



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Meeting of the Parliament

**Thursday 24 May 2018**

**Session 5**



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# Scottish Parliament

Thursday 24 May 2018

*[The Presiding Officer opened the meeting at 11:40]*

## General Question Time

**The Presiding Officer (Ken Macintosh):** Good morning. Before we turn to the first item of business, which is general question time, I point out, for information, that we are zeroing the clock on my left before questions—I think that there were some inquiries about this yesterday. The clock used to time the whole of question time, but it will now be zeroed at the beginning of every question. That is to encourage members to keep their questions succinct and to encourage ministers to keep their answers equally succinct.

### Education Governance Review (Responses to Consultations)

**1. Ross Greer (West Scotland) (Green):** Thank you, Presiding Officer. I take the hint.

To ask the Scottish Government what its position is on the responses to the three consultations informing its education governance review. (S5O-02137)

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** Presiding Officer, I fear that your warnings about the clock were ill timed, given who is answering the first question.

The responses to the consultations show broad support for the principles of local empowerment and improved collaboration in education. Those principles are at the heart of our reforms, which are based on strong, international evidence of how a high-performing education system works.

**Ross Greer:** Despite the Deputy First Minister's answer, the consultation responses show overwhelming opposition from parents, teachers, councils, expert bodies and young people. Is the Scottish Government seriously considering introducing a bill based on its proposals, or will it go back to the drawing board and give schools the resources and staffing that they need?

**John Swinney:** The Government is providing schools with resources—and they are very welcome resources indeed. Just this morning I was in Bo'ness academy, where I heard more about how pupil equity funding is being used to strengthen educational opportunities for young people and to close the poverty-related attainment gap.

The Government is looking carefully at the consultation responses. There is clear support for the principles in the education reform agenda about local empowerment and improved collaboration. The Government has to assess and consider the many detailed points that have been made in respect of the agenda, and that is exactly the work that I am undertaking at present.

**The Presiding Officer:** Question 2 was not lodged.

### A90 (Average Speed Cameras)

**3. Graeme Dey (Angus South) (SNP):** To ask the Scottish Government what impact the introduction of average speed cameras on the A90 has had on road safety between Dundee and Aberdeen. (S5O-02139)

**The Minister for Transport and the Islands (Humza Yousaf):** There has been a significant improvement in driver behaviour and speed limit compliance since the average speed camera system became operational on the A90, in October 2017. Speed surveys that have been carried out between Dundee and Stonehaven have shown that 99 out of 100 vehicles are now complying with the speed limit. That is a significant improvement when we consider that three out of five vehicles were speeding prior to the installation of the technology. The improved levels of speed limit compliance are leading to fewer camera detections, fewer fines for drivers and, most important, safer roads for communities and all users of the A90.

**Graeme Dey:** That is, indeed, very welcome.

The minister will be aware that BEAR Scotland has been conducting a road safety study into the stretch of the route that runs through my constituency, around Inveraldie, Tealing and Petteyden. It has been looking specifically at the interaction between the A90 and the series of junctions at which my constituents need to cross that busy route to access public transport. Can the minister advise me when we expect to see the final report and its recommendations?

**Humza Yousaf:** Graeme Dey has made a good point. Average speed cameras are not a magic bullet and must be used in conjunction with a number of other road safety improvement measures. The member is aware of the study that has been undertaken. Discussions on the topic were held between Transport Scotland, BEAR Scotland and the local communities in April 2018, and the final report is expected in summer 2018.

**Mike Rumbles (North East Scotland) (LD):** The reduction in driver speed is welcome, but the more important point is about reducing the number of accidents on the A90 between Aberdeen and Dundee. When will we know how effective the

speed cameras have been in reducing the number of accidents?

**Humza Yousaf:** I am hopeful and confident in that regard, I suppose, because of experience with other average speed cameras on our trunk road network. On the A77 Symington to Girvan stretch, for example, there has been a 68 per cent reduction in the number of fatalities and serious casualties, and on the A9 between Dunblane and Inverness there has been a 31 per cent reduction in the number of fatal and serious accidents.

We must allow time for the A90 average speed cameras to embed. We will gather the data and I will ensure that members are kept up to date on important casualty and fatality reduction numbers.

### Livestock Worrying

4. **Emma Harper (South Scotland) (SNP):** To ask the Scottish Government what its position is on concerns of people in the agricultural community regarding livestock worrying. (S5O-02140)

**The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing):** I recently attended a meeting of the Scottish partnership against rural crime. Livestock worrying is a serious matter that causes serious injury and deaths to livestock as well as financial loss and emotional distress to many farmers. I therefore welcome the concerted efforts by Police Scotland and other partners to tackle the issue.

It is a criminal offence for a dog owner to allow their animal to worry livestock, and local authorities have the power to issue dog control notices. We have written to all 32 local authorities, seeking further information about how they use their powers. Working with partners, we will consider all practical measures that can effectively tackle livestock worrying by out-of-control dogs.

**Emma Harper:** The cabinet secretary might be aware that, last week, I announced my intention to bring out a consultation on a member's bill to tackle livestock worrying. I would be grateful to know whether the cabinet secretary agrees that more work is required to tackle the problem and provide clarity about the responsibility of dog owners when they access the countryside.

**Fergus Ewing:** I welcome Emma Harper's proposed consultation. She has taken an enormous interest in the issue and has gone out of her way to involve farmers and stakeholders and to discuss this very serious concern with them. I welcome the consultation and look forward to seeing how it develops and what action the Parliament can consider taking to tackle a very serious problem for the Scottish farming community.

**Finlay Carson (Galloway and West Dumfries) (Con):** Given how serious the issue is, will the cabinet secretary explain why a change in the legislation requires a member's bill and the lengthy process that it entails? Can the Scottish Government not change the legislation as a matter of urgency to alleviate the concerns in rural areas?

**Fergus Ewing:** I would have thought that Finlay Carson would have welcomed Emma Harper raising the issue. Any member is entitled to pursue a member's bill. It would be quite wrong to ask the Government to criticise members of Parliament for seeking to exercise their powers, as Finlay Carson has. In 18 years as a member of this place, I have never heard the sentiment uttered that members of this Parliament should not be able to do their job in that way. I, for one, think that Emma Harper is doing an excellent job.

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** I welcome Emma Harper's consultation and the cabinet secretary's comments about dog control notices. Many in the farming community were unaware of the Control of Dogs (Scotland) Act 2010, and I welcome the cabinet secretary's continuing efforts to publicise that.

**Fergus Ewing:** I follow with close interest the actions that are taken by my colleague, the Minister for Community Safety and Legal Affairs. I was pleased that, following a debate on 8 May, Annabelle Ewing wrote to all local authorities in Scotland, seeking further information about how they use their powers under the Control of Dogs (Scotland) Act 2010. It is, however, fair to point out that some local authorities have been active on the issue, as is illustrated by the fact that the number of dog control notices has risen from 92 in 2011 to 290. It is therefore plain that local authorities around the country are looking at the issue more seriously. As I said, there is much more to do and I welcome Emma Harper taking the lead on these matters.

### Beatson West of Scotland Cancer Centre (Out-of-hours Treatment)

5. **Jackson Carlaw (Eastwood) (Con):** To ask the Scottish Government what arrangements are in place for patients at the Beatson west of Scotland cancer centre who require treatment at weekends or after 6 pm on weekdays. (S5O-02141)

**The Cabinet Secretary for Health and Sport (Shona Robison):** There are structured pathways in place for every west of Scotland national health service board to enable patients to be seen locally in-hours and out of hours. Those pathways have been developed by the Beatson west of Scotland cancer centre in partnership with the local boards.

The support is available 24 hours a day via the Beatson cancer treatment helpline, between 8.00 am and 8.00 pm, and via the national cancer treatment helpline, between 8.00 pm and 8.00 am. The Beatson helpline is staffed by cancer-trained nurses who carry out a structured telephone assessment for each call. The telephone assessment is supported by a validated process to identify the frequency and severity of symptoms.

**Jackson Carlaw:** I will share with the cabinet secretary the experience of my constituent Alison Gardner after her sixth course of chemo at the Beatson. Feeling horribly unwell, she phoned the Beatson helpline, as instructed, to find that it was closed to patients on Fridays and at weekends. She was directed to the accident and emergency department at the Queen Elizabeth university hospital, where, on arrival, she was told that, as a Beatson patient, she should not have been there.

After four and a half hours, she was given antibiotics in an open area, subject to the risk of infection from other patients. Meanwhile, staff at the Beatson told her husband to complain and to get her out of there, as it was dangerous to her health. She was told that it did not matter what the Beatson said, because no bed would be made available, especially as the doctor said that the Beatson was empty. The following day, a doctor was derogatory with regard to the advice from the Beatson and spoke negatively about the oncologist, saying, "She would be in her bed last night, as they don't have to do night shifts like accident and emergency doctors." He then discharged her, saying that that is what he would do with "a normal patient".

Whatever the pressures, is that any way for my constituent to be treated? More important to her, is that a satisfactory way for any cancer sufferer who experiences complications while undergoing chemotherapy to be treated, now or in the future?

**Shona Robison:** I would very much like to look into the details of Alison Gardner's case, if Jackson Carlaw will furnish me with them.

On a general point, all patients who are on or within six weeks of treatment at the Beatson receive an alert card prior to their first treatment, with information about who to call with concerns about treatment side effects or symptoms 24 hours a day. The card has two numbers, which can be used before or after 8 pm, and my initial answer described which services are provided for patients and at what times of day.

If something went wrong with that system in Alison Gardner's case, I want to explore that. If Jackson Carlaw will furnish me with the information, I will certainly look into the matter.

## Accessible Properties

**6. Jeremy Balfour (Lothian) (Con):** To ask the Scottish Government what action it is taking to improve the accessibility and increase the availability of properties of all tenure types that are suitable for disabled people. (S5O-02142)

**The Minister for Local Government and Housing (Kevin Stewart):** I believe that everyone should have the right to live independently. Local authorities are responsible for assessing housing requirements within their local communities. We are currently refreshing the local housing strategy guidance to make sure that realistic targets are set out at local level for the supply of wheelchair-accessible housing and we will ask local authorities to report annually on progress.

We are investing more than £3 billion in affordable housing to deliver at least 50,000 affordable homes over this parliamentary session, which is a 76 per cent increase on our previous five-year investment. Ninety-one per cent of homes that were built by housing associations and councils in 2016-17 met the housing for varying needs standards.

**Jeremy Balfour:** A recent report that was published by the Equality and Human Rights Commission highlighted the need for urgent action to address the lack of suitable housing for disabled people. Will the minister inform Parliament how many new-build homes he will require all local authorities to build to wheelchair-accessible standards? If he will not, why not?

**Kevin Stewart:** I will meet EHRC Scotland on 30 May to discuss the report that it published on 11 May. I have made it clear to local authorities that I expect them to ensure that their local housing strategies and their strategic housing investment plans take account of what is required for wheelchair-accessible housing. I have gone further and asked them to interrogate their housing lists to see exactly what wheelchair-accessible housing is required for people in their areas. I reiterated that point this morning. I have also said to local authorities that we will look at increasing subsidy when they build wheelchair-accessible housing, and they can talk to my officials on the ground about that. I am determined to increase the amount of wheelchair-accessible housing in Scotland.

On Mr Balfour's question about all tenures, and with regard to getting folk into owner occupation, it would be very helpful if, for example, the Tories did not keep cutting the incomes of disabled people here in Scotland and across the UK.

## Primary Education (Spending per Pupil)

**7. Iain Gray (East Lothian) (Lab):** To ask the Scottish Government what its position is on the

trend in spending per primary school pupil since 2010. (S5O-02143)

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** The latest local government finance statistics show that expenditure on primary education increased by 3.3 per cent between 2014-15 and 2016-17 in real terms, or 6.3 per cent in cash terms. That is despite continued United Kingdom Government real-terms cuts to Scotland's resource budget, and it shows clear evidence that the Scottish Government has treated local government very fairly, providing a real-terms increase in funding this year compared with 2017-18.

