

Friday 01 March 2019

SCOTTISH GOVERNMENT

Economy

Stewart Stevenson (Banffshire and Buchan Coast) (Scottish National Party): To ask the Scottish Government what assistance it will make available to fish processors and exporters of live marine animals in the event of a hard deal Brexit.

(S5W-21412)

Fergus Ewing: It is likely that the impact of a no deal Brexit will have catastrophic consequences for the seafood processing sector in Scotland and for adaption of live marine animals. Our seafood sector will be severely impacted by disruption at the port of Dover which will jeopardise the just in time nature of the seafood supply chain. The seafood sector will also be required to comply with a range of additional administrative burdens, in particular, the requirement for export health certificates for all seafood consignments being exported to the EU. We anticipate at least a four-fold increase in the requirement for export health certificates, with a potential additional cost to the industry of over £15 million per year.

The Scottish Government continues to press DEFRA on our proposals for controlling import and exports to the UK. We have flagged the additional costs associated with additional certification requirements and have asked for the UK Government to support these costs and also sought their agreement to swiftly seek a temporary derogation from export health certification requirements, a measure strongly supported by the seafood sector in Scotland.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government what evaluation it has made of the Scottish Legal Aid Board's funding for the programme, Making Advice Work.

(S5W-21554)

Jamie Hepburn: Evaluations of the Making Advice Work programme were conducted by the Scottish Legal Aid Board in 2014 and 2017. They are available on the Scottish Legal Aid Board web site.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government how many families have been supported by the funding for the Scottish Legal Aid Board programme, Making Advice Work.

(S5W-21555)

Jamie Hepburn: The Making Advice Work programme is not targeted at families. The Scottish Government does not hold this information.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government for what reason it is reducing funding for the Scottish Legal Aid Board programme, Making Advice Work.

(S5W-21558)

Jamie Hepburn: The Scottish Government continues to provide £2.7 million to fund 27 advice projects as part of the Scottish Legal Aid Board programme. Nonetheless, in the face of tightening budgets resulting from the UK Government's continuing austerity programme, we must target our funding to ensure it goes where it is most needed. We have therefore had to take the difficult decision not to continue funding of some of the Scottish Legal Aid Board projects which overlapped other funding from Scottish, UK and local governments. We will be working with affected projects in the coming weeks to offer support for the transition away from Scottish Government funding.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government whether it receives a share of the Financial Conduct Authority debt advice levy, and, if so, how much this has been in each of the last five years.

(S5W-21560)

Jamie Hepburn: The debt advice levy was devolved on 1 January 2019. The Scottish Government received £1,479,363 in respect of January to March 2019.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government where any funds that it has received from the Financial Conduct Authority debt advice levy will be allocated in 2019-20, broken down by project or organisation.

(S5W-21561)

Jamie Hepburn: Allocation of funding for 2019-20 is still under consideration.

Education, Communities and Justice

Kezia Dugdale (Lothian) (Scottish Labour): To ask the Scottish Government what resources it has allocated to monitor the use of social media by people who are on parole to ensure that they do not breach their parole conditions, and how such monitoring is carried out.

(S5W-21507)

Humza Yousaf: The monitoring and supervision of people on parole is the responsibility of Criminal Justice Social Work (CJSW) departments and is met

from the annual Scottish Government allocation of grant funding for CJSW to each local authority.

Liam McArthur (Orkney Islands) (Scottish Liberal Democrats): To ask the Scottish Government, further to the answer to question S5T-01479 by Humza Yousaf on 5 February 2019 (*Official Report*, c 7), how many complaints it has received regarding the reported allegations of mismanagement and a cover-up at the former Scottish Crime and Drug Enforcement Agency.

(S5W-21527)

Humza Yousaf: The Scottish Government has found no record of any historic complaint on this issue, but this would have been a matter for SCDEA at that time, which was accountable to the board of the Scottish Police Services Authority (SPSA). Complaints against the Police are rightly handled independently of Scottish Ministers.

No complaints have been received by the Scottish Government since the matter was reported in the press. The functions and duties of the SCDEA and the SPSA Board have transferred to the Chief Constable and the SPA, both of which have statutory responsibilities for maintaining complaints systems and their oversight. Were a complaint to be received, the complainant would be advised to direct the complaint to Police Scotland in the first instance.

Liam McArthur (Orkney Islands) (Scottish Liberal Democrats): To ask the Scottish Government, further to the answer to question S5T-01479 by Humza Yousaf on 5 February 2019 (*Official Report*, c 7), whether it will provide an update on its scrutiny of the reported allegations of mismanagement and a cover-up at the former Scottish Crime and Drug Enforcement Agency after the relevant legal decisions have been made.

