

Conveners Group
Meeting with the First Minister
Wednesday 8 October 2025

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CONVENERS GROUP

8th Meeting 2025, Session 6

CONVENER

*Liam McArthur (Deputy Presiding Officer)

GROUP MEMBERS

Karen Adam (Convener, Equalities, Human Rights and Civil Justice Committee)
Clare Adamson (Convener, Constitution, Europe, External Affairs and Culture Committee)
Ariane Burgess (Convener, Local Government, Housing and Planning Committee)
*Jackson Carlaw (Convener, Citizen Participation and Public Petitions Committee)
*Finlay Carson (Convener, Rural Affairs and Islands Committee)
Kenneth Gibson (Convener, Finance and Public Administration Committee)
Clare Haughey (Convener, Health, Social Care and Sport Committee)
Daniel Johnson (Convener, Economy and Fair Work Committee)
*Richard Leonard (Convener, Public Audit Committee)
Stuart McMillan (Convener, Delegated Powers and Law Reform Committee)
Edward Mountain (Convener, Net Zero, Energy and Transport Committee)
*Audrey Nicoll (Convener, Criminal Justice Committee)
*Douglas Ross (Convener, Education, Children and Young People Committee)
Collette Stevenson (Convener, Social Justice and Social Security Committee)
*Martin Whitfield (Convener, Standards, Procedures and Public Appointments Committee)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Bob Doris (Deputy Convener, Social Justice and Social Security Committee)
John Swinney (First Minister)

CLERK TO THE GROUP

Sigrid Robinson

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Conveners Group

Wednesday 8 October 2025

[The Deputy Presiding Officer opened the meeting at 12:00]

Meeting with the First Minister

The Deputy Presiding Officer (Liam McArthur): Good afternoon, and welcome to this meeting of the Conveners Group. We have received apologies from Collette Stevenson, so Bob Doris is attending the meeting on her behalf. I welcome him to the meeting.

The meeting is being held in public. I remind members that they do not need to operate their microphones. Due to their committee meetings running on, our colleagues Richard Leonard, Audrey Nicoll and Douglas Ross will join us slightly later in proceedings.

We have one agenda item, which is a meeting with the First Minister, whom I welcome back for a second session in successive weeks, with a refreshed cast at our end.

The First Minister (John Swinney): I suspect that that is a matter of debate. *[Laughter.]*

The Deputy Presiding Officer: It is all that we could do at short notice. I am sure that you are refreshed and ready to go at your end, too.

At our meeting in June, the group agreed that a new approach to meetings with the First Minister should be pursued, which involves splitting our time into two separate sessions, with half the number of conveners in each session. The meeting should last about an hour. In order for us to keep to time, it would be helpful if colleagues could keep their questions reasonably brief and if the First Minister could keep his answers similarly brief.

I invite Finlay Carson to kick off.

Rural Affairs

Carbon Budgets

12:02

Finlay Carson (Convener, Rural Affairs and Islands Committee): Good morning, First Minister. As we know, the agriculture sector is the cornerstone of our rural economy and our food security, but, as we are also aware, it plays a vital role in helping us achieve net zero. Farmers are already delivering significant sequestration through peatland restoration, soil management, the creation of hedgerows in woodland and so on.

It is essential that, as well as being ambitious, the forthcoming carbon budgets are practical and underpinned by realistic delivery plans that do not compromise food production, so I welcome the Government's decision to reject recommendations for compulsory livestock reductions, which would have had damaging consequences for our rural economy. Will the First Minister ensure that the proposed five-yearly carbon budgets strike the right balance between tackling climate change and maintaining the viability of Scotland's agriculture sector, particularly in our most rural areas?

The First Minister: That is certainly the objective of the Government's approach to the formulation of carbon budgets. That approach influenced the decision that Mr Carson correctly set out, which is the Government's position. Although we accept the headline levels of carbon reduction that the Climate Change Committee envisaged, we chose to take a different approach, particularly in relation to agricultural activity.

I accept entirely Mr Carson's point that good work is under way in the agriculture sector on decarbonisation. It is necessary to be mindful of issues connected to land use in relation to food production, which is a significant factor. Many innovations are emerging. When the Government was setting out its position, I attended the Royal Highland Show, where I saw a number of different ventures and encouraging propositions relating to the adaptation of agricultural practices to ensure that agricultural activity can be sustained on a basis that takes into account carbon sequestration. That is not in any way to take away from Mr Carson's point about existing practice in land use management.

That is the Government's intention, and it will be reflected in the climate change plans that are put to the Parliament.

Agriculture (Future Support)

Finlay Carson: The Agriculture and Rural Communities (Scotland) Act 2024, which gained

royal assent almost 18 months ago, will be important in enabling the carbon emission reductions to be delivered. That act should have paved the way for future support for agriculture and, ultimately, the replacement for the common agricultural policy.

However, funding for agriculture has flatlined; there is pressure on agriculture to reduce emissions; there continue to be delays in the introduction of a post-CAP system of support; and we have yet to see a rural support plan. What reassurance can the First Minister give Scottish farmers and rural communities that their interests remain a priority for the Scottish Government and that future support will be delivered in a timely and practical way?

The First Minister: I want to separate out a couple of those issues. In essence, the 2024 act sets out the framework through which we will take forward support for agriculture. I hope that that alone gives the sector confidence and assurance about the way in which the Government intends to proceed.

