

Wednesday 29 May 2019

SCOTTISH GOVERNMENT

Economy

Angela Constance (Almond Valley) (Scottish National Party): To ask the Scottish Government what progress has been made in publishing statistical information regarding the devolved employment service, Fair Start Scotland.

(S5W-23483)

Jamie Hepburn: Fair Start Scotland (FSS) is Scotland's devolved employability support service and is designed to offer personalised support on a voluntary basis to help people, including those who are further removed from the labour market, who want help to find work and stay in work.

The Scottish Government has proactively published information on its devolved employability services since December 2017. Today we are publishing the third set of statistics on Fair Start Scotland, outlining performance during the first twelve months of operation. In addition, for the first time the Scottish Government will report on employment outcomes for this new service.

These statistics show a total of 10,063 people joined Fair Start Scotland in its first year.

The publication also provides further information on the transitional services introduced in April 2017 and the Health & Work Support Pilot, which launched in June 2018.

We will continue to publish statistics on Fair Start Scotland on a quarterly basis.

Jackie Baillie (Dumbarton) (Scottish Labour): To ask the Scottish Government how it defines the term "commercial" in the context of the equality impact assessment of the Scottish National Investment Bank Bill, which refers it to giving "financial assistance to commercial activities".

(S5W-23159)

Derek Mackay: In referring to "financial assistance to commercial activities" the Equality Impact Assessment is in turn referring to Section 2(1) of the Scottish National Investment Bank Bill and that section mirrors what is provided for in Schedule 5 of the Scotland Act 1998. In this context "Commercial" refers to business activities that are profit-making or aim to be profit-making, carried out by business associations of various types, that the Bank may be interested in providing financial assistance to.

Jackie Baillie (Dumbarton) (Scottish Labour): To ask the Scottish Government how much of the £2 billion investment in the proposed Scottish National Investment Bank is financial transaction money.

(S5W-23163)

Derek Mackay: The Scottish Government is providing an initial £490 million of capital in the form of Financial Transactions through the £150 million Building Scotland Fund (over 2018-21) and a further £340 million (over 2019-21) for other pre-cursor Bank investments. These commitments were announced in the 2018-19 draft budget. Further capitalisation of the Bank will be made from future Scottish budgets.

Jackie Baillie (Dumbarton) (Scottish Labour): To ask the Scottish Government what the source is of the £2 billion investment in the proposed Scottish National Investment Bank.

(S5W-23164)

Derek Mackay: I refer the member to the answer to S5W-23163 on 29 May 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>.

Jackie Baillie (Dumbarton) (Scottish Labour): To ask the Scottish Government by what date the (a) ethical code and (b) strategic framework for the proposed Scottish National Investment Bank will be published.

(S5W-23165)

Derek Mackay: It will be for the Bank to prepare and publish its own Ethical Code or Statement, setting out how it will meet the objectives set for it by Scottish Ministers in this regard. The Scottish Government expects this to occur as soon as it is practicable following the Bank's creation. The strategic framework for the Bank is under development and we intend for this to be published in draft later this year, although some formal elements, in particular the shareholder framework for the Bank, can only be finalised when the Bank is created.

Jackie Baillie (Dumbarton) (Scottish Labour): To ask the Scottish Government how the proposed Scottish National Investment Bank will assess societal value in its lending and investment.

(S5W-23166)

Derek Mackay: In addition to traditional measures of financial performance, the Bank will measure societal value through a range of indicators, aligned to the National Performance Framework, covering the economic, social and environmental impact of its activity.

Jackie Baillie (Dumbarton) (Scottish Labour): To ask the Scottish Government for what reason the proposed Scottish National Investment Bank will not fund public sector projects.

(S5W-23167)

Derek Mackay: Initial capitalisation of the Bank will be provided through Financial Transactions, a form of capital budget allocated by HM Treasury to the Scottish Government which can only be deployed as loans or equity investment for activities undertaken by a non-public sector body. Financial Transactions can be provided to social enterprises, third sector and cooperatives. For example, Financial Transactions have been used to fund housing provision by affordable housing providers, like housing associations.

Jackie Baillie (Dumbarton) (Scottish Labour): To ask the Scottish Government how much financial transaction money is being used to resource the proposed Scottish National Investment Bank.

(S5W-23168)

Derek Mackay: I refer the member to the answer to question S5W -23163 on 29 May 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>.

Jackie Baillie (Dumbarton) (Scottish Labour): To ask the Scottish Government whether financial transaction money can be used to fund the third sector, social enterprises and co-operation.

(S5W-23169)

Derek Mackay: I refer the member to the answer to question S5W-23167 on 29 May 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>.

Jackie Baillie (Dumbarton) (Scottish Labour): To ask the Scottish Government how it defines the term "private sector" in the context of the proposed Scottish National Investment Bank's lending solely to the private sector.

(S5W-23170)

Derek Mackay: The Policy Memorandum set out that: "The Bank will lend solely to the private sector" and that: "It will not lend to public institutions including local authorities, government agencies or arms-length bodies." In this context we have used 'private' to refer to sectors out with the public sector. The Bank will be able to provide financial assistance for commercial activities, which may be carried out by a range of bodies such as social enterprises, those in the third sector and cooperatives, as well as other types

of body or organisation in the private sector. See also the answer to question S5W-23167 on 29 May 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>.