**Iain Gray:** Unfortunately, one swallow does not a summer make. In fact, the real-terms expenditure per primary pupil is now £513 less than it was in 2010. The figure for secondary school pupils is £205 less. If education really is a priority for this Government, why will it not give our schools the resources that they need?

**John Swinney:** That is precisely why there has been an increase in the resources allocated to primary education over the period that I set out. It is precisely why there has been an increase in funding to local government in 2017-18. It is why local government is spending more on education in the past two years. It is also why we are putting in place the Scottish attainment challenge and pupil equity funding. It is high time the Labour party got behind the measures to strengthen Scottish education by investing in education, which is what this Government is doing.

### **Apprenticeships and Work Placements (Mental Health Support)**

8. **David Torrance (Kirkcaldy) (SNP):** To ask the Scottish Government what mental health support it has in place for apprenticeships and work placements. (S5O-02144)

**The Minister for Mental Health (Maureen Watt):** Our 10-year mental health strategy aims to improve uptake of and access to a range of services that are aimed at improving mental health in the workplace. Employers have a duty of care towards their employees, apprentices and people on work placements, and they should take appropriate steps to ensure that mental health and wellbeing is protected and promoted.

We have funded the healthy working lives programme in NHS Health Scotland with £1.6 million in 2017-18 to provide advice and support to employers on the measures that they can take. That support includes a free and confidential advice line and free training courses to help to equip employers with the skills and knowledge that they require. We provide £1 million per year to the

"See me" programme to deliver Scotland's national programme to end mental health stigma and discrimination in the workplace.

**David Torrance:** Under fair start Scotland, what support is expected to be offered to work placement employers to ensure that mental health service users are integral to the programme and that employers sustain their commitment to mental health to ensure that there are positive outcomes for individuals in the long term?

**Maureen Watt:** Fair start Scotland will provide tailored, flexible and person-centred support for people at risk of long-term unemployment and people with a disability, including individuals with mental health problems, to support them towards employment. Participants will work with an adviser who will support the individual to develop a programme of personalised support. Fair start Scotland provides 12 to 18 months of pre-work support with a further period of in-work support that is tailored to suit individual needs. Individual placement and support will be available for those with severe and enduring mental health problems.

### **NHS Ayrshire and Arran (Financial Position)**

9. **John Scott (Ayr) (Con):** To ask the Scottish Government what assessment it has made of the long-term financial position of NHS Ayrshire and Arran. (S5O-02145)

**The Cabinet Secretary for Health and Sport (Shona Robison):** For 2017-18, brokerage of £23 million has been approved. Provision of brokerage is always predicated on a realistic plan to return to financial stability, and NHS Ayrshire and Arran is developing a three-year plan to return to financial balance. In 2018-19, the board is being supported with additional investment of £11.6 million and a share of £175 million to support investment in reform.

**John Scott:** I thank the cabinet secretary for her answer and note her response. However, although I understand that efficiencies are necessary as well, I am concerned that the efficiency measures appear to mean that 90 beds will go at Crosshouse, with more beds rumoured to be lost at Ayr, at a time when 33,699 bed days were lost to NHS Ayrshire and Arran last year due to delayed discharges, at a cost of £7.9 million. I say to the cabinet secretary that we need more beds in NHS Ayrshire and Arran. Closing hospital wards is not what patients or staff want and it will only further reduce the functionality of the Ayrshire hospitals. Can efficiencies be found elsewhere?

**Shona Robison:** First, it is important to say that we would expect NHS Ayrshire and Arran to deliver the improvement plan and bring the board back into financial balance. An improvement

director has been appointed for a period of six months to help it do that.

On the issue of beds, John Scott will be aware that the beds were always additional beds; they were never core beds. However, we have made it very clear that there can be a reduction in bed numbers only if there is also the appropriate diversion of people and, therefore, less of a requirement for those beds.

The board has work to do to make sure that the programme is putting patient safety at its heart. We will be working with it closely to make sure that that happens. I am happy to write to John Scott with further information about that.

## First Minister's Question Time

12:00

### Government Priorities

#### 1. Ruth Davidson (Edinburgh Central) (Con):

To ask the First Minister what the most important issue facing Scotland is and how she thinks that spending months debating independence will help it.

**The First Minister (Nicola Sturgeon):** Growing our economy, so that we are creating the wealth and revenues to support the strong national health service, strong education system and strong public services, which I know that the Tories do not support, is the most important challenge that Scotland faces. Across all those things, this is a Government using its powers and resources to best effect to make as much progress as we can.

However, we are determined to do even better. The hard fact for unionist parties across the chamber is that small, independent countries across the world consistently do better than the United Kingdom and better than Scotland within the UK. The positive debate that we look forward to leading is about how Scotland raises its game even further and matches the best in the world for the benefit of people right across our country. We will do that with our current powers and we will look to equip this Parliament so that it is even stronger, in order to deliver on behalf of the people we represent.

**Ruth Davidson:** For me, the most important issue is making sure that our children get a good education. The First Minister used to claim that that was her priority, too. How times have changed. It is hard to see how dragging Scotland back down the rabbit hole of a debate on independence will improve our schools.

Let us take just one area where action has been repeatedly promised by the First Minister: getting more pupils into science, technology, engineering and maths subjects. Those are the subjects that will produce the engineers, the scientists and the programmers of tomorrow's economy. Can the First Minister tell me in which of the key STEM subjects—biology, chemistry, physics or maths—are more pupils taking highers than were doing so at the time of the last independence referendum in 2014?

**The First Minister:** First, if Ruth Davidson is serious about education being the most important thing to her and her party, the question for her surely must be why she is a member of a party that is not just paralysed on Brexit but is paralysed by Brexit and doing nothing else besides.

We have set out an ambitious package of education reform that starts by doubling childcare provision in our country and goes through to reforming school education—we will soon see which parties in this chamber are prepared to back the reform programme that we have put together—getting more young people leaving school with more qualifications. As I set out last week, we have more young people leaving our schools with qualifications, including highers and advanced highers, across a range of subjects.

Yes, we want to get more young people studying STEM subjects. That is why we have a range of initiatives to do exactly that. We will continue to focus on all those things, improving our education system for all pupils regardless of their background.

**Ruth Davidson:** It was not a complicated question, but the First Minister still could not answer it. The answer is none: in biology, physics, chemistry and maths, not only are fewer pupils taking highers but fewer pupils are getting highers than did so back in 2014. It is a mystery to me how spending months restarting the debate about independence will do anything to improve that.

Let us go from high schools to primaries. On education, the Scottish National Party used to make bold promises about reducing class sizes in primaries 1 to 3 to a maximum of 18 pupils. In fact, Mike Russell was once so confident as to claim that

“The SNP phased implementation programme to reduce class sizes would be completed in 7 years.”—[*Official Report*, 24 May 2001; c 980.]

After 11 years of the SNP in government, how many classes in the First Minister’s constituency meet that target?

**The First Minister:** Before Ruth Davidson is allowed to move swiftly on from STEM subjects, she asked me about STEM subjects first, so let me—[*Interruption.*] She does not want to hear the answer. [*Interruption.*] Okay—I hope that everybody is listening.

In 2017-18, we increased student intake targets for STEM subjects for the sixth year in a row. Let us also look at STEM qualifications—she asked me about this. STEM qualifications at school have gone up by 9.6 per cent between 2007 and 2017. That includes all sciences—it includes biology, human biology, chemistry, physics, geology and environmental science—that is the reality.

In terms of primary school education, as we have discussed in this chamber before, we are determined not just to improve standards in our schools but to make sure that we are closing the attainment gap in our schools. That is why the attainment fund—the pupil equity fund—is

transforming primary education across our education system.

If Ruth Davidson got out a bit more and spoke to more teachers in the education system, she would find out that that is exactly what they are saying as well.

**Ruth Davidson:** If the First Minister got out a bit more in her own constituency, she might know the answer to the question that I asked her.

Out of 91 early years classes in her Glasgow Southside constituency—[*Interruption.*]

**The Presiding Officer (Ken Macintosh):** Order, please. Order.

**Ruth Davidson:** I am standing in my constituency. I am her MSP.

Out of 91—[*Interruption.*] Perhaps the First Minister’s back benchers might want to listen to this. Out of 91 early years classes in the First Minister’s Glasgow Southside constituency, the latest figures show that just four were small enough to meet the promise that the SNP made more than a decade ago. That is four classes out of 91.

That is just like the SNP, is it not? Promises that it made to get elected are abandoned the moment that they become inconvenient. However, there is one thing that the SNP is never willing to put aside. Tomorrow, the First Minister is going to launch yet another blueprint on independence, dragging this country back to the debates of the past. She has repeatedly claimed that education is her number 1 priority and so it should be, but the facts show the difference. With her, it is independence first and everything else is a long way behind. The country is asking, “Why won’t she give it a rest?”

**The First Minister:** First, I am not sure that a comparison of constituency surgeries would end very well for Ruth Davidson. Secondly, was it not ironic that the “give it a rest” line was first used this week by Ruth Davidson on Monday when she boldly said that I and the SNP should give it a rest when it came to talking about the constitution? Where did she say that? She said it at a conference in London where she was talking about the constitution.

Some people might say that that is a tad hypocritical of Ruth Davidson. I, of course, could not possibly comment. The truth about Ruth Davidson is that she loves nothing more than talking about the constitution. She just does not want the case for independence to get a hearing. I am sorry that we are going to have to disappoint her on that front.

This Government will continue to take the action that is required to improve our education system.

That is why we are investing £120 million in the pupil equity fund and when I talk to teachers across my constituency, that is something that they enthusiastically welcome.

We will continue to improve our health service, which has had the best-performing accident and emergency services anywhere in the UK for three years now. We will continue to protect the vulnerable from the cuts being imposed by the Tories and, unlike Ruth Davidson, we will continue to stand up for Scotland against the Brexit ideology of the Tories and get the best deal.

We are full of ambition for this country of ours. I know that positivity and ambition do not sit well with the Tories. What was it that Ruth Davidson called them this week? The “dour”, “joyless” and “authoritarian” Tories. I know that they do not like positivity and ambition, but this Government does, and we will continue to be ambitious for Scotland.

### **National Health Service (Treatment Time Guarantee)**

#### **2. Richard Leonard (Central Scotland) (Lab):**

As we have just heard, the long-delayed Scottish National Party growth commission report is published tomorrow. That might excite the SNP back benchers, but it will exasperate the millions of people throughout Scotland who just want the First Minister to focus on public services such as our national health service.

In 2012, the SNP gave patients the right to treatment within 12 weeks. It named that the treatment time guarantee. However, in 2015, 16,394 people waited longer than 12 weeks for treatment. That was Nicola Sturgeon’s first full year as First Minister. Will she tell us whether the number of patients who were failed last year went up or down? (S5F-02359)

**The First Minister (Nicola Sturgeon):** Because of the treatment time guarantee that we introduced back in 2012, more than, I think, 1.5 million patients have been treated more quickly than they would have been without it. We are investing record sums in our national health service and employing record numbers of staff working in it.

We know that the demands on our health service are increasing. That is why there is pressure on waiting times. However, we invest more per head of population than anywhere else in the United Kingdom and will continue to do that so that our NHS can continue to deliver the services that have so much approval from people throughout the country.

**Richard Leonard:** I asked whether the number had gone up or down. It went up. More than 54,000 people waited longer than the 12-week guarantee in 2017. That is a 234 per cent increase since Nicola Sturgeon became the First Minister.

She tells us that the NHS faces the challenge of treating more patients than ever before. How many more patients were seen under the treatment time guarantee last year compared with her first year in office?