One of the fundamental elements of our approach is the fact that we have legislated for partnership working between the Government and the sector. That has been an essential hallmark of the approach that we have taken. I concede that some such partnerships do not lend themselves to speedy progress against timescales, but the framework is there to provide reassurance that the issues that Mr Carson raises will be properly considered by the Government and that the future of the rural economy remains an active priority. On a personal level, that matters to me, given that the communities that I have had the privilege to represent for the past 28 years include substantial agricultural communities.

The question of funding is in a slightly different category, because the arrangements for funding post Brexit have resulted in our not having access to the type of information that we would have had access to when we were part of the European Union. In providing ring-fenced funding for seven years, the EU's seven-year CAP programmes gave the agriculture industry a degree of line of sight and a level of confidence that I acknowledge that it does not have today.

To some extent, that situation has been addressed by the outcome of the United Kingdom Government's spending review, which has given us line of sight over a three-year period. The Scottish Government is considering such matters as part of its preparations for its own spending review, in order to provide as much certainty as we can to the sector.

I should sound a note of caution, in that we do not have the seven-year certainty that we had

under the CAP, but we have a better line of sight than we have had in recent years. This is the first period that I can remember since before Covid, and perhaps since as far back as 2018, in which we have had more than one year's funding information in front of us. We now have three years' worth, which is welcome. The Government will try to provide as much certainty as we can in that context.

Rural Support Plan and Policies

Finlay Carson: I want to press you on the issue of certainty, which the farming community does not have. Even though it is almost 10 years since we left the EU, we do not yet have a clear indication of what the policies are going to be; in fact, we have come to the end of the route map period. There has been no substantial policy change, and we are seeing a continuation of CAP policies. Some have described the Government's approach as a tartan CAP. There has been little change.

When will we have sight of the rural support plan that includes some of the policies that have been formed—quite rightly—as part of the co-design discussions with the agricultural community? The fact that we have not seen any policies is creating a huge degree of uncertainty.

The First Minister: I think that Mr Carson is being a trifle modest. If my memory serves me right—although I stand to be corrected—he was the person who called our current approach to agriculture a tartan CAP.

I take a different view. There has been a whole co-design process with the industry. We are taking an approach that meets Scotland's distinctive needs, which have been well articulated by the farming industry and reflected in the process that we have taken forward.

In that process, we must manage a number of different critical elements. First, there is the importance of the food supply to our economy. Secondly, there is the approach that we take to arable practice, which will be essential in supporting some of our key industries, not least of which is the whisky industry, which is a huge wealth generator in the economy. Thirdly, there is the requirement to take action in relation to climate change and decarbonisation. Fourthly, there is the wider question of the appropriate use of land for particular purposes.

Obviously, each of those four issues will be quite contested, some to a greater extent than others, so we must recognise that there is a need for us to have collaborative discussions and to come to conclusions. My engagement with the farming industry—Mr Carson will appreciate that I have significant engagement with the agriculture sector—gives me the sense that the industry feels

that it is influencing that agenda and is able to reflect those four different priorities. As I have said, some of those issues will involve a greater degree of challenge than others and will be the subject of greater dispute than others.

Committee Effectiveness

“Strengthening committees’ effectiveness”

12:11

Martin Whitfield (Convener, Standards, Procedures and Public Appointments Committee): Good afternoon, First Minister. There are several areas that I want to cover, but I will kick off with a question about my committee’s report on committee effectiveness.

I echo what you, as First Minister, and other representatives of the Government have said, which is that the issue that the report addresses is predominantly a matter for the Parliament and parliamentarians. Would you like to make any comments on our report at this stage, or are you content for me to delve into a couple of specific areas?

The First Minister: I am happy to respond. There is an extent to which I think that such issues are best addressed through cross-party discussions within Parliament. I am very open to having such discussions and would be happy to engage on any specifics.

Committee Size

Martin Whitfield: That is very helpful—thank you for putting that on the record. Indeed, that position was reflected by the Minister for Parliamentary Business throughout the committee’s work on its inquiry.

One of the interesting conclusions that we have come to with regard to the size of committees is that there seems to have been a feeling that, with larger committees, it is more of a challenge to reach agreement or consensus, or even to delve into issues. I know that you have had the benefit of being a member of quite a large committee. Do you have any comments to make about that? Would you welcome smaller committees that were more able to achieve their aims?

The First Minister: I intend to approach my answer to that question as a parliamentarian, not as First Minister, so the views that I am about to give are those of a parliamentarian.

In general, I think that large committees do not function particularly effectively, because their size hinders their ability to delve into particular issues and to ensure that members can properly use the allotted time to gather evidence and get to the nub of those issues. As First Minister, I might feel a bit uneasy and queasy about committees being able

to do that, but, as a parliamentarian, I think that that is a necessity.

However, there is a caveat to that, which relates to the need for political balance. In a committee of seven members—in fact, I will not go into specifics here, because that would involve delving into the d'Hondt system. Let me just say that, with smaller committees, it should be possible to ensure a breadth of representation across the political spectrum.

As a rule of thumb, I think that the larger the committee—and, if I may say so, as a parliamentarian, the larger the panel of witnesses—the more difficult it is to delve into issues in any meaningful way.

Committee Balance

Martin Whitfield: I certainly think that you would find consensus among parliamentarians on that argument.

Interestingly, you mentioned d'Hondt and the question of balance. Should it be a requirement for the balance to which you referred to be reflected on all committees, or is it more realistic—for a Parliament that is made up, in part, of members chosen through the d'Hondt list, to reflect the votes of the public—to seek to achieve a balance across the whole of Parliament's affairs? Should we take that approach, instead of tying ourselves up in very complex knots by trying to reflect that balance on individual committees?