Mary Fee (West Scotland) (Scottish Labour): To ask the Scottish Government how many young people were not in work, training or education in the 2018-19 financial year, broken down by age.

(S5W-23289)

Jamie Hepburn: Latest information published in 'The Annual Participation Measure for 16-19 years olds in Scotland 2018', published by Skills Development Scotland estimates that in 2018 7,242 16-19 year olds were not in education employment or training. (436) aged 16, (1,852) aged 17, (2,626) aged 18, (2,328) aged 19.

Mary Fee (West Scotland) (Scottish Labour): To ask the Scottish Government whether it records what sectors young people enter when going into employment or training.

(S5W-23290)

Jamie Hepburn: Information is available from the Annual Population on industry of employment by age. Table 1 provides estimates of the number of 16-24 olds employed in Scotland by industry sector.

Table 1: Total employment (ages 16-24) by broad industry sector, Scotland, 2018

Broad industry sector	Total employment
A: Agriculture & fishing	4,000
B,D,E: Energy & water	9,000
C: Manufacturing	21,000
F: Construction	25,000
G,I: Distribution, hotels & restaurants	136,000
H,J: Transport & communication	13,000
K-N: Banking, finance & insurance etc	43,000
O-Q: Public admin, educ & health	51,000
R-U: Other services	25,000
All 1	330,000

Source: Annual Population Survey, Jan-Dec 2018

Notes:

1. Industry of employment is self-reported. Total employment includes those who did not provide a response to this question.

Alex Cole-Hamilton (Edinburgh Western) (Scottish Liberal Democrats):

To ask the Scottish Government, further to the to answer to question S5W-2124 by Fiona Hyslop on 1 February 2019, by what date in 2019 it will publish its Culture Strategy for Scotland.

(S5W-23339)

Fiona Hyslop: The Scottish Government is continuing to develop the final Culture Strategy and plans to publish it later this year.

Education, Communities and Justice

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government how many times new psychoactive substances have been found in prisons in each of the last five years.

(S5W-23097)

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

There were 25 occasions in 2019 where forensic testing confirmed the possession of psychoactive substances.

There were 3 occasions in 2017 and 3 occasions in 2018 when this was also the case. No incidents were recorded in 2015 or 2016.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government how many prisoners have received medical attention due to the use of new psychoactive substances in each of the last five years.

(S5W-23098)

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

This information is not held by the Scottish Prison Service. Responsibility and accountability for the provision of healthcare in Scottish prisons transferred to the National Health Service (NHS) in November 2011. As such, all healthcare records and management information is held by the NHS.

SPS' Management of an Offender at Risk due to any Substance Policy (MORS) provides staff with guidance on how to manage a person at risk due to the concealment or ingestion of any substance, including Psychoactive

Substances. This includes ensuring those in our care receive the appropriate medical support.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government how many prison officers have received medical attention due to the passive inhalation of new psychoactive substances in each of the last five years.

(S5W-23099)

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

SPS began recording instances of staff requesting medical attention as a result of reported exposure to unknown substances in April 2018.

Since then there have been 86 members of staff who have sought medical attention, reporting that they have felt unwell and potentially under the influence of an unknown substance.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government how many prisoners have been hospitalised due to the use of new psychoactive substances in each of the last five years.

(S5W-23100)

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

This information is not held by the Scottish Prison Service. Responsibility and accountability for the provision of healthcare in Scottish prisons transferred to the National Health Service (NHS) in November 2011. As such, all healthcare records and management information is held by the NHS.

SPS' Management of an Offender at Risk due to any Substance Policy (MORS) provides staff with guidance on how to manage a person at risk due to the concealment or ingestion of any substance, including Psychoactive Substances. This includes ensuring those in our care receive the appropriate medical support.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government how many prison officers have been hospitalised due to the passive inhalation of new psychoactive substances in each of the last five years.

(S5W-23101)

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

SPS began recording instances of staff requesting medical attention as a result of reported exposure to unknown substances in April 2018.

Since then there have been 86 members of staff who have sought medical attention, reporting that they have felt unwell and potentially under the influence of an unknown substance.

SPS does not hold information on how many of these staff members went on to receive hospital treatment for passive inhalation.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government what action the Scottish Prison Service has taken to tackle the use of new psychoactive substances in prisons.

(S5W-23102)

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

It would be inappropriate to place into the public domain specific details of all the responses deployed to tackle illicit drug use in Scottish Prisons.

SPS has established a Strategic Risk and Threat Group to identify emerging threats and coordinate tactical responses. This group is responsible for the management of large scale searching across the prison estate. SPS also has an established Technical Support Unit which provides specialised equipment to support national search operations.

Tactical measures are supported by various technologies, including X-ray machines, body scanners and other equipment which can assist in detecting attempts to introduce illicit substances to prisons. SPS also has a number of drug detection dogs.

To promote awareness of psychoactive substances (PS), SPS staff have also been made aware of the key methods used in attempts to introduce PS and are being encouraged to focus on these factors whilst undertaking their duties. SPS staff also carry out regular searches of people in our care, staff, visitors and items posted/handed into prisons.

It is regrettable that, despite robust security processes some individuals are ultimately successful in bypassing these. SPS and Police Scotland continue to work closely to share information to prevent the introduction of illicit substances and seek convictions where appropriate.