**Nicola Sturgeon:** As I already said, 1.5 million patients—more than that—have been seen within that target time, ensuring that they were treated more quickly as a result. More patients are coming to the NHS because of the ageing population. That is why we, unlike the Labour Party at the last election, are committed to providing more resources for our national health service and employing more people in it to ensure that patients continue to get the treatment that they deserve.

**Richard Leonard:** In fact, the number of patients seen has gone down. In 2017, 28,000 fewer patients were seen than in 2015 but more people waited longer. Let us recap. The SNP promised that people would be treated within 12 weeks. In Nicola Sturgeon’s first year as First Minister, that promise was broken to one patient in every 20. Last year, it was broken to one patient in every five.

This is the fifth time in six weeks that I have raised the NHS with the First Minister. There are serious problems across the health service and they are growing. That is what the people of Scotland want the Government to focus on, not another referendum and not more division. When will the First Minister finally realise that the people want her to put the NHS before the SNP?

**Nicola Sturgeon:** The Scottish Government will remain focused on improving our NHS each and every day. That is why, right now, our emergency services in Scotland perform better than the emergency services do in any other part of the UK. It is why many of the other services that the NHS provides are better than they are in any other part of the UK, including the only part of the UK where Labour is in government, which is Wales. We are putting record amounts of investment into the national health service and employing record numbers of people.

The NHS is seeing more patients every year and will continue to deliver its services and have the record high patient satisfaction that it currently has. That, of course, is testament to everybody who works in our NHS. We will continue to support them every day.

**The Presiding Officer:** There are a few supplementary constituency questions.

### **Marine Scotland (Review)**

#### **Rhoda Grant (Highlands and Islands) (Lab):**

The First Minister is aware of the case of my constituent DeeAnn Fitzpatrick, about whom I have previously written to her. The First Minister

cannot be anything other than shocked by the photograph that was published by the BBC, which showed one aspect of DeeAnn's abuse. Will the First Minister now intervene, investigate the abuse and stop DeeAnn's persecution at the hands of Marine Scotland? Will she also remove the gagging clause that stops DeeAnn telling her own story, because it is in the public interest that she is heard?

**The First Minister (Nicola Sturgeon):** Like everyone else who has seen the photograph that has been in the media over the past 24 hours, I am absolutely horrified by it. I am also horrified by the circumstances in which that photograph is alleged to have been taken. Bullying, abuse, sexism and racism have no place in any workplace, and—let me be very clear—they will not be tolerated in the Scottish Government or our agencies.

As Rhoda Grant is aware, there is, of course, an on-going employment tribunal and there is also an on-going internal investigation, so I am somewhat limited in what I can say. However, I can tell members that, this morning, I asked the permanent secretary to the Scottish Government to conduct a full review of the circumstances of the case, and a review of the action that has already been taken and of any action that is proposed to be taken, and to report to me personally on her conclusions as soon as possible.

#### **Edinburgh Woollen Mill**

**Oliver Mundell (Dumfriesshire) (Con):** Yesterday, Edinburgh Woollen Mill announced plans to move its headquarters to Carlisle. That was a bitter blow to Langholm, where the company was founded. That news is doubly disappointing, because it comes as uncertainty continues at Pinneys of Scotland. Will the First Minister confirm what contact the Government has had with Edinburgh Woollen Mill and set out what support is being offered to boost the economy in lower Annandale and Eskdale, which is clearly struggling?

**The First Minister (Nicola Sturgeon):** I was very disappointed to hear that Edinburgh Woollen Mill has confirmed plans to move its head office from Langholm. Unfortunately, the company's plans seem to be fairly well developed but, notwithstanding that, we will do all that we can to encourage a different course of action in order to retain jobs and economic benefit in the town and the community and the company's headquarters in Scotland, which is important. The Minister for Business, Innovation and Energy is speaking to the company today to see what support the Scottish Government and our agencies can offer. We have already offered support through our partnership action for continuing employment

initiative for any employees who may be facing redundancy. I know that the Minister for Business, Innovation and Energy would be happy to speak to Mr Mundell in more detail about the actions that we can and will take.

On the wider question, as Mr Mundell will be aware, we are committed to establishing the new south of Scotland enterprise agency. In advance of that, we have established the south of Scotland economic partnership, which is supported by £10 million of additional resources. When I attended the national economic forum in Dumfries just last week, that was very warmly welcomed. I hope that it will support economic activity across the south of Scotland.

#### **National Health Service (Complaints Process)**

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** In 2015, a constituent of mine underwent surgery at the Queen Elizabeth university hospital and was readmitted twice with serious post-surgical complications. She has lasting health issues and serious concerns about the treatment that she received and the ensuing national health service complaints process.

I welcome the fact that the Cabinet Secretary for Health and Sport has requested Healthcare Improvement Scotland to independently review the care that my constituent received, but does the First Minister agree that, in such cases, the first action that Healthcare Improvement Scotland should take should be to meet the family and carefully listen to its experience? Furthermore, does she agree that it is unacceptable that, following my representations to NHS Greater Glasgow and Clyde regarding inaccuracies in medical records and alleged system failure, we are still waiting for a response two months later?

**The First Minister (Nicola Sturgeon):** I definitely understand the concerns that Bob Doris has raised and agree that it is important that the experiences of the individual and the family are listened to.

I know that Bob Doris has raised his constituent's concerns directly with the health secretary. She has recently referred the case to Healthcare Improvement Scotland for its consideration. Scottish Government officials have also raised with NHS chief executives the health secretary's expectation that they should respond quickly to any concerns that have been raised by elected representatives or individuals.

We want everybody to be confident that they will get the best possible care and treatment from the NHS, which does an excellent job in the overwhelming majority of cases. However, on any occasion in which it falls short of expectations, health boards must listen and act. In rare cases of

clinical negligence, boards and care professionals must learn from those situations and make improvements.

I know that the health secretary will update Bob Doris as appropriate and will take whatever steps are necessary to ensure that his constituent's concerns are properly addressed.

### **Marks and Spencer (Closures)**

**Monica Lennon (Central Scotland) (Lab):** Marks and Spencer has announced that it will close its Falkirk and East Kilbride plaza stores in the central Scotland region. I know that the First Minister pays close attention to the activities of M&S and will share my concerns for the workforce and communities who will suffer from that decision. More than five weeks ago, I wrote to the Cabinet Secretary for Economy, Jobs and Fair Work, Keith Brown, outlining my fears for the future of East Kilbride's town centre and asking whether the Government has a strategy to ensure that Scotland's first new town has a bright future. I am still waiting for an answer. Does the First Minister know the answer, and will she ask the cabinet secretary to take up my invitation to visit East Kilbride and meet local businesses before any more devastating job losses are announced?

**The First Minister (Nicola Sturgeon):** Marks and Spencer has announced the closure of a number of shops, not just in Scotland but throughout the United Kingdom, over the next four years. That is deeply regrettable. I am certainly very concerned about the announcement that it will close two of its stores in Scotland, in East Kilbride and in Falkirk. We have been in contact with the company to offer support through partnership action for continuing employment and any other support that might be appropriate. I will ask Keith Brown to respond to the member. I am sure that he has visited East Kilbride on many occasions.

I grew up in a new town and I know the importance of new towns to the economy of our country and in a wider sense, as well. We want new towns to continue to be central to the future of Scotland, and I am sure that Keith Brown would be happy to discuss those issues further with Monica Lennon. We are already working with partners to deliver against the themes in the town centre action plan, and we have committed to the town centre first principle, which is an important way of ensuring that our town centres—whether in new towns or elsewhere—are properly supported.

### **Climate Change (Emissions Reduction Targets) (Scotland) Bill**

**3. Patrick Harvie (Glasgow) (Green):** Nearly a decade ago, the Greens worked with others across Parliament, and with many thousands of

campaigners across Scotland, to say that the Government's Climate Change (Scotland) Bill, as it was then, was not strong enough or bold enough. Together, we pushed a minority Government to make that bill stronger and accelerate action on climate change. Why, then, has the Government today published a new Climate Change (Emissions Reduction Targets) (Scotland) Bill that sets out slower emission reductions and slower progress over the next 20 years than we have seen over the past 10 years? Why on earth should Parliament vote for that?

**The First Minister (Nicola Sturgeon):** Patrick Harvie is just wrong in his characterisation of the Climate Change (Emissions Reduction Targets) (Scotland) Bill. What has been published today is the most ambitious statutory target for reducing carbon emissions anywhere in the world. The bill sets the target of a 90 per cent reduction by 2050, which—let us remember—the United Kingdom Committee on Climate Change says is at the outer limits of feasibility. The bill also sets out a clear process for raising that target to 100 per cent as soon as is practically possible.

Other countries are often cited as being more ambitious but, as I am sure Patrick Harvie knows, when we compare commitments on a like-for-like basis that is simply not the case. Let us take Sweden as an example. It is often held up as already having a target of a 100 per cent reduction, but Sweden reserves the right to achieve 15 per cent of its reduction through international credits—in other words, by paying other countries. Scotland's target will require to be met by domestic measures alone, which is much, much tougher. Other countries also exclude aviation and shipping from their targets—we do not. Scotland continues to be the only country that includes aviation and shipping. As well as setting long-term targets, Scotland, unlike other countries, also sets annual targets in legislation.

When we look at all those factors, it is inescapably the case that the bill that has been published today is the most ambitious anywhere in the world. We should be proud of that, although, of course, we look forward to the discussions that will take place during the parliamentary progress of the bill.

**Patrick Harvie:** It is abundantly clear that the 2050 target that the Scottish Government is proposing represents a slower rate of emissions cuts and a slower rate of progress on climate change than we have seen for the past 10 years. It takes some nerve to publish a bill the first section of which is titled "The net-zero emissions target" but that fails to set a net zero emissions target.

The First Minister told us what we should all know about Sweden. If Sweden counted its forestry and land use emissions in the same way

as we count ours in Scotland, it would reach net zero emissions by 2045, which is way ahead of the Scottish Government's ambition. Is it not clear—not just to us, in Parliament, but to the many thousands of people around Scotland who care passionately about the urgent challenge of climate change—that we will, once again, have to work together across the political spectrum with many thousands of campaigners in Scotland to push a minority Government beyond its comfort zone on the issue?

**The First Minister:** Putting a target in legislation that our expert advisers on the Committee on Climate Change describe as being at the outer limits of feasibility can be described in many ways, but staying in our “comfort zone” is really not one of them.

On what Patrick Harvie is asking us to do, let me be clear that we are committed to reaching net zero emissions as soon as we can look the people of Scotland in the eye and say that we know how to do that. We could put a target in legislation, but that would not be particularly honest if we were saying to the people of Scotland that we had no idea how that could be achieved.

Patrick Harvie is asking us to ignore the Committee on Climate Change. If he is asking us to emulate other countries, he is asking us to exclude shipping and aviation from our targets, and, if he is asking us to emulate countries such as Sweden, he is asking us to include international credits in the calculation of our achievement against targets. Sweden reserves the right to achieve 15 per cent of its reductions through, in effect, paying other countries rather than through what it does itself; we think that it is better to meet our targets by what we do domestically in Scotland.

Let us have the debate as the bill progresses through Parliament. However, Scotland is leading the world with not just our ambitions to tackle climate change but our achievements in tackling it. For goodness' sake, I would have thought that a member of the Green Party might have managed to welcome that.

#### **Brexit (Medical Professionals)**

**Clare Haughey (Rutherglen) (SNP):** I refer members to my entry in the register of members' interests.

This week, the British Medical Association said that there is “absolutely no clarity” on plans for future immigration and that “virtually no progress” has been made on allowing medical professionals to come and work in Scotland after Brexit. There is “no clarity” and “no progress”. How will the First Minister continue to impress on the United

Kingdom Government that that situation is simply no use?