12:15

The First Minister: If you try to reflect that committee by committee, you will end up with large committees—there is no way around that. In fact, you will probably end up not just with large committees but with shorter meeting times, because only a certain number of members can be spread across the committees. If I am to be consistent, the point that I have made about the importance of committees being able to delve deeply and forensically into particular issues lends itself to having smaller committees, which enables such scrutiny to take place.

However, there must be respect across the Parliament in ensuring that the voices of all parties are able to be heard, especially where those parties wish their voices to be heard. That is less relevant to my party, given the current parliamentary arithmetic, but, when we design committee membership, larger parties must be respectful of smaller parties being able to be more influential in the policy areas that their members wish to actively scrutinise. Of course, there is always the failsafe that any member can attend any committee meeting, but that begins to diffuse my central point, which is that a key purpose of the

committee structure must be the ability to delve deeply and forensically into whichever topics committees choose.

Subordinate Legislation (Quality of Drafting)

Martin Whitfield: That was very helpful. We should send a message to those in the next parliamentary session about the importance of everyone being part of the discussion about the creation of committees, albeit that we should reflect on the experience of parliamentarians, who have said quite strongly that larger committees can be less effective than smaller committees.

My second question is a short one. Do you, as First Minister, wish to comment on the quality of drafting of secondary legislation? In recent months, there have been some challenges in that regard, particularly with some instruments that came before my committee that needed to be amended, because of the quality of the drafting. I understand that you will be concerned about that. Have any steps been taken to find out what caused those problems and to ensure that they do not happen again?

The First Minister: Stuart McMillan, the convener of the Delegated Powers and Law Reform Committee, raised that issue last week, and I am very sympathetic to the point. Clearly, I have no interest in legislation coming forward that is not fit for purpose; that just causes us difficulty and embarrassment. The message has been heard loud and clear.

I understand that there was a particular issue with some Scottish statutory instruments about pensions. From my experience as a finance minister, I know that there is nothing simple about pension SSIs, but that is no excuse—it is just a recognition of the complexity involved.

Doing all that we can to ensure accuracy and precision in the drafting of legislation is paramount. In light of the engagements that I have had, I will discuss with the Minister for Parliamentary Business and Veterans exactly what we need to do to take account of that.

Cross-party Groups (Membership)

Martin Whitfield: That was very helpful.

I have a final question, which I promise will be brief. My committee is going to do a short inquiry on cross-party groups to provide advice for those in the next parliamentary session. It has become apparent that some civil servants and Government advisers have joined cross-party groups to contribute to them. Does the First Minister think that that is appropriate?

The First Minister: I have no inherent objection to that, but I would stipulate that any civil servant who contributes to a cross-party group must, at all times, observe the civil service code, which will put significant limitations on how such individuals can contribute. For example, a civil servant cannot contribute their own opinions—civil servants are there to reflect the Government’s perspective.

It is for the Parliament to consider the matter. There can be advantages in having civil servants present, because they might be able to provide factual information, represent the Government’s position and set out information to cross-party groups that are pursuing particular issues. However, I come back to my fundamental point that the civil service code must be followed in full in those circumstances.

Cross-party Group Membership (Civil Servants)

Martin Whitfield: Do you not see that conflict as an insurmountable challenge, particularly with regard to the civil service and cross-party groups, which are open for people to join because they are contributing knowledge, interest or opinion on a matter?

The First Minister: Mr Whitfield mentioned knowledge, information and opinion. I am all for the knowledge and for the information, but not for the opinion, unless it is the Government’s position.

I hope that that helps. I can see advantages in civil servants being present to provide information and expertise, but the civil service code must be applied all the time.

Government Transparency

GFG Alliance

12:21

Richard Leonard (Convener, Public Audit Committee): I apologise for being late. In my defence, the committee was considering a section 22 report on the University of the Highlands and Islands, Perth, which I know that you take some interest in, First Minister.

The First Minister: I am in close proximity to the institution, yes.

Richard Leonard: Indeed. Do you agree with your Minister for Public Finance that the fact that the GFG Alliance has not filed audited accounts with Companies House for years and is the subject of a Serious Fraud Office investigation into fraud, fraudulent training and money laundering is not a matter for him, or do you agree with the Auditor General, who says that these are “matters of concern”?

The First Minister: I think that both those statements can be true at the same time: they are matters of concern, but they are not matters for the minister. They are matters for concern—I agree—but, ultimately, they are matters for GFG.

Exposure to Risk

Richard Leonard: The Government has entered into an arrangement with GFG on two sites, but particularly the Lochaber smelter site, which, according to the last set of consolidated accounts of the Scottish Government, exposes us to a risk of about £130 million. There are risks involved in engaging with a company that does not have audited accounts and does not file accounts and which is the subject of a Serious Fraud Office investigation, surely.

The First Minister: I totally understand that concern and I would not, in any way, wish to diminish it. However, for completeness, I would say that, as well as there being some exposure to risk, there is also significant protection in the assets to which the Government has access, should those arrangements not continue to be serviced in the proper way that was envisaged in the agreement. There is therefore protection against exposure to risk for the public purse, but, fundamentally, the issues about the accounts and their orderliness and the engagement with the inquiries that are being undertaken are all a matter for GFG.

Ferguson Marine (Port Glasgow) Ltd

Richard Leonard: The Public Audit Committee will be looking into those arrangements, and we might make some recommendations on that. We have also been looking for a considerable time at the sustainability of Ferguson Marine (Port Glasgow) Ltd. When did you last visit the FMPG shipyard?