SPS will continue to evolve our understanding of the use of psychoactive substances and deploy a range of tactics charged with addressing the alleged use of such substances within Scottish prisons.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government what guidance there is for prison staff on helping prison officers who have been affected by the passive inhalation of new psychoactive substances.

(S5W-23103)

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

SPS has developed Operational Guidance to support staff to better understand Psychoactive Substances, their harmful effects and how they should minimise exposure to unknown substances during the course of their duties.

Health experts in Psychoactive Substances have supported SPS in developing guidance on the appropriate first aid response and the potential longer term impact after exposure. These groups are working with us to develop harm reduction guidance for people in our care and awareness training for staff.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government how many prisoners have been convicted of offences in relation to the use of new psychoactive substances in prisons in each of the last five years.

(S5W-23104)

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 collate the information centrally. Individuals found in possession of an illicit substance, including psychoactive substances, will be referred to Police Scotland.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government what research it has undertaken regarding the impact on prison staff of fumes and smoke from prisoners' use of new psychoactive substances.

(S5W-23105)

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

SPS continues to work alongside justice sector partners to understand the risks of psychoactive substances. SPS is a member of the Psychoactive Substances Centre for Excellence Working Group alongside representatives from Scottish Government, Police Scotland, Scottish Ambulance Service, NHS and subject matter experts in the field of illegal drug use.

SPS has also engaged with independent experts such as CREW 2000 and NHS Clinical Consultants to share knowledge and expertise, leading to a better understanding of the challenges presented.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government when it last published an annual report on its serious organised crime strategy.

(S5W-23153)

Humza Yousaf: The Serious Organised Crime Taskforce published an annual report on 3 November 2016 and plan to publish a further update on progress in implementing Scotland's Serious Organised Crime Strategy later this year.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government what action it has taken to divert individuals from serious organised crime in (a) schools, (b) communities and (c) prisons since June 2015; how it has evaluated this activity's effectiveness, and what the result of this evaluation was.

(S5W-23155)

Humza Yousaf: The Scottish Government and its partners on the Serious Organised Crime Taskforce have supported a wide range of activities in schools, communities and prisons since June 2015. These activities include The Slide education resource about a young person's involvement with drugs and the Team Building and Leadership course for young offenders at HMYOI Polmont which encourages participants to reflect on their behaviours and attitudes. These activities are delivered by partners and overseen by the Divert subgroup whose chair reports on progress to the Taskforce.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government whether it has surveyed awareness of serious organised crime in the private, public and third sectors since June 2015, and whether it will provide the data from any such surveys.

(S5W-23156)

Humza Yousaf: The Scottish Government published a report on public perceptions of organised crime in Scotland on 4 June 2018, a copy of which can be found on the Scottish Government's website at <https://www.gov.scot/publications/public-perceptions-organised-crime-scotland/>. The Scottish Government also published research commissioned on behalf of the Serious Organised Crime Taskforce into community experiences of serious organised crime in Scotland on the same date. A copy of this report can be found on the Scottish Government website at

<https://www.gov.scot/publications/community-experiences-serious-organised-crime-scotland/>.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government how many people have been (a) charged and (b) convicted under sections 28 to 31 of the Criminal Justice and Licensing (Scotland) Act 2010 in each year since its commencement.

(S5W-23157)

Humza Yousaf: Sections 28 to 31 of the Criminal Justice and Licensing (Scotland) Act 2010 commenced on 13th December 2010. Section 29 relates to the recording of aggravators and is not an offence in itself so there are no charges or convictions under this section of the Act.

(a) Information on the number of people charged is not held centrally. The Crown Office & Procurator Fiscal Service have provided the following table.

Charges reported to COPFS under Sections 28-31 of Criminal Justice and Licensing (Scotland) Act 2010

Charge Description	Financial Year Reported							
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
S28(1)	11	101	112	108	157	101	97	48
S30(1)(A)	-	*	*	14	*	30	*	20
S30(1)(A) & S30(2)	-	-	-	*	*	*	-	-
S30(1)(B) & 30(2)	-	*	-	-	-	-	-	*
S30(1)(B)	-	9	14	20	29	9	17	5
S31(1)(A) & B(I)	-	-	*	*	-	*	*	*

S31(1)(A) & B(II)	-	-	-	6	*	*	-	*
Grand Total	11	113	141	151	212	147	125	79

* = data suppressed

COPFS does not normally disclose statistical information for data entries of fewer than 5 to ensure it meets its obligations under the Data Protection Act 2018. As such, where the number of charges is fewer than 5, these figures have been replaced with an asterisk. In some cases it may be necessary to apply a further suppression to a figure equal to or higher than 5 to prevent other suppressed data being deduced through subtraction. This applies to all data published by COPFS where Data Protection considerations apply.

(b) Information on people convicted in Scottish courts is provided in the following table.

People convicted of offences under Sections 28-31 of Criminal Justice and Licensing (Scotland) Act 2010, where main charge

Main charge	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Total convicted	-	-	-	3	2	6	4	4
S 28(1)	-	-	-	2	1	3	3	2
S 30(1)(A)	-	-	-	1	1	3	1	1
S 31(1)(A) & B(I)	-	-	-	-	-	-	-	1

Source: Scottish Government Criminal Proceedings database

Please note that there should be no direct comparison between the two sets of data, where SG data is based on number of people prosecuted at disposal date based on the main charge, COPFS data is based on actual charges reported as at report date.