**The First Minister (Nicola Sturgeon):** It is a really serious situation, and I hope that everybody across the chamber recognises that. Companies the length and breadth of the country are expressing concerns about their continuing ability to retain and attract talent. Now, the BMA has expressed concerns about the ability of our national health service to attract doctors from other countries, and it is all because of the ideologically driven Brexit obsession of the Tories. As a country, we need to look at better alternatives, continue to argue for a commonsense approach and consider what we need to do to attract the best and the brightest in the world to come here and make a contribution to Scotland. That is what this Government will continue to focus on, and I hope that we will have the support of other parties in this chamber, if not of the Tories.

#### **Prince & Princess of Wales Hospice**

**James Kelly (Glasgow) (Lab):** A number of my constituents in Rutherglen and Cambuslang receive palliative care at the Prince & Princess of Wales Hospice, in Glasgow. After limited consultation, the national health service board plans to move those patients to a different facility, in East Kilbride. Those who use and support the facility, their families and the general practitioners who support the patients locally are understandably concerned about the change. What assurances can the First Minister give my constituents that any changes are being made in the best interests of those affected?

**The First Minister (Nicola Sturgeon):** I am a huge supporter of the work that the Prince & Princess of Wales Hospice does. I have visited it on many occasions and know how highly it is valued by patients and their families. I will ask the health secretary to look into the specific issue that James Kelly raises, in order to understand the reasons why the health board has taken the decision that James Kelly describes, and to reply to him as soon as possible.

#### **Whisky Industry (United States Post-Brexit Trade Deal)**

4. **Richard Lochhead (Moray) (SNP):** To ask the First Minister what assessment the Scottish Government has made of how any proposed post-Brexit trade deal with the United States could impact on the whisky sector. (S5F-02366)

**The First Minister (Nicola Sturgeon):** The United States is the largest export market for Scotch whisky. In 2017, exports to the US were worth £922 million and accounted for more than 20 per cent of all Scotch whisky exports. The

industry employs around 10,000 full-time equivalent employees, and a similar number are employed in the wider supply chain. It makes an important contribution to our economy, particularly in Richard Lochhead's constituency.

The Scottish Government and, I believe, the Scotch Whisky Association are opposed to any weakening of the whisky definition post-Brexit, as a result of trade negotiations with third countries or via any other means. That protection is vital to protect consumers and the industry from deception and unfair competition from domestically produced spirit drinks that have no age provenance.

**Richard Lochhead:** I invite the First Minister to join me in congratulating the Edrington Group on investing £500 million in The Macallan, including £140 million in the truly spectacular distillery and visitor centre that was unveiled in Speyside this week.

Does the First Minister agree that that massive investment, along with others across the industry, underlines the need to protect this valuable industry and ensure that it is not damaged by an increasingly desperate UK Government that may sign up to a damaging post-Brexit trade deal with the United States, which, it has been reported, would like to break down trade barriers and reduce protections for the likes of Scotch whisky? Can she advise the chamber how we can bring more transparency to the trade deal negotiations and ensure that the UK Government acts in rather than against Scotland's interests? Would it be possible for the Scottish Government to have observers at the trade negotiations to safeguard this country's key economic interests?

**The First Minister:** I very much welcome the development by Edrington at Craigellachie. More than £0.5 billion of investment has gone into industry sites in the past five years, and seven new distilleries have opened in the past year alone. That is hugely positive, and I am sure that everyone welcomes it.

Only yesterday, the Scotch Whisky Association reported that, without Scotch whisky's export performance, the UK trade deficit would be almost 3 per cent greater than it already is. I hope that everybody would agree that, where the Scottish Government has a significant interest, it is absolutely vital that it is actively involved at all stages of the process of negotiating future trade deals, including as members of or observers on the negotiating team. It is only in that way that the UK Government's stated aim of having a trade policy that reflects the interests of all parts of the UK will become a reality.

Such issues underline why it is so important that the Parliament does not give its consent to a

power grab on the powers of the Parliament that will be so important to protecting such interests in the future. I hope that we will have the support of all parties in the Parliament when we do our very best to make sure that Scotland's interests are heard loudly and clearly in any future negotiations.

**Dean Lockhart (Mid Scotland and Fife) (Con):** Whisky exporters to the United States now face massive currency uncertainty as a result of the First Minister once again calling into question Scotland's future currency. [*Interruption.*]

**The Presiding Officer:** Order, please. Let us hear the question.

**Dean Lockhart:** Can the First Minister explain to Scotch whisky exporters what her latest currency plans involve or—like some of her colleagues—is she not a currency expert?

**The First Minister:** Even the members on the Tory front bench had the good grace to look embarrassed while the member asked that question. I have to break it to Dean Lockhart that that is not the issue that people in the whisky industry are raising with me. I will tell him what issues are being raised with me; I am afraid that they are about Brexit.

The whisky industry is worried about potential trade barriers. It is worried about what we have just talked about—possible damage to the protection of Scotch whisky. It is worried about its ability to continue to have the export success that is so important to the trade balance of the UK. If Mr Lockhart spoke to more people in the whisky industry, he might have known that and not embarrassed himself by asking the question that he has just asked.

## Radiology

5. **Annie Wells (Glasgow) (Con):** To ask the First Minister what the Scottish Government's response is to reports that nearly £4 million is being spent on sending X-rays and computerised tomography and magnetic resonance imaging scans to radiologists outwith Scotland. (S5F-02379)

**The First Minister (Nicola Sturgeon):** The provision of high-quality and safe services to patients is an absolute priority, and our radiology staff do an excellent job. To ensure that scans are seen quickly by qualified professionals, national health service boards have the option of using the services of radiologists outwith Scotland. That allows them to ensure that they direct their local capacity to treat patients. That approach is not unique to Scotland; it is also a method that is used by the NHS in England and the NHS in Wales. However, to help grow local capacity, we are investing £4 million in a radiology transformation programme to improve capacity across Scotland.

**Annie Wells:** The £3.8 million that was spent on outsourcing radiology services between April 2017 and February 2018 represents an astonishing rise of 35 per cent on the figure for the previous year. The cause of that is clear: there is a serious shortage of radiologists in Scotland, with the latest statistics showing that one in seven posts is vacant.

I understand that the First Minister has said that she is investing £4 million in new services, but can she confirm that she will ensure that the backlogs of radiology work and the filling of vacant posts will be dealt with through health boards spending less money?

**The First Minister:** First, for a Tory to stand up here and talk about vacancies in the NHS after we have just been talking about the concerns that have been raised by the British Medical Association about being able to attract people into our NHS takes the biscuit.

Secondly, let me put the £4 million investment that she talks about into some context. That represents 0.03 per cent of health resource spending.

I want to make a more fundamental point. With the greatest of respect to Annie Wells, I think that she misunderstands slightly the issue around radiology scans. The option to utilise diagnostic imaging assessment services to ensure that scans are seen as quickly as possible is available to boards and is routine practice in the NHS across the United Kingdom, because using digital methods helps to deliver results more quickly and in real time, which works to deliver benefits to patients who are most in need of NHS services.

The approach is not one that is just happening in Scotland. For example, Radiology Reporting Online is a joint venture between University College London Hospitals NHS Foundation Trust and Imaging Partners Online, which is a company that is based in Sydney. It exists to provide a rapid round-the-clock reporting system. Members need only go to the *Official Journal of the European Union* to see a number of NHS trusts in England advertising for provision of radiology reporting services outwith the UK. The approach involves processing the scans in order to speed up the overall process and maximise the use of capacity here. This is a perfectly normal process, and I am sure that the health secretary will be happy to provide even more information to the member in order to inform her views on this further.

### Proposed Education Bill

**6. Iain Gray (East Lothian) (Lab):** To ask the First Minister what the Scottish Government's response is to calls at the Scottish Secondary

Teachers Association conference for the proposed education bill to be shelved. (S5F-02375)

**The First Minister (Nicola Sturgeon):** I think that teachers in Scottish schools, whether in primary or secondary, share our ambition to improve the education and life chances of our children and young people, and I hope that that ambition is shared across the Parliament. Our reform proposals aim to empower teachers to make the decisions that most affect the education of pupils and their schools and to support them with advice and expertise through regional improvement collaboratives.

We are listening carefully to the views that are expressed by a wide range of stakeholders, including the SSTA, as we finalise our proposals. Of course, our proposals will be finalised in the near future.

**Iain Gray:** The First Minister does not have to listen too hard to the SSTA. We are not talking about a close confidence vote. The demand to halt the education bill was unanimous—in fact, the only person at the SSTA conference to back Mr Swinney's bill was Mr Swinney.

Perhaps if the First Minister got out a bit more and spoke to teachers and parents, she would know that they agree with the SSTA that the bill is unnecessary and unwanted. When it comes to our schools, why does the First Minister think that everyone is out of step except her and her education secretary?

**The First Minister:** On the theme that seems to be recurring today of getting out a bit more, when I was chairing a public question-and-answer session with the whole Cabinet in Glasgow on Monday, I was talking to some teachers. They were enthusing about the pupil equity fund and its transformative effect in their schools.

Our reforms are unashamedly about empowering our front-line teachers and getting more resources into their hands, so that they can make the decisions about how they invest those resources to raise standards in our schools. We hear repeatedly what Labour is against and what it opposes, not just in education but across a range of subjects. Why do we not hear more about what Labour actually proposes to raise standards in our schools? We will continue to take forward bold and ambitious reforms in our schools, because raising standards in education is our priority and we are prepared to do something about it, unlike Labour.

**Liz Smith (Mid Scotland and Fife) (Con):** Does the First Minister accept that one of the main concerns about the proposed education bill is its apparent contradiction of allowing teachers to have greater control yet imposing a central regional set of collaboratives? Will she address

that matter when the new bill comes to Parliament?

**The First Minister:** I do not accept that contradiction. The purpose of the regional improvement collaboratives is to provide best practice, advice and expertise to teachers, so that they can use that in their classrooms. That is a perfectly sensible way to proceed. Some of the advice that we have taken on the reforms has come from our international council of education advisers, and the importance of best practice in our schools has been a recurring theme in those discussions. We will continue to pursue reforms that will make a difference in our education system.

It is quite right for Opposition parties to challenge the Government to do more about school standards, but we are getting to the point at which we will find out whether Opposition parties will be prepared to back us when it comes to doing the tough stuff that is required to achieve better standards, or whether they will continue to shout from the sidelines.

### Scottish Swimming

**7. Jenny Marra (North East Scotland) (Lab):** To ask the First Minister what the Scottish Government's position is on the vision of Scottish Swimming: "Everyone can swim". (S5F-02378)

**The First Minister (Nicola Sturgeon):** We support the vision of Scottish Swimming and are committed to increasing engagement in sport and physical activity. Swimming is a great way of keeping active. We have invested in Scottish Swimming: more than £1.3 million was provided through sportscotland last year. Scottish Swimming supports a range of activities to increase participation in swimming and improve the delivery of swimming lessons. I also welcome the partnership between Scottish Swimming and Scottish Water that was announced last year, which will help more than 100,000 children across Scotland to swim over the next two years.

**Jenny Marra:** That is very strange, because swimming lessons have been cut for all primary school pupils in Dundee. I will tell the First Minister what Labour is for: Labour is for swimming lessons for all primary school children across Scotland. The Scottish National Party has managed to make a political dog's breakfast of the issue. The SNP tells headteachers to raid the pupil equity fund to mitigate the cuts, then John Swinney says that that is not on and SNP council leaders blame press officers for getting it wrong when primary headteachers' minutes explicitly say that swimming lessons have been cut for all primary schools in Dundee.

What is the First Minister going to do about the ridiculous policy of cutting swimming lessons, on top of the cuts to physical education teachers and music teachers in schools? The reality is that the First Minister and I had more opportunities at school under Thatcher than schoolchildren in Scotland have under the First Minister's negligent Government. [*Interruption.*]

**The Presiding Officer:** Order, please.

**The First Minister:** I am glad to hear Jenny Marra confirm Labour's admiration for Margaret Thatcher. We have long suspected that, but now there is no hiding from it.