The First Minister: I am pretty sure that I have not visited as First Minister, so it will have been before 2023, but I had better give Mr Leonard a specific answer in writing after the meeting.

Investment in Ferguson Marine (Port Glasgow) Ltd Shipyard

Richard Leonard: I should declare my entry in the register of members' interests on this matter.

On Monday this week, the Deputy First Minister wrote to me in my role as the convener of the Public Audit Committee, because the committee had had concerns about the yard and had called for urgent investment to ensure its sustainability. A sum of £14.2 million has been set aside for capital expenditure. However, in the letter, the Deputy First Minister disclosed that just £570,000 has been spent on capex at Port Glasgow. Do you think that that gives the workers a fighting chance of winning competitions for future work?

The First Minister: What the Deputy First Minister explained in the letter is a narration of what has happened, but the commitments to investment remain in place and valid. There is a means by which we can make that investment, based on the progress and the plans that are coming from the yard. The business plans from the yard will fundamentally inform the decision making about future investment.

The best way for me to describe it is that it is an iterative process whereby the Government is engaging constructively with the yard. We have exactly the same aspirations: we want there to be a secure future for shipbuilding at Ferguson Marine, and we have to work with the yard and its leadership to make sure that we have in place the necessary steps to enable us to do that.

Richard Leonard: But this is couched in terms of the modernisation of the yard. If the yard is not modernised, it is not going to win future orders, is it?

The First Minister: In a sense, that is my point about the iterative process. As we see the plans emerging from the yard as to how that can be advanced, consideration can be given to the release of funding, which the Government has in principle committed to allocating. However, we must have a justifiable business case to make that

expenditure. In a sense, there is a link between that answer and how I answered Mr Leonard in relation to GFG. We must have a basis on which we can make that expenditure valid and defensible within the approach that we take to public investment.

Richard Leonard: Okay. I will leave it at that.

Petitions

Defibrillators

12:26

Jackson Carlaw (Convener, Citizen Participation and Public Petitions Committee):

As ever, we make representations to you, First Minister, on behalf of petitioners who have raised issues with us. We are currently considering, and have been for some time, two petitions on public access to defibrillators, which has also been a matter of considerable interest to colleagues who have participated in our consideration of the petitions. One of the petitions is on access in public spaces generally, and the other explores access in primary and secondary schools.

We understand the Scottish Government's position that a range of factors determine survival rates for out-of-hospital cardiac arrests. We have been a little disappointed that the Scottish Government has come to a slightly different conclusion than has been reached in the rest of the United Kingdom, where there is a more general provision of defibrillators than we are currently progressing with Government support in Scotland.

I understand the Government's position and the need to place defibrillators strategically in communities where the risk is highest. The Government has supported the development and launch of a public access defibrillator map, which has identified the most effective locations for new defibrillator installation, but our understanding is that it is being left to charities, businesses and individuals to fund defibrillators and the associated training in communities. That is at odds with the strategy that is being employed in every other part of the United Kingdom.

Now that communities in need have been identified using the map, will the provision to fill the gaps rely on ordinary people in high-risk areas knowing about the map and then proactively fundraising for defibrillators through charity programmes, or will the Government take the same interventionist role that Governments elsewhere in the United Kingdom have taken?

The First Minister: First, I acknowledge the importance of the issue that Mr Carlaw raises with me. Obviously, there is acute parliamentary interest in the issue, given the steps that have been taken by Rodger and Lesley Hill, particularly through the charity DH9 Foundation, in memory of David Hill, who is well known to all of us. I met Rodger and Lesley Hill in Bute House just a few weeks ago to take stock of the issues that they are raising. I listened with care, and I had officials with me at that time.

In the partnership Save a Life for Scotland, we have a focal point that draws together much of the activity in the area. That body is performing what I would call a co-ordinating function for many of the aspirations for the roll-out of defibrillator infrastructure in Scotland, part of which is being driven by community endeavour. I welcome that, and I am pleased that organisations and communities are taking that forward. For example, the map that Mr Carlaw talks about—the tool—was funded by the Scottish Government and St John Scotland.

12:30

Where I left it with Rodger and Lesley Hill was that we have an existing infrastructure in Scotland that is taking forward that co-ordinating role, but I have asked for further work to be done to explore whether the Government can do more to provide impetus to that. However, I do not want us to reinvent the wheel, when we have a partnership that is working perfectly well in rolling out defibrillators. In the communities that I represent, I see that defibrillators are now more obvious in more locations, which is welcome. Some of that is coming from charitable work and some from public sector work. If we can do more to provide impetus to that, I am open to the Government considering that, and I have asked for that feedback to be given to me as a consequence of that dialogue.

In short, there are two key points: first, it is welcome that there is a charitable, philanthropic and community endeavour to advance these questions. Secondly, I see a role for the public sector in that, but not in reinventing the wheel when a good organisation is already in place.

Jackson Carlaw: That is quite encouraging. The public access map illustrates that there are particular clusters where there is a considerable deficiency in the provision of defibrillators. Glasgow and the west of Scotland is one of those clusters. That is obviously concerning. If we simply leave that to charitable organisations and local fundraising, it is difficult to see that we are not creating a postcode lottery in the availability of the facilities, which would be deeply damaging.

The First Minister: That is essentially the point that I am anxious to address. From the exercise that I have asked to be carried out and the engagement with Save a Life for Scotland, I have invited the partners to submit a collective proposal on the best approach to increase defibrillator availability and usage in Scotland. If, from that analysis of the map, the type of situation that Mr Carlaw puts to me is apparent, there is a role for the public sector and other interested parties to address that.