Liam Kerr (North East Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government how it has monitored the use of serious crime prevention orders since their introduction, and whether it will provide any data or reports produced from this.

(S5W-23158)

Humza Yousaf: Since the introduction of serious crime prevention orders (SCPOs) in 2016, the Scottish Government has met and corresponded regularly with relevant stakeholders including Police Scotland and the Scottish

Prison Service to monitor their use and to consider issues around their future use and effectiveness.

The Serious Organised Crime Taskforce will be reporting on the use of SCPOs to date as part of a wider update on progress in implementing Scotland's Serious Organised Crime Strategy later this year.

Annie Wells (Glasgow) (Scottish Conservative and Unionist Party): To ask the Scottish Government how many dog control notices have been issued in each of the last five years in (a) Scotland and (b) the Glasgow local authority area under section 1 of the Control of Dogs (Scotland) Act 2010.

(S5W-23186)

Ash Denham: The requested information is set out in the following table. Each year covers the period from 27 February to 26 February of the following year.

Number of Dog Control Notices Issued Per Year

Local Authority	2013-14	2014-15	2015-16	2016-17	2017-18	Total
Aberdeen City	5	8	6	1	6	26
Aberdeenshire	10	4	11	10	26	61
Angus	2	2	2	11	19	36
Argyll & Bute	9	16	17	24	20	86
Clackmannanshire	0	0	3	1	5	9
Comhairle nan Eilean Sair	3	5	4	2	2	16
Dumfries & Galloway	14	7	28	17	18	84
Dundee City	4	15	15	17	31	82
East Ayrshire	4	0	5	2	1	12
East Dunbartonshire	5	5	0	1	3	14
East Lothian	17	11	7	4	2	41
East Renfrewshire	0	0	0	0	2	2
City of Edinburgh	5	17	14	5	0	41
Falkirk	14	4	19	4	7	48
Fife	48	57	44	56	59	264
City of Glasgow *	0	1	0	-	-	1
Highland	14	23	30	29	14	110
Inverclyde	0	1	0	1	0	2
Midlothian	4	13	7	10	17	51
Moray	2	2	4	3	3	14
North Ayrshire	2	7	4	9	20	42
North Lanarkshire	0	0	1	3	7	11
Orkney	1	4	8	2	2	17
Perth & Kinross	10	9	11	10	14	54
Renfrewshire	26	21	15	20	19	101

Scottish Borders	10	11	1	15	3	40
Shetland Islands	0	0	0	0	2	2
South Ayrshire	0	0	3	6	5	14
South Lanarkshire	3	11	3	2	5	24
Stirling	6	2	8	4	13	33
West Dunbartonshire	0	1	4	4	8	17
West Lothian	26	20	16	17	6	85
TOTAL	244	277	290	290	339	1440

* City of Glasgow Council - Figures for 2016-17 and 2017-18 were request but no reply was received.

Neil Findlay (Lothian) (Scottish Labour): To ask the Scottish Government what its response is to Eveline Lubbers' report, *Political Undercover Policing in Scotland*.

(S5W-23236)

Humza Yousaf: The Scottish Government has been Judicially Reviewed regarding its decision not to hold a public inquiry into undercover policing in Scotland. The decision reached by Lady Carmichael in November 2018 to dismiss the petition on all counts is currently subject of an appeal. As such, this remains a matter for the courts.

Shona Robison (Dundee City East) (Scottish National Party): To ask the Scottish Government what action it is taking to support the development of social housing in Dundee.

(S5W-23260)

Kevin Stewart: Over this parliamentary period, the Scottish Government has allocated Affordable Housing Supply Programme funding of over £75m to the City of Dundee to meet their strategic housing priorities and over the first two years of this parliament, 216 new affordable homes were completed. Scottish Government funding will continue to support both Housing Associations and Dundee City Council's new build programme to deliver a range of housing in a mix of affordable tenures, but primarily focusing on social rented housing.

Michelle Ballantyne (South Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government how much funding it has provided to the Heriot Watt School of Textile and Design in each of the last 10 years.

(S5W-23308)

Richard Lochhead: The Scottish Government provides funding to universities in Scotland, including Heriot-Watt, via the Scottish Funding Council; this includes grants for teaching, research, and capital. As

autonomous institutions, it is for each university to determine how to best use this funding to meet the outcomes set out by Scottish Ministers; as such, information on funding to the School of Textiles and Design is not held centrally.

Health and Social Care

Bill Kidd (Glasgow Anniesland) (Scottish National Party): To ask the Scottish Government what progress has been made on the independent review of the Queen Elizabeth University Hospital, NHS Greater Glasgow and Clyde.

(S5W-23473)

Jeane Freeman: The Independent Review is being co-chaired by Dr Andrew Fraser, Director of Public Health Science, NHS Health Scotland and Dr Brian Montgomery, former Medical Director and former interim Chief Executive of NHS Fife. The co-chairs have reviewed a considerable amount of documentation and consulted extensively. They have also sought advice from experts from different fields with the aim of appointing individuals to the Independent Review panel or asking them to lead advisory work-streams as part of the review process.

As a result of their work so far, the co-chairs have drafted Terms of Reference for the review, and will be seeking feedback from stakeholders to ensure that the review remains correctly focused.