(S5W-21528)

Humza Yousaf: This is an operational policing matter and it is important to let Police Scotland and the Scottish Police Authority determine their response before considering any further options around the scrutiny or investigation of these allegations.

The Chief Constable has asked DCC Fiona Taylor to lead a review of the chronology, previous investigations and what steps were taken at the relevant time. He will report her findings to the Scottish Police Authority by the end of March 2019, including a consideration of what further steps, if any, are required.

Liam McArthur (Orkney Islands) (Scottish Liberal Democrats): To ask the Scottish Government under what protocol might it invite another police force to carry out an investigation into policing in Scotland.

(S5W-21529)

Humza Yousaf: This is an operational matter for the Chief Constable but I will be seeking assurances from the SPA, as the body responsible for the governance of Police Scotland, that it is satisfied that this matter is being investigated appropriately and that Police Scotland has robust management structures and processes in place to prevent this happening in future.

Liam McArthur (Orkney Islands) (Scottish Liberal Democrats): To ask the Scottish Government whether it will provide an update on the "technical issue" that is currently affecting data from 2014-15 on its Crime and Justice – Publications – Prisons webpage.

(S5W-21538)

Humza Yousaf: The Scottish Government holds detailed historical prison population data up to 2014. This dataset was used to produce the annual prison statistics reports published on the Scottish Government website.

As explained in the answer to S5W-20884 on 30 January 2019, the dataset was compiled by the Scottish Government using daily extracts from the live Scottish Prison Service operational database. Due to technological difficulties arising when the Scottish Government server was upgraded in 2014, it is no longer possible to support what was a complex and resource intensive data cleaning and compilation process. Since 2014, the Scottish Prison Service have continued to extract the data, but it is not currently held in an analysable format.

The Scottish Government are currently working with the Scottish Prison Service to develop a shared approach to publishing the data captured by the operational database (as well as the range of historical data held) and making more data and information accessible to users. When the shared approach has been agreed with the Scottish Prison Service, the Scottish Government will provide an update for users via the Scottish Government webpages and other appropriate communication channels.

All answers to written parliamentary questions are available on the Parliament's website, the search facility for which can be found at <http://www.parliament.scot/parliamentarybusiness/28877.aspx>.

Liam McArthur (Orkney Islands) (Scottish Liberal Democrats): To ask the Scottish Government whether it will provide a demographic breakdown of the current prison population, disaggregated by ethnicity.

(S5W-21539)

Humza Yousaf: The following table shows the prison population on 18 th February 2019, disaggregated by ethnicity:

<u>Ethnicity</u>	<u>Number of prisoners</u>	<u>% of total prison population</u>
African	53	1%
Asian, Asian Scottish Or Asian British	130	2%
Caribbean Or Black	45	1%
Mixed Or Multiple	27	0%
Other Ethnic Group	54	1%
White	7,653	96%
Total	7,962	100%

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government how much income each Citizens Advice Scotland bureau has generated as a result of the funding for the Scottish Legal Aid Board programme, Making Advice Work.

(S5W-21556)

Jamie Hepburn: The Scottish Government does not hold this information.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government how much additional income each Citizens Advice Scotland bureau has brought in as a result of the funding for the Scottish Legal Aid Board programme, Making Advice Work.

(S5W-21557)

Jamie Hepburn: The Scottish Government does not hold this information.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government when Police Scotland will publish its research into the amount of time that police officers spend at A&E departments.

(S5W-21585)

Humza Yousaf: This information is not held by the Scottish Government. Decisions about the publication of internal research are a matter for Police Scotland. You can contact Police Scotland by writing to Chief Constable Iain Livingstone QPM, Police Scotland Headquarters, Tulliallan Castle, Kincardine, FK10 4BE.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government when it will bring forward measures to improve the input that victims and their families have into the temporary release process.

(S5W-21586)

Humza Yousaf: The Scottish Government is committed to improving the information and support available to victims and families when prisoners are released. We recognise that the release process can be unfamiliar and distressing for family members.

That is why we have established a Victims Taskforce to identify ways to improve support, advice and information available for victims of crime and their families as they interact with the Scottish criminal justice system. This programme of work will be informed directly by victims themselves. The Taskforce will have an oversight role to the suite of Programme for Government commitments related to victims, which includes ensuring that victims and their families have better information and greater support ahead of prison release arrangements.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government what action it is taking to improve community payback order completion rates.

(S5W-21587)

Humza Yousaf: Local authorities are responsible for delivering community sentences and national completion rates for Community Payback Orders (CPOs) are 70%, as reported in the Criminal Justice Social Work statistics for 2017-18.

The Scottish Government is working with national and local partners including Community Justice Scotland, Social Work Scotland, the Care Inspectorate, local authorities and third sector partners to help ensure orders are implemented as effectively as possible and improve completion rates where possible.