University Hospital Wishaw Neonatal Unit

Jackson Carlaw: Another petition, which the committee considered further this morning, is on the potential downgrading of the neonatal unit at university hospital Wishaw. That followed a highly successful committee visit at which we met clinicians, staff and parents, some of whom had had a successful outcome and some of whom had had a less successful outcome.

The body that made recommendations on the centralisation of the service talked of a reduction from eight facilities to between three and five facilities. The current proposal is that we reduce the number to three, which would not include the facility at university hospital Wishaw, which serves the third-largest health board as well as all points south of Scotland to it.

The committee is still taking evidence on and investigating the issue, and we hope to be able to hear from the minister and the group that made the recommendations. However, there is real concern about any impetus being put behind that at present, when Glasgow, Edinburgh and Aberdeen are already finding it difficult to accept additional capacity. Given the very important and life-changing issues that are at stake, is the Government open to at least slowing down or pausing the implementation of the downgrade at university hospital Wishaw to allow further evidence to be taken to ensure that the reduction from eight to three facilities is the right decision, rather than a reduction from eight to four?

The First Minister: The Government's actions on the issue are all predicated on the taking of expert clinical opinion. The Government has considered that expert clinical opinion, which is taking us in the direction of implementing the proposals as they affect Wishaw hospital. One of the points that I have maintained—I think that I may have answered questions from Mr Carson in the past in relation to clinical advice on the sustainability of local facilities—is that I would be loth not to take due account of that clinical opinion in taking the steps that we are taking.

We have to be very careful about the language that we use, because the purpose of the changes that are being made is not to downgrade anything but to make sophisticated services available in a more limited number of locations in order to increase the effectiveness of those services. In the cases that are involved in this area of activity, we are dealing with extraordinary levels of specialism in relation to provision for babies, and the weight of the clinical opinion that we have considered in relation to solutions points us in the direction that we are taking.

We do our level best to engage with and consider the issues that petitions raise, but the

Government must also be mindful of the advice and the information that come to us. I cannot give a commitment to change the Government's timetable or approach, because we have taken quite some time to get to a position of understanding and appreciating the issues with which we are wrestling.

Social Justice and Social Security

Two-child Cap

12:35

Bob Doris (Deputy Convener, Social Justice and Social Security Committee): The Social Justice and Social Security Committee is awaiting subordinate legislation from the Scottish Government that will enable it to mitigate the UK Government's two-child cap from March next year. The Scottish Government's ambition is to lift 20,000 children out of poverty. There is speculation that the UK Government might introduce a taper to the two-child cap. Could that impact the Scottish Government's plans to deliver that important mitigation? In other words, could that complicate matters and result in the process not being as smooth as intended? Have you had any discussions with the UK Government to understand what any such taper might be worth either to Scotland's budget or to families living in poverty?

The First Minister: First, although I totally acknowledge the importance of the points that Mr Doris has put to me, those are points of speculation. We have no confirmed plans from the UK Government on that matter. Last Friday, the Cabinet Secretary for Social Justice wrote to the Secretary of State for Work and Pensions to seek clarity on the UK Government's plans, because, as Mr Doris is right to say, such plans could have an impact on the plans that the Scottish Government is taking forward. I cannot shed any light on the contents of the UK Government's proposals. I have read speculation in various media reports, but I cannot give a definitive view on that.

We are maintaining our approach, which involves applications for the two-child limit payment opening on 2 March 2026. That work is under way within the Government, and the Cabinet Secretary for Social Justice regularly reports to the Cabinet on it.

Bob Doris: As an individual, I want to give a cautious welcome to that, depending on what does or does not emerge from the UK Government. We do not know what will emerge yet, but I would not want an unintended consequence of UK Government policy to be that full mitigation could not take place from March next year. Are you confident that that mitigation can still happen?

The First Minister: We are proceeding with our plan to deliver full mitigation with effect from 2 March 2026, when applications will open. We are not changing our plan based on the speculation that we are hearing. If something is announced, we

will reflect on that, but, as things stand, the public in Scotland should be assured that the two-child limit will be lifted in the fashion that we have announced.

Anti-poverty Measures

Bob Doris: You have made it clear that, if the UK Government takes any action on the two-child cap, the Scottish Government will use any funds that are freed up as a result of not having to mitigate UK Government actions for other anti-poverty measures. As you might suspect, our committee has heard various calls from anti-poverty groups about what such additional anti-poverty measures should look like, but they do not always agree with one another. How will the Scottish Government set out its priorities? What is your early thinking on that?

The First Minister: The point of principle is that, should the UK Government obviate the need for the Scottish Government to take the action that we are proposing to take, we would allocate the resources that we were planning to use in that respect to other anti-child poverty measures. Those anti-child poverty measures are the subject of active discussion within the Government in relation to the formulation of the next tackling child poverty delivery plan, which requires to be published before the end of the parliamentary session.

I suspect that many of the options that have been put to the committee are options that have also been put to the Government, as we consider the best interventions that we can make. There will be a menu of interventions, and I want to reassure you that the Government is considering a range of questions in relation to housing; childcare support; transport issues; mental health and wellbeing support; wider literacy and numeracy programmes; and addiction issues in order to provide a range of topics to look at. I should add employability services to that list. There is a whole range of options, which the Government will consider, and we will also look with care at the issues that have been discussed in the Social Justice and Social Security Committee.