Let me first deal with Dundee, and then I will come back to Labour's position. We have received assurances from Dundee City Council that there will be no cuts to funding for swimming lessons in schools. The Deputy First Minister has been clear that he would not agree to pupil equity funding being used to replace existing provision—that is the case not only in Dundee but across Scotland.

However, I know of at least one council in Scotland that is cutting funding for swimming lessons. Labour-controlled North Lanarkshire Council—I have an extract from its budget document in front of me—cut £164,000 from its budget last year and ended swimming lessons for primary 5s completely. We will take no lessons from Jenny Marra and Labour, even if they admire Margaret Thatcher so much.

**Brian Whittle (South Scotland) (Con):** Swimming is not just an activity, but a life skill, yet 40 per cent of Scotland's children go to secondary school unable to swim. The First Minister's Government withdrew £1.7 million-worth of funding that was allocated to ensure that all primary school pupils got the opportunity to learn to swim. For many, that means that the ability to learn to swim and to be included in an activity that speaks to the health and wellbeing of our children—an issue that has been prevalent in recent discussions in the Parliament—will depend on the ability to pay for those lessons. Does the First Minister not recognise that denying access to swimming lessons for all exacerbates inequalities and detracts from the validity of any discussions that her Government is having about tackling childhood obesity?

**The First Minister:** The importance of tackling childhood obesity is recognised by us all, and we recently set a bold target to tackle it. Swimming, as part of a broader physical activity programme, is extremely important. That is why we continue to fund Scottish Swimming, it is why we are delivering real-terms increases for council resource budgets this year, and it is why we are giving pupil equity funding to headteachers across

Scotland, who can decide what is best for young people.

However, when Brian Whittle talks about funding such things, we must reflect on the fact that, if we had followed the advice of the Scottish Conservatives when we set our most recent budget, we would have had more than £500 million less to allocate in it than is the case today. They wanted to give tax cuts to the richest, rather than fund local authority services. I am really glad—and I think that people across Scotland will be really glad—that we did not follow that advice.

**The Presiding Officer:** That concludes First Minister's questions. We will have a short suspension so that the gallery can clear before the next item of business starts.

12:47

*Meeting suspended.*

12:52

*On resuming—*

## **Scotland's Gypsy Traveller Community**

**The Deputy Presiding Officer (Linda Fabiani):** The next item of business is a members' business debate on motion S1M-10202, in the name of Mary Fee, on celebrating Scotland's Gypsy Traveller community. The debate will be concluded without any question being put.

*Motion debated,*

That the Parliament celebrates what it sees as the rich social and cultural contribution that the Gypsy/Traveller community has made to society in Scotland since the 12th century; acknowledges that the Equality and Human Rights Commission has estimated that the country's Gypsy/Traveller population is between 15,000 to 20,000; understands that the term, "Gypsy/Traveller", refers to distinct groups, including Romany Gypsies, Scottish and Irish travellers, and others who regard travelling as being part of their ethnic identity; believes that they experience a variety of issues related to provision of adequate housing and access to public health services, with a much higher proportion rating their health as "bad" or "very bad" compared with the national average; believes that this contributes to a male life expectancy of 55 years, 12 years shorter than the average; understands that they are a disproportionately marginalised and discriminated group and are stigmatised by inaccurate myths and stereotyping about their culture; notes with distress that the most recent statistics from the Scottish Social Attitudes Survey suggests that 31% of people would be "unhappy or very unhappy" about a close relative marrying a Gypsy/Traveller, and that 35% said that a Gypsy/Traveller would be "very/fairly unsuitable" as a primary school teacher, and notes the calls on the Scottish Government to increase its commitment to eliminating discrimination against the Scottish Gypsy/Traveller community in West Scotland and throughout the country through strengthening existing equality legislation and providing greater support for inclusivity and equality training to ensure greater protection.

12:53

**Mary Fee (West Scotland) (Lab):** I welcome members of the Gypsy Traveller community who have travelled across Scotland to be in the gallery for this afternoon's debate, and I thank the Cabinet Secretary for Communities, Social Security and Equalities for her commitment to eradicating all forms of discrimination that is experienced by the Gypsy Traveller community in Scotland. The Scottish Government's decision to establish a ministerial working group on Gypsy Travellers is an important, positive and welcome step in the right direction. I also thank members from all parties for supporting my motion.

I am extremely pleased to have the opportunity this afternoon to celebrate the rich cultural contribution of the Gypsy Traveller community to Scottish society throughout the centuries, as well

as to highlight the enduring discriminatory attitudes towards Gypsy Travellers.

It is important to state from the outset that the Scottish Gypsy Traveller community is not homogeneous, but is a diverse and vibrant community of peoples, composed of a variety of distinct groups, each of which has its unique culture, history and traditions. The community includes Highland and lowland Scottish Travellers, occupational travellers, Romanichals, Irish Travellers, English Gypsies and Welsh Kale. Some members of the community choose to live a fully nomadic lifestyle and are constantly on the road, and others choose to travel for part of the year and live in traditional brick-and-mortar homes for the rest of the year.

I am proud that my West Scotland region has a tangible connection to the Gypsy Traveller community, who enrich the cultural fabric of my region. There are two residential sites for Gypsy Travellers in the region, at Dennystoun Forge in Dumbarton and the Redburn site in Irvine.

On the subject of residential sites, I welcome the publication of the Scottish Government's "Improving Gypsy/Traveller Sites—Guidance on minimum sites standards, and site tenants' core rights and responsibilities: Progress Report", but I am extremely disheartened and disappointed by the lack of progress that has been made in improving the standard of residential Gypsy Traveller sites in Scotland over the past three years.

The first written evidence of the presence of Gypsy Travellers in Scotland dates to the late 15th century, but it is commonly believed that the origins of Scotland's Gypsy Traveller population can be traced to the Celtic age.

The Gypsy Traveller community is a tight-knit community with a strong sense of cultural identity. It is a community with strong oral traditions, and through storytelling and singing down through the centuries, Gypsy Travellers in Scotland have shared their histories and passed down their traditions from generation to generation. The strong oral traditions have facilitated the continuation of the historical language of the Gypsy Traveller—Cant.

Scottish Gypsy Travellers have played an important role in contributing to the rich tapestry of our modern national history since the 15th century but, regrettably, discrimination against our Gypsy Traveller community remains the last bastion of acceptable racism in Scotland. Since my election to Parliament in 2011, I have continually raised the stubbornly high levels of discrimination and the range of inequalities that the Gypsy Traveller community in Scotland experiences.

I want to share with members a small anecdote that shows the discrimination that members of the Gypsy Traveller community face daily. In the previous session of the Parliament, when I was convener of the Equal Opportunities committee, we invited a group of women from the Gypsy Traveller community to an event in the Scottish Parliament. In the afternoon, before they came to the Parliament, the women and their children decided to go for lunch at an Italian restaurant not too far from here, on the Royal Mile.

The Gypsy Traveller women and their children were shown to seats by a member of the waiting staff, but before they had an opportunity to order any food, they were asked to leave the restaurant, on the request of the manager. The manager said that he was concerned that the presence of the women in his restaurant would deter other customers from patronising his restaurant. His prejudice was sparked simply by how the women were dressed. He judged them to be Gypsy Travellers and therefore, based on their ethnicity, he refused to serve them and asked them to leave. That is just one stark example of the discrimination and racism that members of the Gypsy Traveller community experience every day.

Social attitudes to Gypsy Travellers in Scotland remain an area of grave concern. The recent Scottish social attitudes survey of public attitudes to discrimination and positive action in Scotland revealed that just under a third of Scots would be unhappy if a relative married or formed a long-term relationship with a Gypsy Traveller, and that 34 per cent of people believe that a Gypsy Traveller is unsuitable to be a primary school teacher. The figures are staggering and should be viewed as simply unacceptable in Scotland in 2018.

It is evident that there is still much work to be done to educate and inform society about the rich contribution that Gypsy Traveller culture has made to our shared history. There is still much more to do to call out and challenge discrimination and offensive behaviour towards Gypsy Travellers. We must commit to meaningful action to protect the Gypsy Traveller community's distinct nomadic way of living, and we must work to tackle the often blatant and always ill-informed discrimination that is experienced every single day by Gypsy Travellers across the length and breadth of Scotland.

I look forward to listening to members' speeches in the debate.

**The Deputy Presiding Officer:** I ask the people in the gallery not to clap, boo, hiss or cheer. Thank you very much.

We move to open debate. Speeches should be of four minutes, please—we are quite tight for time.

13:00

**Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP):** I thank Mary Fee for bringing this important debate to the chamber, and pay personal tribute to her for the work that she has done to keep the issue at the top of the agenda in Parliament.

I also declare an interest—possibly for the two of us—as we are honorary members of the Showmen’s Guild, which is a great honour for us both.

I commend to members a lovely document, which I have here, called “Gypsy Traveller history in Scotland”, written by Shamus McPhee and produced by the Institute for Research and Innovation in Social Services. It is a smashing document that gives real insight into and understanding of 1,000 years of discrimination in Scotland—some of it by Governments, which is incredibly worrying because it was not so long ago.

The document tells us how the Gypsy Traveller community was treated in Scotland and shames us all. In her speech, Mary Fee talked about the first official record of Gypsy Travellers. It is in this document, and I will read it. It begins:

“Considered to be the first official record of Gypsies in Scotland and noted in the Book of the Treasurer to the King, James IV in 1505. A sum of £7 is ‘paid to the Egyptians by the King’s command’, whether for entertainment or because they are pilgrims carrying out penance remains unclear.”

That is one of the very first documented facts. It continues:

“In 1506, Anthony Gavino (‘Earl of Little Egypt’) receives a letter of commendation from King James to his uncle, King of Denmark. This assures the Gypsies safe passage to Denmark. They are thought to carry a papal order from Rome urging some degree of sympathy.”

We have not moved on much from then, and we need to do so much more, considering that so much of what they faced is still being perpetrated, even by elected members. We all have something to learn.

A few weeks ago, the Cabinet Secretary for Communities, Social Security and Equalities and I visited the South Lanarkshire Council Gypsy Traveller education project in Larkhall. The visit was organised and run by the young Gypsy Traveller children, who are succeeding in all areas of their lives and gaining qualifications because of the project. It clearly demonstrated the value of doing things a wee bit differently, and how we should not expect people to fit into how we do

things; we should make things flexible enough for us and the system to fit their lifestyle. It is amazing to see the work that is being done, and I pay tribute to Mrs Bernstein, who is the teacher. She is from Larkhall academy and has a team working with her. She is an absolute inspiration and has changed lives through the project.

The Equalities and Human Rights Committee has kept a focus on the issue during the past few years, but we have not focused much on the culture, songs, storytelling and the richness of the life that is lived. In a Proclaimers song called “Scotland’s Story”, they tell us

“We’re all Scotland’s story and we’re all worth the same”.

We should all be worth the same, irrespective of how we choose to live our lives.

On that visit to Larkhall with the cabinet secretary a few weeks ago, we met a lot of young people and some very articulate young women. The cabinet secretary was asked a straightforward question: “How is what you’re doing going to make a difference for me?” I know that the cabinet secretary has her working group and there are other aspects to that. She is now working with Davie Donaldson and the young Gypsy Travellers assembly in Parliament, which is a great advance. At the committee last year, Shamus McPhee asked us where is the Gypsy Traveller’s voice in what we are doing. Hopefully, we now have that voice, and it is a young voice.

Will the cabinet secretary, in her summing up, say what she is doing to make that difference, so that when I go back to that education project, I can tell that young woman about the difference that we are making for her?

13:04

**Annie Wells (Glasgow) (Con):** I thank Mary Fee for bringing this important debate to the chamber.

As a member of the Equalities and Human Rights Committee, I had the privilege last year of listening to members of the Gypsy Traveller community to mark human rights day. To quote Davie Donaldson, a member of the Gypsy Traveller community who gave evidence that day, since the Scottish Parliament’s inception,

“very little has changed”;

in fact,

“The situation has remained completely stagnant.”—  
[*Official Report, Equalities and Human Rights Committee, 7 December 2017; c 3.*]

To that end, we must see a step change.