As the review progresses, regular updates will be provided by the co-chairs, and where significant findings emerge these will be reported and acted on promptly.

It is essential that those affected by the issues examined by the Independent Review have the opportunity to have their views heard. The co-chairs therefore welcome communications on the matters being considered by the review. A website is currently being procured and is likely to be up and running by 1 July 2019. In the interim, the Independent Review team can be contacted at: information@queenelizabethhospitalreview.scot.

The Independent Review must remain flexible to accommodate valuable inputs, in order to produce a thorough, searching review of all key events and issues at stake, and to make recommendations to ensure that NHS Scotland continue to support the delivery of world class health care.

Annie Wells (Glasgow) (Scottish Conservative and Unionist Party): To ask the Scottish Government whether it will bring payments under the Scottish Infected Blood Support Scheme in line with those in England, and what the reasons are for its position on this matter.

(S5W-23071)

Joe FitzPatrick: Overall funding for infected blood support in Scotland remains proportionately higher than in England on a population basis and our support is based on recommendations agreed with Scottish stakeholders through both the Financial Review Group in 2015 and the Clinical Review on the impacts of chronic hepatitis c in 2018. Funding for the Scottish Infected Blood Support Scheme (SIBSS) was also significantly increased in December 2018 in response to the recommendations made by the Clinical Review.

While payments for some groups may appear to be higher for those on the English Infected Blood Support Scheme (EIBSS), in some areas SIBSS payments remain higher and so we would not wish to consider parity with the English scheme if that means that some SIBSS beneficiaries lose out financially. For example, those SIBSS beneficiaries with chronic hepatitis c have all received an additional £30,000 lump sum payment, with those with chronic hepatitis c and also HIV having received an additional £50,000 lump sum. Neither EIBSS beneficiaries nor those on the Welsh or Northern Irish schemes have received these payments. In addition, widows, widowers or partners of those who have died who are registered with EIBSS are only entitled to means tested payments if they are on a low income, whereas widows, widowers and partners registered with SIBSS receive higher levels of payments which are not means tested. They receive the full amount of annual payment their spouse or partner would have been receiving if they were alive for the first twelve months after their death and, from then on, 75% of what they would have been receiving.

The Scottish Government will keep payments in Scotland under review at this stage and plans to meet Ministers from the Department of Health and Social Care and the Welsh Government and officials from the Northern Irish administration to discuss what may be possible to achieve greater parity across the UK in the longer term.

Stuart McMillan (Greenock and Inverclyde) (Scottish National Party): To ask the Scottish Government how many people convicted of murder or culpable homicide continue in a state institution once a successful appeal to the Mental Health Tribunal for Scotland results in them leaving The State Hospital.

(S5W-23077)

Clare Haughey: A person will only be released where the Tribunal is not satisfied; that the person has a mental disorder, or that the person requires to be detained in hospital for the protection of any other person from serious harm.

Stuart McMillan (Greenock and Inverclyde) (Scottish National Party): To ask the Scottish Government what assistance is provided to families giving victim statements to the Mental Health Tribunal for Scotland.

(S5W-23078)

Clare Haughey: I have asked Dr J Morrow, President of the Mental Health Tribunal for Scotland to respond. His response is as follows:

The Mental Health Tribunal for Scotland (“the Tribunal”) does not provide direct assistance to families giving victims statements.

The Tribunal does however, provide detailed information about the Tribunal’s processes. Additionally, at the time of writing, to seek representations the Tribunal provides a telephone number and email address which can be contacted to seek clarification on the process.

In addition, the Scottish Government provides signposting to Victim Support Scotland in their Victim Notification Scheme information booklets and all their correspondence.

Stuart McMillan (Greenock and Inverclyde) (Scottish National Party): To ask the Scottish Government what checks are carried out before informing a victim or the family of a victim regarding an upcoming appearance before the Mental Health Tribunal for Scotland to ensure that they are mentally prepared for the process.

(S5W-23079)

Clare Haughey: I have asked Dr J Morrow, President of the Mental Health Tribunal for Scotland to respond. His response is as follows:

The Mental Health Tribunal for Scotland (“the Tribunal”) does not carry out checks prior to informing individuals of an upcoming tribunal hearing. To give evidence to the tribunal hearing the individual has to have either approached the Tribunal directly or to have joined the Victim Notification Scheme operated by the Scottish Government and asked to make representations before certain decisions are taken by the Tribunal.

The Tribunal does however, provide detailed information about the Tribunal’s processes. Additionally at the time of writing to inform an individual of an upcoming hearing the Tribunal provides a telephone number and email address which can be contacted to seek clarification on the process.

Stuart McMillan (Greenock and Inverclyde) (Scottish National Party): To ask the Scottish Government how many people convicted of murder or culpable homicide have been released from The State Hospital following a successful appeal to the Mental Health Tribunal for Scotland.

(S5W-23080)

Clare Haughey: This information is not held centrally. I refer the member to the answer to question S5W-23077 on 29 May 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>.

Richard Lyle (Uddingston and Bellshill) (Scottish National Party): To ask the Scottish Government what its response is to the Public Health England report, *Evidence review of e-cigarettes and heated tobacco products 2018*, including the finding, which suggests that heated products might be considerably less harmful than tobacco cigarettes.