Child Poverty Policy Research

Bob Doris: Clearly, any anti-poverty measures, whether existing or future, must have a strong evidence base, and outcomes must be measured. The Social Justice and Social Security Committee has taken a keen interest in that. One of our previous recommendations was that the Scottish Government

"commissions further research into comparative policies for tackling child poverty across the UK."

I will leave that sitting there as a suggestion, First Minister, but the committee is also keen to look at the qualitative impact of anti-poverty measures. There is very little research about, for example, families who have moved from significant poverty to just before the relative poverty line but have not passed it, or families who were just outwith poverty and have substantially moved into more comfortable circumstances or circumstances in which difficulties as a result of income issues are more mitigated. Our committee is keen to see that research happen. Do you have any thoughts or reflections on those suggestions?

The First Minister: We certainly need to ensure that we take an evidenced approach to child poverty measures. That has been the underpinning of “Best Start, Bright Futures”, and much of that thinking has been gathered by looking at comparable experience in other parts of the United Kingdom and in countries outwith the United Kingdom. We have also looked at modelling by some stakeholders in order to make propositions to identify how best we can advance these matters. The willingness to have high-quality research is essential in underpinning the programme.

Education, Children and Young People

12:43

The Deputy Presiding Officer: Colleagues, I realise, rather belatedly, that I have not given you your formal responsibilities in calling you to speak, so I apologise. I will now rectify that by calling Douglas Ross on behalf of the Education, Children and Young People Committee.

Government Performance (Education)

Douglas Ross (Convener, Education, Children and Young People Committee): Mr Swinney, the Scottish National Party has been in power for 18 and a half years, and you have served in the Government for almost that entire period at some of the most senior levels, including as Cabinet Secretary for Education and Skills and, now, as the First Minister. Looking at education over that period, what do you identify as your Government’s biggest failure?

The First Minister: Let me address the question in a slightly different fashion. What we are about is making sure that we—

Douglas Ross: No, I am sorry, Mr Swinney, but this is a question that I am asking as the convener of the education committee. I know that you maybe do not want to have to answer it, but try to just think about it. Over that period, you served as education secretary, and there were many failures attributed to you personally; you are now the First Minister and your party has been in Government for 18 and a half years, so, looking at education specifically, what is the biggest failure?

The First Minister: We have to look at the record of the Government as a whole. Among the many things that the Government has delivered, early learning and childcare provision for three and four-year olds in Scotland has been more than doubled. That is contributing to the foundations of the best opportunities for young people in starting their lives. We have seen significant increases in positive destinations, where—

Douglas Ross: I know, and that is what is in your briefing pack—

The First Minister: No, it is not—

Douglas Ross: That is what you want to get out, but—

The First Minister: I am just explaining it to Mr Ross—

Douglas Ross: Can you answer the question? Can you not identify a failure in education over your time in Government of almost two decades?

The First Minister: I am simply setting out to Mr Ross some of the issues where the Government has delivered on education and the fact that—

Douglas Ross: Do you think that you have not had any failures in education in your time in Government?

The First Minister: We can now see that we have record literacy and numeracy levels in our primary and secondary schools, so that is—

Douglas Ross: What is so difficult about identifying a failure in almost two decades in power? Do you honestly think that people watching this would think that there have not been failures in education, over almost two decades in Government, during your time as education secretary and now as First Minister?

The First Minister: My interest is in setting out to people in Scotland the achievements that the Government has made and the difference that we have made by transforming lives.

12:45

Douglas Ross: But you also said that you would be honest with the people of Scotland.

The First Minister: I am being very honest.

Douglas Ross: So, have you failed in education?

The First Minister: No, we have not failed in education, Mr Ross.

Douglas Ross: You have not? There are no failures in education?

The First Minister: No, we have not failed in education, for the reasons that I just recounted. We have a significant increase in the positive destinations that have been achieved by young people as a consequence of their education. We have more young people from deprived backgrounds going to higher education than we had when we came to office. We have more than double the early learning and childcare provision in Scotland than we had when we came to office. We have record levels of literacy and numeracy in our schools. So—

Douglas Ross: For the record, are you saying that, as First Minister, as a former education secretary and as someone whose party has been in government for 18 and a half years, you cannot identify a single failure in education?

The First Minister: I am simply saying that the Government has delivered—

Douglas Ross: Yes or no. Are you saying that you cannot identify a single failure?

The First Minister: I am setting out what the Government has delivered on education.

Douglas Ross: I am sorry, but that is not a difficult question.

The Deputy Presiding Officer: I appreciate that there is a bit of back and forth here, but we need to hear from the First Minister. He can respond to that question and then you can put it to him again, but we need to hear from the First Minister.

Douglas Ross: The question again then, which was an easy one to start off with, because I assumed that the First Minister would be able to come up with at least one failure in education in more than 18 and a half years.

I will try once more, for the *Official Report*, and because I know that people will be watching, including parents, grandparents, carers, teachers, university lecturers and college lecturers—the whole gamut of education. It has been wholly devolved to the Scottish Government since 1999 and in the hands of the SNP since 2007, and the current First Minister and former education secretary cannot identify one failing in education during his Government's time in office.

The First Minister: I am simply explaining to the public—which I do openly, honestly and transparently—that the Government has focused on education policy to improve outcomes for young people, with young people going to more positive destinations than when we came to office. We have had more than a doubling of early learning and childcare. We have record literacy and numeracy levels in Scotland's schools. We have just had a fabulous exam diet, which was successfully delivered for young people the length and breadth of the country.