Scotland’s Gypsy Traveller population is estimated to be between 15,000 and 20,000.

Despite that, and despite the fact that the community has lived in Scotland since the 12th century, Gypsy Travellers remain one of the most marginalised and isolated communities in Scotland. As Mary Fee highlighted, a recent Scottish social attitudes survey suggested that 31 per cent of people would be “unhappy or very unhappy” about a close relative marrying a Gypsy Traveller and 34 per cent said that a Gypsy Traveller would be “very/fairly unsuitable” as a primary school teacher. Those statistics suggest that discrimination towards that group is still very much accepted, being described as the last bastion of acceptable racism.

The impact of that marginalisation is clear, and there are obvious boundaries between Gypsy Travellers and public services. Basic health needs are not being met, with many Gypsy Travellers facing difficulties when trying to visit a general practitioner; some travel as far as 300 miles to see a dentist or doctor whom they trust and who they know will see them. The impact of that is clear, as many Gypsy Travellers experience inexcusable health inequalities and lower life expectancy. The age profile of Gypsy Travellers is much younger than that of the population as a whole, with only 28 per cent of their population aged 45 and over, compared with 44 per cent of the population as a whole.

With regard to housing, the accommodation situation for many Gypsy Traveller communities is described as remaining dire. Many council-assigned sites are built in undesirable and unsafe locations, often on unpopular brownfield sites that are unsuitable for commercial or residential use. Many sites often experience issues with dampness, mould and access to water. It was good to hear from Christina McKelvie about the great work that is being done in Larkhall, because education must also be a priority and we must urgently improve the educational outcomes for young Gypsy Travellers.

I am, of course, extremely pleased that a ministerial working group has been established to improve the lives of Gypsy Traveller communities. As the racial equality action plan states, a radical new approach is now needed—something that I whole-heartedly support. I would like to see regular reviews of the work that is being done. Reviews should be open and transparent and the group should continue to work closely with the Travelling community in order to scope policy.

I again thank Mary Fee for bringing this debate to the chamber. In 2001, the first committee report on Gypsy Travellers was published, and it is clear that a lot more work still needs to be done. All parties in the chamber want to see action on this. Gypsy Travellers must always have a right to their traditional way of life, but we must work with that

to improve the lives of those in the community, whether it be their housing, health or education.

13:08

**Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** I, too, congratulate Mary Fee on bringing this subject to the attention of the Parliament. She is a long-standing advocate and supporter of the Gypsy Traveller community and it is right that we recognise that today.

The disadvantage and discrimination experienced by the Gypsy Traveller community in Scotland is widespread with regard to access to housing, healthcare, employment and educational opportunities. It has been claimed that the discrimination against this community feels like the last acceptable form of racism—that has been mentioned already by members, because the maltreatment, harassment and community tension suffered by Gypsy Travellers is far more normalised and accepted than what is directed at other ethnic minority groups.

I will give a couple of examples. How would members have felt if, when they were children at school, they had one day received a letter from their teacher informing them that there was no point in teaching them as they were just going to end up tarmacking the roads anyway? Imagine the distress of a young man who is excited at the prospect of contributing to a community planning executive meeting only to be told, “Here’s your first lesson: nobody cares about the tinks”. Can members imagine being made to feel so ashamed of their ethnicity that they would not tell people about their background until they knew them well enough to hope that they would not react badly?

Those are just a few of the shocking experiences that have been relayed by members of the Gypsy Traveller community. They are examples of the daily discrimination that they face, and I am saddened to say that they are just a snapshot of the wider problem. Nobody deserves to be made to feel that they are less, especially because of their ethnicity. What should concern us is how reinforced and circular many of these instances are.

The lack of sufficient transit sites for Travellers usually means that they are compelled to stop somewhere that is probably not suitable, which brings them into conflict with the local community. I know that councils have tried to address that and some good work is being done, but a national solution might be needed to overcome the problem.

Poor health is a significant issue within the Travelling community yet, as Annie Wells mentioned, people experience great difficulty in accessing public health services, with GPs and

dentists sometimes refusing even to register them as patients.

As we can imagine, experiencing such treatment so often and in so many areas of life has a devastating impact. Although little Scotland-specific data exists on the health of Gypsy Travellers, a report by the Equality and Human Rights Commission confirms that rates of mental ill health in the community are much higher than those in the wider population. The closest specific figures that we have to hand demonstrate the distressing correlation between inequality and mental health. Suicide among Irish Travellers was found to be six times the rate of the wider population, and a staggering 11 per cent of the community are lost to suicide. Life expectancy is alarming low at an average of only 55 years, as I think Mary Fee mentioned.

Many of us in the Scottish Parliament have shown that the concept of Scottishness is elastic enough to include all and any who wish to live and work in this wonderful country. Indeed, my great-great-grandfather Daniel Coffey came from County Tipperary in Ireland, probably around the famine years, and settled in Kilmarnock. My Irish friends have reminded me constantly of the links that I have with the Travelling community there. Perhaps most of us are migrants if we look back far enough.

In this Parliament, we have striven to welcome migrants and show our appreciation for the positive contribution that they have made in enriching and improving Scottish society. Colleagues have fought against the unjust deportation of those who have made their lives here, and we worked together to support a bill offering pardons to gay men with historical convictions. Can our one Scotland, many cultures ideal reach out and embrace the Travelling community, too? I think that it can, and it must, with a little bit of mutual respect for differing traditions.

“Tougher enforcement against Gypsy Travellers”

might be the solution for some misguided politicians, but it would not take us one step forward in proclaiming ourselves to be the inclusive society that we aspire to be.

I thank my colleague Mary Fee once again for raising the issue in Parliament. Let us hope that our deeds reflect the positive vision that our words promise to so many of our Traveller companions in Scotland.

13:13

**John Finnie (Highlands and Islands) (Green):**

I join colleagues in congratulating Mary Fee on bringing her motion to the chamber for debate. I

recognise her on-going work on the matter and I fondly recall our time together on the Equal Opportunities Committee in the previous session of Parliament. People have asked, “What changed?” The two reports on the subject that came from that committee used, I understand, some of the strongest language that had been used in parliamentary reports. They were compiled on a consensual, cross-party basis and they gave a very clear steer. If I sound frustrated when I discuss the subject, it is because I am frustrated.

However, let us try to focus on some positives. The motion is entitled “Celebrating Scotland’s Gypsy/Traveller Community”. The Proclaimers song that Christina McKelvie talked about includes a lengthy list of groups. Here, we are all a mongrel race, and I mean that as an absolute compliment and not in any way offensively. A rich social and cultural contribution has been made, but it is unknown and undervalued. To many, it is a case of out of sight, out of mind.

I am very fond of advocates for the Gypsy Traveller movement, including Article 12, which does tremendous work. One of its resources that came out last year is called “Till Doomsday in the Afternoon: Gypsy/Travellers in Scotland”, which could be part of the curriculum for excellence. The description of it states that it is to

“raise awareness and understanding of the history, culture and traditions of the Scottish Gypsy/Traveller and work with young people to identify and seek solutions to the key ‘flashpoints’ that often occur between Gypsy/Travellers and the ‘settled’ community.”

Self-identification is very important. People choose to identify themselves as they think best fits their circumstances. It is sadly the case that a number of Gypsy Travellers choose not to identify themselves as such or give their address for reasons of discrimination.

In the very short time that I have, I will allude to a response that I received from the cabinet secretary to a question that I posed last week about traditional stopping-off points. I was grateful for the response, which I think it is worth putting on the record. The cabinet secretary stated:

“The Scottish Government recognises the rights of the Gypsy Traveller community to a travelling lifestyle that is part of their way of life, tradition and history.”—[*Official Report*, 16 May 2018; c 15.]

I am from rural Inverness-shire. I remember that there were two stopping-off places there. One was at Muirshearlich in a wooded area, but that is now surrounded by a fence and has a large house in it. The other was at the roadside near Spean Bridge, but it is now fenced off and has livestock in it.

There were hundreds if not thousands of such places across Scotland. I have said before—and I will keep saying—that a lot of sites were stopped

at the time of the new age travellers. Many of those people are now back doing their merchant banking job or other jobs in the City of London; that was a lifestyle choice for a while, but it interfered with our indigenous nomadic population. There are opportunities for public bodies, local authorities and the roads authority to look at that.

On housing need and demand assessments, I am grateful for the Government's report and, like others, I feel that a lot more could be done.

I want to single out one group among local authorities, and that is not the ones that are listed in the report but the ones that are not listed in the report. The reality is that local authorities have the responsibility, directly or indirectly, for sites. A lot of them are doing their very best, but a number of local authorities have their heads down and are doing zero—hee-haw.

We need a more collaborative approach. That should mean that housing need and demand assessments—perhaps even the term “housing” is unhelpful—should be done on a collaborative, cross-boundary basis, because that is the way that we will progress the issue.

No one is born prejudiced. Education is the key to this. I am grateful for all the work that is taking place and I hope that we will see some positive results in the near future.

13:18

**David Torrance (Kirkcaldy) (SNP):** I thank Mary Fee for bringing this debate to the chamber to celebrate Scotland's Gypsy Traveller community. I know that the subject is very close to her heart.

Gypsy Travellers are a unique part of Scotland's population. They speak a wide range of languages and have unique cultural traditions that are passed down from generation to generation.

In the 2011 census, 4,200 people identified themselves as Gypsy Travellers, but charities and organisations that work closely with the Gypsy community believe that that number is a vast underestimate and that the community comprises up to 20,000 people. Regardless of their number, Gypsy Travellers have a deeply embedded history in Scotland that is thought to go back to the 12th century.

During my time on the Public Petitions Committee in the previous parliamentary session, we heard evidence from Jess Smith, a Scottish Gypsy Traveller who lodged a petition calling on the Scottish Government to support the restoration and preservation of the heart of quartz overlooking Loch Fyne, in Argyll and Bute. Those ancient stones, which are locally referred to as the Tinkers' Heart, were often used by Gypsy

Travellers for marriage ceremonies and christenings. Although its origins are unconfirmed, one account indicates that the heart was created by Gypsy Traveller women to commemorate the lives that were lost during the Jacobite rising of 1745. However, the ancient site had been under threat for several decades. In 1928, the Tinkers' Heart was covered up by workmen from the local council during road works, but, following protests from landowners and Gypsy Travellers, it was restored.

In 2008, the posts and wire that surrounded the heart were damaged, which inspired Jess Smith to lodge the petition to protect and restore the site, as well as to call for its being listed. The wave of support from the local community, landlords, the local council and the Parliament indicated an increased recognition of the importance of preserving that unique part of history and culture. The Tinkers' Heart is the only existing monument that Scottish Travellers have, and, although it is not a big site, it has crucial historical, religious and cultural significance. Given the prominent discrimination against Gypsy Travellers, it is crucial that the site remains appreciated along with Gypsy Traveller history and culture.

The Public Petitions Committee worked closely with Jess Smith, and I am extremely proud of the outcome of the petition. Jess fought extremely hard to protect the site, which led to a public consultation in 2015 that eventually led to the site being added to the schedule of monuments by Historic Environment Scotland. Jess was subsequently nominated for a Scottish heritage angel award in 2017, in recognition of her work to safeguard the Tinkers' Heart. She has published several novels, and work detailing her fight for the Tinkers' Heart.

The committee visited the site of the Tinkers' Heart, on the hills overlooking Loch Fyne, and my lasting memory of Jess will always be from that day. We were both leaning over the fence that surrounds the site. It was a stunning day, the sky was clear and we could see for miles. She had the biggest smile on her face—I could see the utter joy and pride radiate from her as we discussed the significance of the heart. The site is integral to Scottish history, and it was evident just how much the heart meant to her. Knowing that such a vital part of her culture had been saved for future generations to enjoy clearly meant so much.