(S5W-23150)

Joe FitzPatrick: The Scottish Government welcomed the 2018 report commissioned by Public Health England. The findings on e-cigarettes from the report were in line with Scotland's own Consensus statement on e-cigarettes, which was published by NHS Health Scotland in 2017. The findings in the report also helped inform some specific commitments made on e-cigarettes and heated tobacco products in Raising Scotland's Tobacco-free Generation – our tobacco control action plan published in June 2018.

Our action plan includes commitments to: support NHS Health Scotland in its research, guidance, training and advice on a range of issues including e-cigarettes; make up-to-date information on e-cigarettes available for schools; build on NICE guidance for health and social care providers to ensure basic advice on e-cigarettes is available to support people in quit attempts; and work with health boards to reach consensus on whether vaping should be allowed on hospital grounds as an alternative to smoking.

We agree with the report's findings that ever use of heated tobacco products (HTP) remains "very rare" and that it is currently not clear whether HTP provide any advantage as an additional potential harm reduction product compared to e-cigarettes, which are already widely available in Scotland. But in spite of this we agree that that more independent research is required into these products in case they become popular in future. We note that research to date, including research from Scotland, indicates that the risk of harm from HTP lies somewhere between the risks of harm from cigarettes and e-cigarettes. The report recommends that, depending on emerging evidence, HTP should be more fully regulated. Our action plan includes commitments to monitor any development in the HTP market in Scotland which would justify: regulating HTP use in enclosed public spaces; regulating attractive flavourings already banned from cigarettes; and even introducing standardised packaging for HTP.

Miles Briggs (Lothian) (Scottish Conservative and Unionist Party): To ask the Scottish Government what the patient access criteria will be for fertility preservation and storage for medical reasons, and how these criteria will ensure equity of access.

(S5W-23243)

Joe FitzPatrick: A sub-group of the National Infertility Group has been working on developing guidelines and pathways, including patient access criteria, for fertility preservation and storage for medical reasons. This work is ongoing and the group expects to report to the National Infertility Group over the summer to consider next steps.

Miles Briggs (Lothian) (Scottish Conservative and Unionist Party): To ask the Scottish Government, further to the answer to question S5W-23058 by Clare Haughey on 16 May 2019, whether the assertion that "very few people who access mental health care and treatment are ever treated against their will" is supported by data collected by the Mental Welfare Commission for Scotland.

(S5W-23292)

Clare Haughey: Around 1 in 4 people are likely to be affected by mental illness at some point in their lives. Most people who use mental health services receive treatment do so without being subject to an order or certificate under the Mental Health (Care and Treatment) (Scotland) Act 2003. Mental health law in Scotland is based on rights and principles and offers patients significant safeguards where compulsory treatment is necessary.

Data collected by the Mental Welfare Commission for Scotland pertains to those who are receiving care and treatment subject to orders under the 2003 Act. Even where someone is subject to an order under mental health legislation, they may still give their consent to treatment.

Organisational Development and Operations

Finlay Carson (Galloway and West Dumfries) (Scottish Conservative and Unionist Party): To ask the Scottish Government what action it is taking to improve trust in access to broadband services.

(S5W-22977)

Paul Wheelhouse: Regulatory and legal responsibility for telecommunications in the United Kingdom rests solely with the UK Government in Westminster under the 1998 Scotland Act.

As such, responsibility in this matter falls upon Ofcom as the UK's telecommunications regulator, and accountability for Ofcom's performance ultimately rests with UK Ministers.

Mark Griffin (Central Scotland) (Scottish Labour): To ask the Scottish Government whether the Jobs Grant will be delivered using the Low Income Benefits Agile Service Design contract with IBM.

(S5W-23073)

Shirley-Anne Somerville: Yes.

Mark Griffin (Central Scotland) (Scottish Labour): To ask the Scottish Government how much (a) its Social Security Directorate and (b) Social Security Scotland paid to Capita in 2018-19, and what these payments were for.

Holding answer issued: 29 May 2019

(S5W-23204)

Shirley-Anne Somerville: A holding answer was provided.

Michelle Ballantyne (South Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government how it promotes and maintains staff morale across the social security programme.

(S5W-23227)

Shirley-Anne Somerville: The culture and values of the social security programme is key with a focus on support and development of staff. This is achieved through staff engagement, providing the appropriate guidance and support for both line managers and staff and creating the right environment for staff to work in.

Mark Griffin (Central Scotland) (Scottish Labour): To ask the Scottish Government how much (a) its Social Security Directorate and (b) Social Security Scotland spent on outsourcing companies in 2018-19.

(S5W-23233)

Shirley-Anne Somerville: The Scottish Government publishes details of all expenditure over £25,000, in accordance with the Public Sector Reform (Scotland) Act 2010.

The most recent publication was made on 10 May 2019 and relates to the month of October 2018. Previous months are also available on the Scottish Government web site. <https://www.gov.scot/publications/government-spend-over-gbp25000-october-2018/>.

Mark Griffin (Central Scotland) (Scottish Labour): To ask the Scottish Government how many Capita staff are or have previously been employed in (a) its Social Security Directorate and (b) Social Security Scotland.

(S5W-23235)

Shirley-Anne Somerville: Social Security Scotland and Social Security Directorate do not currently and have not previously engaged any agency workers from Capita.

Both Social Security Scotland and Social Security Directorate operate under the Scottish Government Temporary and Interim Staff Services Framework. Capita are not included within this framework.