On the school estate, when we came into office, 62 per cent of schools were in good or satisfactory condition, and the figure is now more 91 per cent. There is a lot for Mr Ross to be able to satisfy his constituents that the Government has delivered.

Douglas Ross: But not to answer my question. People will be baffled by that, quite frankly, delusional answer that Scotland's First Minister gave.

The First Minister: Well, I do not—

Douglas Ross: Well, we are not allowed to interrupt today, according to the Deputy Presiding Officer.

The First Minister: With the greatest of respect—

Douglas Ross: With the greatest of respect—

The First Minister: With the greatest of respect, Mr Ross, I do not think that that is a particularly appropriate characterisation for a member of

Parliament to be throwing around the committee table.

Douglas Ross: I will repeat it.

The First Minister: Oh, here we go again.

Douglas Ross: It is delusional of a First Minister to say that there has not been a single failing in education, but let me move on.

The First Minister: Yes.

College Funding

Douglas Ross: We have had some very critical reports on funding for Scottish colleges, particularly on apprenticeship places. Can you tell us what the shortfall is in that regard? What is the number of apprenticeships that would be required but is not being met by your Government's funding?

The First Minister: The Government's funding provides for approximately 25,000 modern apprenticeships in Scotland. From my recollection, that is at the higher level of apprenticeship provision.

Douglas Ross: No, it is not; it is a reduction from previous years. The learning providers are requesting 34,000 places. In 2024-25, the Scottish Government provided 25,500, so there is a shortfall of more than 8,000. Do you accept that? Why is there a shortfall? Do you agree that apprenticeships are the driving force for our economy and that we need them? There is demand, but your Government is not meeting it.

The First Minister: It depends on whether all those places could be filled if they were available. There is comprehensive provision to 25,500, and there might well be an aspiration to go beyond that, but the Government has to make available the resources that it can to support that.

Douglas Ross: You say that there might well be an aspiration, but learning providers have asked your Government for it.

The First Minister: My characterisation of that is that that is their aspiration.

Douglas Ross: Are they asking for something that they do not need?

The First Minister: There has to be the ability to fill those places and to make sure that those places—

Douglas Ross: The providers say that there is. In fact, we are hearing at committee of a number of apprenticeship areas where demand far outstrips the supply.

The First Minister: Yes, but the issue is whether there are sufficient individuals to fill all those places.

Douglas Ross: That is what I just said.

The First Minister: Let us look at the levels of engagement and activity in the economy today. We find very high levels of engagement in the economy. The point that I am simply making on the resources that are available to the college sector, which have been enhanced this year in the Government's budget—

Douglas Ross: After some pretty drastic cuts in payments.

The First Minister: They have been enhanced this year, and we are living in the present.

Douglas Ross: I know that you do not like looking at the past. That was clear in answer 1.

The First Minister: I have just been talking about the past. I have been talking about the past for about 10 minutes, explaining the strength of the Government's record. I know that that might not sit comfortably with Mr Ross—

Douglas Ross: That is not an answer to my question.

The First Minister: But that is what I have been doing. The continued support for apprenticeships is at the heart of the Government's agenda.

Douglas Ross: It does not sound like that, though, because you are even questioning the 34,000 requests. That was in paragraph 82 of Audit Scotland's report from last week.

The First Minister: I am simply saying that there have to be the resources available to support those places.

Douglas Ross: But there is far more demand.

The First Minister: That demand has to be filled, if it can be filled.

Scottish Funding Council

Douglas Ross: Do you believe that the Scottish Funding Council has an issue with its independence from your Government?

The First Minister: No.

Douglas Ross: So why do board members of the Scottish Funding Council believe that there is?

The First Minister: I have not heard that.

Douglas Ross: Have you not? Do you not read *The Courier*? I thought that you would be a reader of *The Courier*.

The First Minister: I am a reader of *The Courier*, yes.

Douglas Ross: Well, it did quite a big piece on the issue. Alasdair Clark did an excellent article about a board meeting of the Scottish Funding

Council—it was an extremely difficult meeting for some, at which board members said that it seems that the SFC acts as a conduit for the Scottish Government and lacks independence from the Scottish Government. That also came up at our Education, Children and Young People Committee last week, and your minister was pressed on it. Did no one brief you on that ahead of this meeting?

The First Minister: Nobody from the SFC has come to me and said that they have a problem with its independence, no.

Douglas Ross: Members of the SFC have made that very clear in an internal meeting. Last week, Richard Maconachie from the SFC confirmed that those discussions had been held. As I say, it has been well publicised in your local paper that there is a concern.

If there is a concern, even if you do not accept it because apparently you have not heard about it, how would you distance the Scottish Funding Council from the Scottish Government to alleviate the concerns that it is not independent enough of your Government?

The Deputy Presiding Officer: First Minister, if you could respond to that, I am going to have to come to Audrey Nicoll after this.

The First Minister: The statute is clear on the relationship between the Government and the Funding Council and between the Funding Council and institutions, and the Government works consistently with that approach at all times.

Douglas Ross: Thank you very much, Deputy Presiding Officer.

Criminal Justice

12:53

The Deputy Presiding Officer: I invite Audrey Nicoll to ask questions on behalf of the Criminal Justice Committee.

Early Release of Prisoners

Audrey Nicoll (Convener, Criminal Justice Committee): Good morning, First Minister, and apologies for my late arrival.