Although attitudes may slowly be changing, we still have several issues to tackle. A large number of people in the Traveller community continue to face daily struggles with accommodation, eviction, discrimination and harassment. All too often, the threat of abuse or violence is never far away. The evidence that the Equalities and Human Rights Committee heard also highlighted the fear that

surrounds people openly identifying as being a Gypsy or Traveller. When we add to that the lack of suitable residential sites—many are of poor quality and are poorly located—it is easy to see the many barriers to integration that exist.

We are at a critical point. We have the capacity to improve the lives of a portion of the Scottish population who are struggling with employment, education and healthcare. Moving forward, we need to understand better the needs of these communities in order to begin to tackle the many faces of discrimination.

Once again, I thank Mary Fee for bringing the debate to the chamber, and I reiterate the importance of understanding and appreciating Scotland's rich cultural history and the relationship between the land and its people.

13:22

**Jamie Greene (West Scotland) (Con):** I, too, thank Mary Fee. Without wanting to sound overly gushing, I note that the issue is very close to her heart and that she has played a fundamental role in helping other members of this Parliament from different parts of Scotland understand the issues that the community faces. I know that she is working hard on the issue, and I would like to think that we all support her in that work.

A lot of the statistics that I was going to mention in relation to prejudice and people's attitudes in Scotland have been mentioned already. However, I point to Anas Sarwar's recent event to launch "No Problem Here: Racism in Scotland", which is a collection of academic essays on prejudice and discrimination in Scotland. The conclusion is that, in this country, we have a tendency to sweep discrimination and prejudice under the rug, which often distorts our understanding of their existence. Saying that we are an open, modern and liberal country is not the same as being one. I draw attention particularly to an essay by Colin Clark, which I commend to members. It notes that discrimination is particularly evident in the labour market, in education and in the housing and transport sectors.

I was a member of the Equalities and Human Rights Committee, and, as others have mentioned, we took a lot of evidence from the community. Davie Donaldson has been mentioned, and I was struck by his evidence. He said that he was the only person from his peer group that he knew had gone to university. It is estimated that there are tens of thousands of people in the Gypsy Traveller community in Scotland, and he is an advocate for that group—a well-known one, at that. If he says that he is the only person he knows who has gone to university,

surely there is a problem. That is not representative of wider society.

I was very moved by the evidence that we heard. If the sort of language that is directed at the Gypsy Traveller community was directed at the Jewish community, the lesbian, gay, bisexual and transgender community or black and minority ethnic communities, there would be a public outcry. Therefore, it is correct to say that it is the last socially acceptable form of racism in Scotland, and probably in western Europe.

Some good work has been done in the West Scotland region, which I share with Mary Fee. In my local area, North Lanarkshire Council has taken steps to work and engage with the community. The site in Irvine is a good example of that. However, that does not mean that the situation is perfect, and there are still a lot of bad practices in other parts of Scotland. I extend an open invitation to members of the communities in Irvine and Dumbarton to come and see me if they wish. I would love to visit them and hear about the day-to-day issues that they face.

There are problems and errors, and it would be remiss of us to have the debate without talking about them. However, there is poor behaviour in every settled community—it is not limited to one part of society or another. There are people throughout Scotland who do not respect the environment or their neighbours.

Yesterday, we had a debate on housing and the conditions that people live in. It is wrong to stereotype, and there are many myths about the Gypsy Traveller community. Perhaps reality television has played a part in that, which is not particularly helpful. It has stereotyped the community and turned its life into entertainment. It is not entertaining for people who are afraid to go to school because of bullying or for teachers who cannot get work because of their ethnicity.

More can be done. As someone said, prejudice is born out of fear and a lack of understanding. As humans, we are intrinsically afraid of cultures, customs traditions and languages that we do not understand or share, so education will be key.

We are short on time, so I will close by making a plea. There is a working group. However, having been in the Parliament only a few years, I get the impression that a lot of the discussion has already happened and that commitments and promises have been made. It is not for me to be the Gypsy Traveller community's voice, but the last thing that it wants is more empty promises and warm words from politicians. It wants action, and I will be fully supportive of any action that is taken.

16:26

**Monica Lennon (Central Scotland) (Lab):** Like other members, I thank Mary Fee for securing this important debate and for being a strong voice for the Gypsy Traveller community since she was elected to the Parliament, in 2011. It is to Scotland's shame that, despite its positive contribution to society, the Gypsy Traveller community continues to experience appalling discrimination. Its experience of prejudice has been described as the last acceptable form of racism.

Sadly, a person's first experience of discrimination often occurs in childhood. At an evidence-taking session in December last year, the Equalities and Human Rights Committee heard from a member of the Gypsy Traveller community who described being treated like an animal by his teachers at school. We have heard that such discrimination follows Gypsy Travellers into adulthood. As Mary Fee highlighted, the Scottish social attitudes survey tells us that more than one third of Scots believe that Gypsy Travellers should not educate our children.

That is why the work that Christina McKelvie highlighted with her constituents in Larkhall is important. In this year of young people, it is important that we use education to break down barriers. The work that Mrs Bernstein, her colleagues and the students are doing is wonderful, and it is great to see so many young people in the gallery today.

My contact with members of the Gypsy Traveller community has largely been through my work as a town planner, which was my job before I became a politician. From other members' speeches, we know that there is a severe lack of housing sites for the Gypsy Traveller community. Several years ago, I worked closely with a family who own land and had, for decades, been using it as a pitch for caravans. I will not go into all the technical aspects of the situation but, eventually, when the family approached the council to have the arrangement formalised, they were told that they could not get a certificate of lawfulness and that, in fact, an enforcement notice had been served on the site many years previously. When we asked to see the records of that, we found that they had not been kept.

I was thinking about that case last night. People were very emotional at the time. With the family's assistance, I was able to produce death certificates that showed the address as that site, as well as letters from GPs and social workers and letters of support from an MSP, a councillor and the family's neighbours and friends, which showed that they were very much a part of the community and that the site was their home. Despite all that, the application was refused. Eventually, there was

an appeal to the Scottish Government, which was successful.

That site was in North Lanarkshire, which is now part of the region for which I am an MSP, and the council's figures on Gypsy Traveller housing provision have not got any better. The sites that were closed a number of years ago remain closed, and new sites have not opened.

I am delighted that the cabinet secretary is here. I know about her commitment to equalities, but will she say something about the Planning (Scotland) Bill in her closing remarks? There is a big opportunity to include Gypsy Travellers at the heart of what we are doing with the planning system.

I still do not feel entirely confident that we are getting there, but the debate allows us to keep the issues at the top of the agenda. We can make progress, but the sites still do not meet the Scottish Housing Regulator's standards, and more needs to be done about that. However, we need to respect the diverse wishes of the Gypsy Traveller community and accommodate those who wish to have their own sites and land through the housing need and demand assessment process, and through planning.

I am grateful that I have been able to take part in this short debate.

**The Deputy Presiding Officer:** If members want to hear the cabinet secretary respond in her allotted time, I will have to extend the debate a little. I am, therefore, minded to accept, under rule 8.14.3 of the standing orders, a motion without notice to extend the debate by up to 30 minutes. That is with the assurance that the cabinet secretary will not speak for 30 minutes.

*Motion moved,*

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[*Mary Fee*]

*Motion agreed to.*

13:31

**The Cabinet Secretary for Communities, Social Security and Equalities (Angela Constance):** Today, we have in the gallery members of our Gypsy Traveller community from Aberdeen, Angus, Aviemore, Clydebank and West Lothian, and representation from the young Gypsy Traveller assembly. They include Mr Davie Donaldson and the indefatigable Mrs Bernstein from the Larkhall Gypsy Traveller education programme.

I welcome our guests to the Scottish Parliament. This is their Parliament, and they have absolutely every right to be here and to expect the absolute best representation from their parliamentarians.

We are here to do a job: we are here to represent all of Scotland, and that includes the Gypsy Traveller community in all its diversity.

I, too, congratulate Mary Fee on securing this debate. Many members have repeated that she has been a passionate champion of the Scottish Gypsy Traveller community for many years. I am genuinely looking forward to the cross-party working group that she will establish and lead in the near future, because it is very important that there is a cross-party working group to support and proclaim the voice of the Gypsy Traveller community and that it works alongside the ministerial working group.

Mary Fee's motion rightly starts by referring to the "social and cultural contribution" of the Gypsy Traveller community. We have heard from Christina McKelvie, Willie Coffey and David Torrance that that community is very much part and parcel of Scotland's story. It cares deeply about the heritage and history of our country and the land. Like others, I want to celebrate the contribution that Gypsy Traveller heritage makes to the cultural life of Scotland.

I am delighted that next month there will be the launch of the annual celebration of Gypsy Roma Traveller history month in Scotland. John Finnie touched on a very important point. That community's contribution, cultural heritage and history are largely unknown, and we should, of course, shine a light on a history that we should all be very proud of. I hope that doing that will play a part in challenging stereotypes and reducing the discrimination that that community faces daily.

The Gypsy Traveller community in Scotland continues to face intolerable levels of prejudice and hostility, and that absolutely has to change. I know that there has been a lot of talk and insufficient action, and that we have had three parliamentary inquiries. Although some progress has been made—it would be unfair not to pay tribute to that—it has been patchy and inconsistent and, frankly, not good enough. That is why I have established the ministerial working group, which brings together ministers with responsibility for housing, education, employment and health. The group, which I chair, will develop and drive forward radical new approaches across Government and will bring real change at a much faster pace.

I stress that we are not doing that work in splendid isolation, in an office or a cupboard somewhere in the Parliament or down at St Andrew's house. We will publish the minutes of the ministerial working group and we will keep the Equalities and Human Rights Committee and the Parliament fully informed. We invite guests to take part in the group, and we have particular themed discussions. Over and above that, there is the work that goes on outwith the working group, such

as the engagement that I have had with the Scottish Traveller education programme, my visit to Larkhall, my visit yesterday to a site at Redding industrial estate in Falkirk and the contact that I have had with the Minority Ethnic Carers of People Project. I also expect other ministers right across Government to have contact with stakeholder organisations and individual members of the community. I know that a number of my colleagues have had the pleasure of meeting the young Gypsy Travellers assembly.

One important point about the ministerial working group relates to partnership working with the Convention of Scottish Local Authorities. I met COSLA this morning to hear about the work that it is doing across local government to tap into local leadership, because we need local champions to stand up in council chambers and face down and call out discrimination whenever and wherever it exists. This morning, I met Councillor Witham, who is COSLA's community wellbeing spokesperson and who chairs its wellbeing board. She apprised me of the paper that COSLA has produced, the engagement that it has had with Mr Donaldson and some of the pragmatic potential solutions that it is prepared to look at.

More deeply than that, it is crucial that the two spheres of Government in Scotland—the Scottish Government and local government—work together and challenge each other, and that we find ways to actively demonstrate that we are taking a human rights approach to improving the lives of members of the Gypsy Traveller community. We have started to have that conversation with each other. For me, human rights are at the core of everything that we do, but the issue is how we implement them and how they make a difference out there for the real people and real communities whom we serve.

To respond to Jamie Greene, I take very seriously the point that there have been a number of inquiries. The absolutely last thing that I would ever want to be involved in is a process in which people feel a level of disengagement and feel that they have heard it all before. With the cross-party support of the Parliament, I want the message from the debate to be that we are absolutely serious, and I will take Jamie Greene at his word when it comes to his support. When we, at local or national level, have to make very difficult decisions, I hope that we will have the support of the Parliament and that we will go forward as one to make a difference.