We do not hold information on the previous employers of our permanent staff.

We have made a clear commitment that profit making companies will not be involved in delivering assessments for disability benefits once devolved to Scotland.

Mark Griffin (Central Scotland) (Scottish Labour): To ask the Scottish Government for what reason Social Security Scotland's Workforce Planning Group has not yet met.

(S5W-23270)

Shirley-Anne Somerville: Social Security Scotland works closely with the Social Security Programme on the long-term strategic workforce requirements of the devolution of benefits.

The Social Security Scotland workforce planning group is an operational working level group to embed those requirements into its recruitment activities. It was specifically initiated to manage the disability benefits and has been set up to meet at an appropriate time to manage those plans.

Mark Griffin (Central Scotland) (Scottish Labour): To ask the Scottish Government whether Social Security Scotland has submitted unaudited annual accounts with a complete working papers package or is expected to meet the latest submission date of 3 June 2019.

(S5W-23273)

Shirley-Anne Somerville: Social Security Scotland are on track for providing the draft unaudited annual accounts with complete working papers by 3 June 2019 as agreed with Audit Scotland.

Mark Griffin (Central Scotland) (Scottish Labour): To ask the Scottish Government what policy work is being done to consider the alignment of disability benefits with existing devolved services.

(S5W-23366)

Shirley-Anne Somerville: The Scottish Government will consider feedback from the Disability Assistance Consultation in developing an approach to aligning disability benefits with existing devolved services.

Transport Scotland

Colin Smyth (South Scotland) (Scottish Labour): To ask the Scottish Government what assessment it has made of the duration of the current Northern Isles Ferry Services tender process, and when it expects that process to be completed by.

(S5W-22725)

Paul Wheelhouse: I refer the member to the answer to question S5W-23019 answered on 8 May 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.scottish.parliament.uk/parliamentarybusiness/28877.aspx>

Jamie Greene (West Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government, further to the answer to question S5O-03231 by Paul Wheelhouse on 15 May 2019 (*Official Report*, c. 11), by what date the revised timetables for the deliveries of vessels 801 and 802 will be published.

(S5W-23127)

Paul Wheelhouse: As confirmed on 15 May 2019 in the answer to question S5O-03231, the Scottish Government has written to FMEL to request information relating to the delivery of vessels 801 and 802, including a detailed programme setting out work completed to date and with key milestones to delivery of the vessel, in order to support a revised cost of completion for both vessels. At the time of responding, the Scottish Government has not yet received this information.

Jamie Greene (West Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government how much it has spent on independent advisers to assist with the procurement of ferry vessels 801 and 802.

Holding answer issued: 29 May 2019

(S5W-23203)

Paul Wheelhouse: A holding answer was provided.

Jamie Greene (West Scotland) (Scottish Conservative and Unionist Party): To ask the Scottish Government what percentage of fuels used for transport in Scotland are renewable fuels.

(S5W-23269)

Michael Matheson: Statistics on use of fuel types for transport are collated by the UK Government and are publically available from the Department for Transport. The website is provided here - <https://www.gov.uk/government/collections/biofuels-statistics> .

Lewis Macdonald (North East Scotland) (Scottish Labour): To ask the Scottish Government, further to the answer to the question S5O-03236 by Michael Matheson on 15 May 2019 (*Official Report*, c.16), in light of the cabinet secretary's comment that the "planned dualling of the A96 will involve approximately £3 billion of investment", how much it estimates it will cost to dual the (a) Inverness-Nairn, (b) Hardmuir-Fochabers, (c) East of Fochabers-East of Huntly and (d) East of Huntly-Aberdeen section, and whether it will provide a breakdown of how this estimate has been made.

(S5W-23300)

Michael Matheson: At this early stage of development it is difficult to give an accurate estimate of the cost of dualling between Inverness and Aberdeen. However, it is estimated that the cost of dualling will be similar to the dualling of the A9 and be in the region of £3 billion.

As the design and preparation of each section of the dualling programme is progressed in accordance with the Design Manual for Roads and Bridges (DMRB) a more detailed estimate cost for each section will be developed.

The current estimated cost of the Inverness to Nairn (including Nairn Bypass) section is £375m-£475m (excluding VAT and at 2014 prices). Further details can be found in the A96 Dualling Inverness to Nairn (including Nairn Bypass) DMRB Stage 3 Scheme Assessment Report a copy of which can be viewed on the Transport Scotland website at <https://www.transport.gov.scot/media/6923/a96-i-n-dmr-b-stage-3-report-part-2-vol-1-main-report.pdf> .

The current estimated cost of the preferred option for the Hardmuir to Fochabers section is £800m-£900m (excluding VAT and at 2018 prices). Further details can be found in the A96 Dualling Hardmuir to Fochabers DMRB Stage 2 Scheme Assessment Report a copy of which can be viewed on the Transport Scotland website at <https://www.transport.gov.scot/publication/dmr-b-stage-2-assessment-report-hardmuir-to-fochabers-a96-dualling/> .

Estimated costs for the East of Fochabers to East of Huntly and the East of Huntly to Aberdeen sections will be developed as we take forward design and assessment work on these sections. In terms of the East of Huntly to Aberdeen section, cost estimates for each of the options under consideration are currently being developed, the outcome of which will be reported in a

DMRB Stage 2 Scheme Assessment Report which is expected to be published later this year.