My first question is on emergency early release of prisoners. As the First Minister is aware, there was a further announcement on that just last week. Scotland is obviously not unique in grappling with stubbornly high prison numbers, and we know that the factors behind the issue are complex. An issue of concern for many is that of reoffending following release, so what assurance can the First Minister give that the process that is being used to identify prisoners who are eligible for release is robust and proportionate but, above all, takes account of public safety concerns?

The First Minister: I obviously acknowledge the sensitivity about that particular issue, and the Cabinet Secretary for Justice and Home Affairs has been setting out to Parliament the necessity for the actions that the Government is taking as a consequence of the rise in the prison population. In the proposals that the Government has brought forward, there are a range of protections in that respect. Prisoners who are convicted of sex offences or domestic abuse offences or who have previously served sentences for or have unspent convictions for domestic abuse would not be released, so that is one level of protection.

Once all those issues have been worked through—obviously, the approach that the Government has proposed is available only to short-term prisoners who are within 180 days of their original release date, so it is for a proportion of the prison population, with significant caveats—there is also the opportunity for a governor veto in the provisions. At three different levels, there is protection in decision making about which individuals should be identified for release and how those steps should be taken.

Long-Term Plans for Prison Population

Audrey Nicoll: I will ask a supplementary question. Emergency early release eases pressure on the prison population, but it is a short-term solution to an enduring and complex issue. What other measures are being taken to ease the prison population in the longer term, so that we can reach the point where our prisons not only accommodate those whose offending merits

imprisonment but also provide a rehabilitative environment and support our objective to reduce reoffending in a more meaningful and sustained way?

The First Minister: One challenge that we face with the prison population is that an increasing number of prisoners are being sentenced for longer periods. A larger cohort will be in prison for longer as a consequence of such sentences. In essence, that means that that proportion of the prison population is larger than would have been the case in the past. The measures that we then have to concentrate on relate to the number who are there for short-term periods and those on remand.

The Government has in place a presumption against short sentences. We still have a large number of people who are sentenced for short periods, which is a matter entirely for the courts. However, the Government has to recognise that, if we are to do anything about that, we have to be able to support alternatives to custody so that we can avoid individuals being sentenced and going into custody in the first place. That has been the subject of extra investment from the Government for community-based disposals, which are, in my view, a productive and effective alternative to being put into custody.

The Government will take forward a range of measures in consultation with the criminal justice system to make sure that we are doing as much as we can to address that.

Substance Use in Prisons

Audrey Nicoll: As we have time for a second supplementary question, I will move on to the impact of substance use in prisons. The profound impact of substance use is as much a social justice challenge as it is a criminal justice one, and it intersects closely with the Scottish Government's priorities to eradicate child poverty and deliver quality health services across Scotland.

Given the current prison population and the well-established link between overcrowding and increased drug-related harm in prisons, what steps is the Scottish Government taking to ensure that substance use services in prisons are adequately resourced and accessible? The First Minister might know that the Criminal Justice Committee has just concluded an inquiry on that issue.

The First Minister: I welcome the committee's interest in that. The Cabinet Secretary for Justice and Home Affairs and the Minister for Drugs and Alcohol Policy attended the committee's inquiry, and I welcome that engagement. The steps that have to be taken are influenced by the point that I made about prison overcrowding. We are in a situation in which the ability to deliver rehabilitative

services in prisons is significantly constrained by the prison population. There is a relationship between the two. It is vital that we get the prison population to a level whereby we can deliver constructive interventions to provide alternative courses for individuals.

There has to be close alignment with the delivery of healthcare in prisons so that there is an opportunity for prisoners to be properly supported. There must also be the ability to provide constructive pathways for individuals as a consequence of their release from prison when that comes. Just a couple of weeks ago, I visited HMP Perth to see its new venture in relation to employment for prisoners. It is a partnership with the car company Toyota that enables prisoners, with the collaboration of Dundee and Angus College, to develop skills in motor engineering. It also has a construction and catering academy of the same type.

Those are very good examples of trying to provide alternative pathways for individuals and ways of ensuring that they can take a different course.

Audrey Nicoll: Thank you very much. I have another very quick question.

The Deputy Presiding Officer: It must be very quick, as we are at 1 o'clock.

Synthetic Substances

13:00

Audrey Nicoll: I commend the work that HMP Perth and HMP Grampian are doing on rehabilitation. You may have heard on your visit that one of the growing threats to society and to the prison environment is the growth in the use of highly toxic synthetic substances such as nitazenes. How does the Government plan to address changes in drug use in society and in prisons that arise from those far more toxic substances and ensure that tackling substance use remains a priority in the next parliamentary session?

The First Minister: A number of steps across a number of spheres of activity will be necessary. In the prison environment, the necessity of effective and rigid controls over any substances that may get into prisons is an absolute priority for the Scottish Prison Service. Indeed, I discussed those issues with the leadership of HMP Perth when I visited. That robust approach to ensuring that drugs are not able to make their way into prisons is vital.

In wider society, we have to take forward the necessary awareness-raising measures so that there is wide awareness of the dangers of those drugs and the increased threat that they pose to

public health. There must also be effective criminal justice interventions, which Police Scotland and the Crown Office are taking forward, to ensure that the public are protected in that respect. On all fronts, we have to be absolutely active and vigilant to ensure that that is the case.

The Deputy Presiding Officer: That brings us to the end of the time that we have available. I thank the First Minister for sparing the time to be with us again this week.

Our next meeting is on Wednesday 26 November, when we will hear from the Minister for Parliamentary Business and Veterans. We will advise on other agenda items nearer to the time.

Meeting closed at 13:02.