Updated CPO Practice guidance was published on 25 January 2019 which supports effective practice, and included a focus on breach and compliance, and reiterates the importance of successful completion.

Community Justice Scotland will lay two reports in Parliament in March based on local authority CPO annual returns, and the Care Inspectorate is leading on scrutiny and assurance activity of community justice and criminal justice social work in Scotland, with an emphasis on CPOs. This was specifically requested by the Scottish Government and was informed by analysis of last year's Criminal Justice Social Work statistics. The latest statistics will inform further engagement with local authorities as we work to ensure community sentences are as effective as possible.

Effective use of CPOs has contributed to a 19 year low in reconviction rates and additional funding has been provided for community sentences since

2016-17. This additional funding increased to £5.5 million in 2018-19, and has been protected in the draft budget for 2019-20.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government, further to the answer to question S5W-12110 by Michael Matheson on 3 November 2017, whether it will provide an update on the (a) status of the consultation and (b) the work that it has carried out with the justice and third sector partners.

(S5W-21679)

Humza Yousaf:

As set out in Programme for Government we want to have restorative justice services widely available across Scotland by 2023 and will publish a Restorative Justice Action Plan by Spring 2019 that will set out how we will deliver this aim.

We are working in collaboration with a range of partners to develop the Action Plan. This has included issuing a questionnaire to Local Authorities, the report from which was published in June 2018

(<https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2018/06/restorative-justice-survey-response-analysis/documents/0619124e-706e-4abb-81a4-070e1de8bd55/0619124e-706e-4abb-81a4-070e1de8bd55/govscot:document>), and holding two stakeholder workshops in November 2018. We are also engaging with members of the Restorative Justice Forum.

Further consultation activity will be undertaken prior to finalising the Action Plan. This will include consulting on an order under section 5(2) of the Victims and Witnesses Act 2014, to prescribe who must have regard to the 'Guidance for the Delivery of Restorative Justice in Scotland'.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government, further to the answers to questions S5W-12112 and S5W-12113 by Michael Matheson on 3 November 2017, whether it is now in a position to list the types of restorative justice processes that are available, broken down by (a) local authority area and (b) when the availability commenced.

(S5W-21680)

Humza Yousaf:

The following report, which was published in June 2018, details the results from a questionnaire completed by local authorities to establish a baseline of how restorative justice practices are being delivered across Scotland.

(<https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2018/06/>

restorative-justice-survey-response-analysis/documents/0619124e-706e-4abb-81a4-070e1de8bd55/0619124e-706e-4abb-81a4-070e1de8bd55/govscot:document).

I also refer the member to the answer to question S5W-21679 on 1 March 2019. All answers to written parliamentary questions are available on the Parliament's website, the search facility for which can be found at <http://www.parliament.scot/parliamentarybusiness/28877.aspx>

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government, further to the answer to question S5W-12111 by Michael Matheson on 3 November 2017, whether it now holds this data and, if (a) so, whether it will publish the information that was requested, and (b) not, whether it will confirm which agency collates this.

(S5W-21681)

Humza Yousaf: The information requested is not held centrally. I also refer the member to the answer to question S5W-21679 on 1 March 2019. All answers to written parliamentary questions are available on the Parliament's website, the search facility for which can be found at <http://www.parliament.scot/parliamentarybusiness/28877.aspx>.

Maurice Golden (West Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government what its position is on making pet theft a specific offence.

(S5W-21683)

Humza Yousaf: While there is no specific criminal offence of “pet theft”, the existing common law offence of theft offers robust protection against those who engage in this type of offending behaviour, with the court retaining a wide judicial discretion in sentencing decisions to reflect the individual facts and circumstances of each case.

The Scottish Government has no plans to introduce a new specific criminal offence of “pet theft”. However, we keep the criminal law under review.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government how many people have been detained in prison in each year since 1999, also broken down by how many were recorded as (a) being homeless and (b) having a reliance on drugs or alcohol prior to sentencing.

(S5W-21707)

Humza Yousaf: I have asked Colin McConnell, Chief Executive of the Scottish Prison Service (SPS), to respond. His response is as follows:

The Scottish Prison Service does not hold the information you request.

Information on the average daily prison population and the maximum daily prison population for each establishment is detailed in Appendix 2 of SPS' Annual Report and Accounts each year. These reports can be found on SPS' website at <http://www.sps.gov.uk/Corporate/Publications/Publications.aspx>

Whilst we do not hold information on the number of people being homeless or having a reliance on drugs prior to sentencing, SPS' Prisoner Survey contains information on accommodation and drug use. These surveys can be found at <http://www.sps.gov.uk/Corporate/Publications/Publications.aspx> and may provide some useful information.