Jackson Carlaw (Eastwood) (Scottish Conservative and Unionist Party):

To ask the Scottish Government what it considers to be a requisite number of frontagers for the adoption of a private road by a local authority, as set out in section 13 (4) of the Roads Scotland Act (1984), and what guidance it offers to councils regarding this.

(S5W-23303)

Michael Matheson: The requisite number of frontagers for the adoption of a private road by a local authority is specified in section 1(7) of the Roads (Scotland) Act 1984.

Guidance is available regarding new street design and the adoption of streets within a policy statement for Scotland “Designing Streets” which is available via the following link:

<https://www.gov.scot/binaries/content/documents/govscot/publications/corporate-report/2010/03/designing-streets-policy-statement-scotland/documents/0096540-pdf/0096540-pdf/govscot%3Adocument/0096540.pdf>.

Lewis Macdonald (North East Scotland) (Scottish Labour): To ask the Scottish Government, in light of table 6.2.2 in Transport Scotland's *DMRB Stage 1 Assessment Report - A96 Dualling Inverness to Aberdeen*, whether it will publish average annual daily traffic volume figures for each section of the A96 named in that table for each year since 2012.

(S5W-23374)

Michael Matheson: The following table contains recorded annual average daily traffic flow volumes at locations along the A96 Trunk Road between Aberdeen and Inverness for each year since 2012. The data contained within the table has been extracted from Transport Scotland’s National Traffic Data System.

Traffic Counter Location Description	Easting	Northing	Annual Average Daily Flows by Year per Location - sum of vehicles for both direction of travel					
			2013	2014	2015	2016	2017	2018
A96 Auchmill Road	390400	809300	-	-	-	-	78444	47687
A96 Inverurie Road	388300	810400	29590	29004	27390	25670	27494	29165
A96 0.9km SE of Stoneywood	387730	810845	-	11778	11143	10509	11933	12102
A96 Stoneywood	386908	811183	20989	21159	21601	-	-	-
A96 Corsehill	386100	811235	-	13763	13145	12528	13003	13333

A96 East of Blackburn	384070	812035	12208	10988	11386	7473	11113	10720
A96 Clinterty (WiM)	382770	812260	20788	20575	-	-	-	21522
A96 Kinellar Rbt to Broomhill Rbt	381130	812830	23906	25901	-	-	20040	18443
A96 Broomhill Rbt to B977	378845	814600	19149	20291	-	-	-	-
A96 B977 to Kintore Junction (N)	378515	816106	19642	18862	26443	12304	12381	12609
A96 North of Kintore Bypass	378485	817655	25224	27780	27898	22787	28967	25627
A96 Inverurie Bypass (South)	377691	818945	27664	28431	28516	28782	29010	28937
A96 Inverurie Bypass (Central)	376460	821255	17838	18255	19094	-	-	-
A96 Inverurie Bypass (North)	374963	822907	12121	11554	10955	10356	10563	10777
A96 2.5km South of A920 Colpy	365000	830400	7485	-	7412	8193	8274	6110
A96 Huntly	356035	837520	13841	8708	8925	8432	-	-
A96 South of Keith	347680	845251	7185	7239	7552	7747	7869	7808
A96 North of Keith	338422	854750	6736	6885	7245	4518	3655	2899
A96 Mosstodloch Bypass Middle	333679	859705	14617	13687	17024	14766	17628	17890
A96 Mosstodloch Bypass East	333089	858682	11201	9814	-	12940	12639	13121
A96 Mosstodloch	332340	860035	-	-	-	-	-	-
A96 Mosstodloch Bypass West	331308	859765	11256	-	14155	-	-	14824
A96 Elgin to Lhanbryde	325375	861670	16246	16718	17249	16000	14276	17915
A96 Elgin - East Road	322520	862725	21396	22697	23334	22644	26492	22708
A96 Elgin Town Centre	321830	862990	16810	16596	16752	16538	17492	18014

A96 Elgin - Alexandra Road	321500	862950	21106	20877	21362	21098	21463	20851
A96 Elgin - High Street West	321100	862700	13115	12688	13258	13227	13420	14288
A96 Elgin - West Road	319950	862800	13057	15786	16477	16322	16714	16940
A96 Forres to Elgin	310690	861380	10955	4311	-	13053	12585	12389
A96 Forres	304000	859500	11852	11448	-	13049	12104	12880
A96 Forres (aka Brodie)(Core 744)	298390	857165	10154	10237	10632	10986	11341	11173
A96 Aulderm Bypass	291500	855800	8165	8937	10045	10470	10356	10107
A96 DELNIES JCT - NAIRN	285800	855750	12162	11899	12450	13240	13420	6859
A96 NTON OF PETTY - GOLLANFIELD	278000	851100	11866	11942	12725	13239	13479	13468
A96 Balloch Distr to Newton of Petty (B9039)	273255	848120	14972	15799	16852	17713	18473	18799
A96 Smithton Distr to Balloch Distr.	271000	846950	15068	14771	16906	17303	17803	16640
A96 West Seafield to Smithton Distr.	269845	846000	26010	26145	-	-	-	-
A96 Raigmore to West Seafield	268900	845700	34584	32410	25295	30510	34432	33742

"-" denotes insufficient or no data available for the period in question.