

The original pilot of a specialist domestic abuse court in Glasgow, which dates back to the mid-2000s, was positively evaluated and praised by victims organisations, resulting in its permanent establishment, and other courts followed. The motion refers, rightly, to evaluation of the benefits of specialist courts. I am aware that Katy Clark was not a member of the Parliament when the new offence of domestic abuse was being debated in 2018 and when there were discussions about specialist courts. At that time, the Parliament agreed that understanding better how different types of court deal with domestic abuse was an essential element in assessing the role that specialist courts could play. That is one reason why there is a statutory reporting requirement contained in the Domestic Abuse (Scotland) Act 2018, which requires the Scottish Government to publish information on the experiences of victims and witnesses in relation to the new offence. That information will be available in a series of reports, which we expect to be published later in 2022 and in 2023. Respecting the constitutional position of the Lord President, one of the reports will contain information from the Lord President as to how domestic abuse court business has been arranged to deliver efficient disposal of cases. The impact of the pandemic will permeate through the reports, from which I am sure that there will be further learning.

The motion notes that official figures reflect an increase in domestic abuse reporting—Katy Clark made that point in her speech. Although that is a stark reminder of how far we have to go to eradicate domestic abuse, it may also indicate that more victims are coming forward to make reports. Recent figures show that 84 per cent of court proceedings involving a charge under the Domestic Abuse (Scotland) Act 2018 are leading to a conviction, so I am encouraged that the law is doing exactly what it was intended to do.

Prioritisation of domestic abuse cases was a welcome decision taken by the Lord President early in the pandemic, as a recognition of the trauma of survivors. The Scottish Government funding of £50 million in this financial year to support the criminal courts system’s recovery from the pandemic was also an essential part of helping to deliver justice, including in domestic abuse cases.

This has been a useful debate and many important issues have been aired. I reaffirm the Scottish Government’s commitment to preventing and eradicating violence against women and girls. We will continue to support the work of justice agencies and the third sector in delivering better outcomes for survivors of domestic abuse.

*Meeting closed at 17:34.*

## Correction

Michael Matheson has identified an error in his contribution and has provided the following correction.

**The Cabinet Secretary for Net Zero, Energy and Transport (Michael Matheson):**

*At column 25, paragraph 5—*

*Original text—*

Electric vehicles have a key role to play, not least in helping us to reach our targets to cut emissions by 70 per cent by 2030 and to zero by 2045.

*Corrected text—*

Electric vehicles have a key role to play, not least in helping us to reach our targets to cut emissions by 75 per cent by 2030 and to zero by 2045.



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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