Adam Tomkins (Glasgow) (Scottish Conservative and Unionist Party):

To ask the Scottish Government what progress it has made in implementing the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok rules).

(S5W-21715)

Humza Yousaf: Scotland has established standards for the treatment of women in a custodial and non-custodial setting, which comply with the broad principles set out in the Bangkok Rules.

In December 2017, the Scottish Government published its response to the UN Human Rights Council recommendations following the third Universal Periodic Review of the UK. This response can be found at <https://www.gov.scot/publications/universal-periodic-review-human-rights-united-kingdom-december-2017-scottish/> and includes information specifically on women prisoners.

In addition, the Scottish Government will shortly publish a position statement on activity in Scotland to implement the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. This will also include a specific section on women prisoners and increasing use of alternatives to custody for women, including through the extension of the presumption against short sentences.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government how many former police stations and premises Police Scotland has (a) put up for sale and (b) sold, and whether it will provide a list of these.

(S5W-21734)

Humza Yousaf: The Scottish Government does not hold this information. The Scottish Police Authority has responsibility for the police estate. I have asked the Chief Executive, Hugh Grover, to write to you with this information.

Mark McDonald (Aberdeen Donside) (Independent): To ask the Scottish Government how much has been distributed each year to each school in the Aberdeen City Council area in pupil equity funding, also broken down by the year-on-year change for each school.

(S5W-21748)

John Swinney: The school level Pupil Equity Funding allocations for all three years of the funding from 2017-18 to 2019-20 are available on the Scottish Government website at <https://www.gov.scot/policies/schools/pupil-attainment/> and can be filtered by council area. It should be noted that some of the school level allocations have been redacted as they may be disclosive to individuals.

Jeremy Balfour (Lothian) (Scottish Conservative and Unionist Party): To ask the Scottish Government by what date it plans to make a decision on the Rapid Rehousing Transition Plan.

(S5W-21759)

Kevin Stewart: There is no single rapid rehousing transition plan for Scotland but 32 individual rapid rehousing transition plans developed by each local authority. Officials are currently in the process of reviewing all 32 rapid rehousing transition plans. Individual tailored feedback to each local authority will be provided by the end of March 2019. Thereafter, officials will work with local authorities to develop their rapid rehousing transition plans where necessary.

Jeremy Balfour (Lothian) (Scottish Conservative and Unionist Party): To ask the Scottish Government what the process is and timescales are for signing off and rolling out the Rapid Rehousing Transition Plan across Scotland.

(S5W-21760)

Kevin Stewart: There is no single rapid rehousing transition plan for Scotland but 32 individual rapid rehousing transition plans developed by each local authority. Officials are currently in the process of reviewing the rapid rehousing transition plans and individual tailored feedback will be provided to each local authority by the end of March 2019. Thereafter, officials will work with local authorities to develop their rapid rehousing transition plans further where necessary.

The Scottish Government expects rapid rehousing transition plans to commence from 1 April 2019 and we will be working with local authorities to support them to do this.

Jeremy Balfour (Lothian) (Scottish Conservative and Unionist Party): To ask the Scottish Government, where the full funding allocation requested by local authorities is not being fulfilled, which areas of the Rapid Rehousing Transition Plan it will prioritise, or whether such decisions would be at the discretion of individual councils.

(S5W-21761)

Kevin Stewart: Individual tailored feedback on the rapid rehousing transition plan will be provided to each local authority. Once the feedback is provided, officials will hold individual discussions with each local authority to ensure that a joint approach to making appropriate funding available in support of each plan is agreed.

Organisational Development and Operations

Michelle Ballantyne (South Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government what its recruitment strategy is for attracting assessors for work capability assessments, or the Scottish equivalent.

Holding answer issued: 01 March 2019

(S5W-21375)

Shirley-Anne Somerville: A holding answer was provided.

Michelle Ballantyne (South Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government whether it will provide details of the training that will be given to Social Security Scotland staff carrying out work capability assessments, or the Scottish equivalent, and how much it will cost to provide this training.

Holding answer issued: 01 March 2019

(S5W-21376)

Shirley-Anne Somerville: A holding answer was provided.

Transport Scotland

Tavish Scott (Shetland Islands) (Scottish Liberal Democrats): To ask the Scottish Government, further to the answers to questions S5W-17072 by Humza Yousaf on 13 June 2018 and S5W-18848 and S5W-20848 by Michael Matheson on 27 September 2018 and 17 January 2019, which each said that

an announcement regarding the future of Air Discount Scheme would be made "in due course", in light of the current scheme ceasing on 1 April 2019, whether it will confirm by what date the announcement will be made.

(S5W-21378)

Michael Matheson: The Scottish Government is committed to the continuation of the Air Discount Scheme and will make a formal announcement before the current scheme ends.