Many members touched on the results of the Scottish social attitudes survey, which are indeed a wake-up call. We have to recognise that fear of discrimination and actual discrimination prevent those in the Gypsy Traveller community from accessing essential public services that they have

every right to access, and that that in turn contributes to and exacerbates the poor outcomes that they experience. Our public services therefore need to have a greater awareness of Gypsy Traveller culture and of the needs of the community, and we need to ensure that, right across the public sector, we are better equipped to understand and respond to such needs. I hope that it goes without saying that we do not tolerate any other forms of racist abuse or insidious discrimination and so we must all challenge all forms of discrimination towards the Gypsy Traveller community whenever and wherever they exist.

I reiterate that site standards are minimum standards. I share other members' disappointment that such standards have not been met across all the sites in Scotland. I say very clearly to the Parliament that the Government has been very proactive in publishing the report and in stating our position in it. We will not demur when there are difficulties, we will not turn the other way when things fall below an acceptable standard and we will not sweep any issue under the carpet. We have written to every local authority and social landlord site provider to make it clear that we expect improvements to be made as soon as possible. The Scottish Housing Regulator has a statutory role in that, and it must play a part in ensuring that social landlords meet the standards that are now part of the Scottish social housing charter and that all site providers maintain their sites to those standards. I also expect site providers to work with residents to keep them informed of progress.

I know that there are many issues about housing needs assessments, lack of provision and the types of provision that are available. We are actively doing work on traditional halting stops, in which Mr Stewart, the Minister for Local Government and Housing, has a particular interest. I know that, in his work with COSLA, Mr Donaldson has pointed to very good and innovative practice and leads on negotiated stopping points. That is very interesting work that we should look at very carefully.

Quite clearly, much more work needs to be done on health and education. For me, the key thing is that our services are able to reach out when they should be doing so and that we provide flexible services that offer opportunities in which the Gypsy Traveller community can take part without fear of disadvantage or discrimination. I am probably stretching your patience, Presiding Officer, but I would also like to point out the Government's new commitment, in the child poverty delivery plan, to invest an initial £0.5 million to work directly with the community, families and other partners to create a more

tailored approach to early years and early education programmes.

I appreciate that there will perhaps be many issues—for example, those on planning—that I have not been able to go into. There will be a stage 1 debate on the Planning (Scotland) Bill next week, and I hope that members will take that opportunity to speak about and reflect on the needs of the Gypsy Traveller community. How we work with members of the community to improve their lives and opportunities and take their voices to heart is not an issue that is just for a members' business debate—important though that is—but must be at the heart of every debate that we have in the Parliament.

I am very grateful to all members who have participated in the debate and thank them for their contributions. Not only is it imperative that we shine a light on what John Finnie described as the sheer and utter frustration that has been experienced, but, as Willie Coffey said, we need to go forward as one Scotland and ensure that members of the Gypsy Traveller community—whom we, as members, represent—can live happier, healthier and wealthier lives in which they can play a full role in the next stage of Scotland's story.

13:44

*Meeting suspended.*

14:30

*On resuming—*

## Ferry Services (Northern Isles)

**The Presiding Officer (Ken Macintosh):** Good afternoon. We continue with the next item of business, which is a statement by Humza Yousaf on procuring ferry services for the northern isles. The minister will take questions at the end of his statement.

14:30

**The Minister for Transport and the Islands (Humza Yousaf):** On 2 February 2017, I announced a policy review of the future approach to be taken to the procurement of the Scottish Government's publicly funded lifeline ferry services. I followed up that announcement on 20 December 2017 by publishing an interim report setting out the emerging findings of the policy review. The interim report confirmed that a direct award to a Teckal-compliant in-house operator under the procurement regime would be compatible with the maritime cabotage regulation, subject to further consideration of how we will in practice satisfy the Teckal control test, which we consider to be very much achievable.

The report also confirmed the need to satisfy the state-aid rules, particularly the four Altmark criteria. In so doing, the report set out our plans to continue our positive engagement with the European Commission in order to build a case to satisfy those rules. We remain fully committed to building that case, and we aim to achieve that in advance of the existing contract for the Clyde and Hebrides ferry services ending in September 2024. In the meantime, the Clyde and Hebrides ferry services will continue to operate under full public ownership and control under the terms of the existing contract.

The interim report also stated that the decision on the future approach to the procurement of the Northern Isles ferry services would be taken in the spring of 2018. I said that I would engage further with the northern isles communities and key business stakeholders before making that decision. I also said that I would consider the progress that had been made through our continued engagement with the European Commission on our ability to build a case that would satisfy the state-aid rules in the event of a direct award to a Teckal-compliant in-house operator.

I have since written to local community representatives and business stakeholder groups and met with them on my recent visit to Orkney and Shetland on 27 April. That recent engagement has led me to conclude that there is not the same

strength of feeling for making a direct award to an in-house operator as that which exists across the Clyde and Hebrides communities. In fact, some concerns about doing so have been raised from many quarters, particularly the seafood industry in Shetland.

Most northern isles community representatives are of the view that the tendering of the existing contract has delivered benefits and improvements to the ferry services, and are keen to ensure that the level and quality of service that is provided in the future is fully aligned with the communities' needs and projected growth in the islands' economy. Although a minority of local community representatives and key business stakeholders were generally agnostic about the process for procuring the ferry services, the majority expressed a strong preference for the next northern isles ferry services contract to be tendered.

On 24 January, I wrote to the European Commission about building a case for a Teckal-compliant direct award under the state-aid rules. I informed the Commission of the emerging findings from our policy review and proposed that our respective officials meet to discuss and agree the key principles that would form the basis of a case to satisfy the four Altmark criteria. The Commission's response reiterated its position that it would be significantly challenging to meet the fourth Altmark criterion. The fourth criterion requires that, in the absence of a public tender, the in-house operating company must constitute a typical and well-run undertaking in line with market conditions.

The Commission's response, a copy of which I shall place in the Parliament's information centre, also introduced a new dimension—one that we will also have to take account of in our work to satisfy all four Altmark criteria in the future. The Commission referenced the judgment in the European Court of Justice on 1 March 2017 on what is generally known as the Corsica Ferries case. The Commission's interpretation of that judgment is that it confirms the validity of the three-step test of manifest error that is used by the Commission to define a public service obligation in the case of services of general economic interest. In layman's terms, it is perhaps easier for me to quote the Commission's response. The Commission stated that

"where the Member State has the choice between a public service obligation scheme open to all operators and a public service delegation entrusted to one or few operators only, it must opt for the solution that will least distort the freedoms necessary to the good functioning of the internal market. These considerations, and the need to demonstrate the existence of a market failure, would also be relevant in the case of a planned direct award to an in-house operator of the maritime transport services to the Scottish Islands."

We therefore need to give further detailed consideration to the Commission's response. That will most certainly lead to more protracted and complex discussions with the Commission before we can reach a definitive position on whether it would be possible to make a direct award that satisfies the state-aid rules. However, that does not change my intention to do so. We will continue to build our case for making a direct award to an in-house operator that satisfies the state-aid rules, certainly well in advance of the existing Clyde and Hebrides contract ending in 2024.

I have always been clear that the views of local communities and key business stakeholders will be central to any decision on the future approach to the procurement of our northern isles ferry services. I have taken full cognisance of the views that were expressed to me during my recent visit to the northern isles, and I have given very careful consideration to the recent correspondence from the European Commission.

I have also considered the importance of maintaining and securing services to the northern isles. The Government had previously secured an 18-month extension—which is the limit of the extension that we are able to give without taking action—to the northern isles contract. That makes it imperative that a decision is taken now and it prevents me from waiting for the work on a direct award to be completed, given its complexity.

For those reasons, I have concluded that the next northern isles ferry services contract should be tendered as soon as practicably possible. Taking the decision now to tender the northern isles ferry services will provide sufficient time to complete what will be a high-value and complex procurement before the current extended contract expires in autumn 2019. Delaying the decision would serve only to put the continued delivery of the ferry services at risk, which is something that I am simply not prepared to do.

In reaching that decision, I emphasise the Government's record in supporting and investing in the northern isles ferry services. We recently purchased the three Ropax vessels from the Royal Bank of Scotland. The savings to be generated from the purchase of those vessels will assist us in delivering on our promises and commitments to introduce the road equivalent tariff to the northern isles.

We also recently published a comprehensive transport appraisal study in line with the Scottish transport appraisal guidance. The study identifies a number of options that will help to inform the specifications for the next northern isles contract. The study also recognises the additional demand and capacity pressures that might arise as a result of the introduction of lower fares on the northern isles routes.

We will continue to engage with local community and key business stakeholders on those issues during the development of the specifications for the next NIFS contract. In doing so, we will ensure that the tender delivers a ferry service that provides the required level of services to support the islands' future social and economic prosperity.

I also take this opportunity to emphasise that the decision to tender the next northern isles ferry services contract does not change my position on the future approach to be taken to the procurement of our ferry services. As mentioned previously, I remain fully committed to building a case for a direct award to an in-house operator that would satisfy the state-aid rules before the existing Clyde and Hebrides ferry services contract ends in October 2024. That commitment extends to subsequent contracts for our other lifeline ferry services, including future northern isles contracts.

I should also add that the Government's future approach to public sector ownership and control of key transport services, including building the case for a Teckal-compliant direct award to an in-house operator, is reflected in our commitment to enable a public sector operator to bid for the next ScotRail contract.

My statement today ensures the continued protection and delivery of vital lifeline ferry services to the Shetland and Orkney island communities that rely on them for their social and economic sustainability, and it continues our commitment to secure the direct award of ferry services on the west coast in the future. It also fulfils my commitment to act in line with community considerations in the northern isles. That is a responsibility that I and this Government take very seriously. The decision to tender the next northern isles ferry services contract enables me to fulfil that responsibility and demonstrates this Government's continued support for and investment in those ferry services.

**Jamie Greene (West Scotland) (Con):** I thank the transport minister for advance sight of his statement. I also thank him for seeing sense in this matter. After repeated calls from members on the Conservative benches for him to listen to local communities and to do the right thing, his confirmation that the northern isles ferry services contract will go to tender is a welcome announcement.

The tender process—not just in the northern isles, but across Scotland—offers a transparent procurement model that allows for healthy and open competition, ensures value for money, encourages growth and innovation on the route concerned and, frankly, keeps incumbents on their toes. The reason why the Government has failed to convince the European Union that state

intervention would not distort the market and why it could not demonstrate market failure is that Government intervention would distort the free market and there has been no collapse of the market. The only thing that is preventing the minister from pursuing his agenda is the EU and a legal block. Presumably, if he could take the contract in-house, he would, in the face of opposition, do so.

If service users in Orkney and Shetland have little appetite for a nationalised and centrally controlled service, why does the minister insist on dogmatically pursuing that agenda? He says that he is “building a case” for the “direct award” of the contract. How much civil service time and energy is going into and has been wasted on that work? How much legal resource has gone, and will continue to go, into that obsession?

Will the minister confirm that the tender process will be open and transparent? When does he expect the tender exercise to open? How long will the process take? Will he give Parliament a commitment today to take the nationalisation agenda off the table once and for all?

**Humza Yousaf:** My approach is not dogmatic but principled. This Government’s principle is that we prefer to award lifeline services directly to an in-house operator. Regrettably, I cannot do that because, as I outlined in my statement, by and large, the European Commission still needs to be satisfied and convinced, and that is a complex discussion and negotiation.

I say gently to the Conservative member that his party is not dogmatically opposed to that approach either. Last week, his Secretary of State for Transport took the east coast main line service in-house because it was practical and pragmatic to do so.

**Jamie Greene:** That was a failed market, which is completely different.

**Humza Yousaf:** The member is right to say that it was a failure of the private market.

This is not about dogmatism; it is about my principle, and this Government’s ideology, that it is better to award the contract in-house. However, we also said that we would take the community’s views into account. I did that. I travelled to Orkney and Shetland and listened to business owners, particularly in the seafood industry. As I have said, I think that they will be very pleased with the decision that we have come to today. However, that decision does not preclude me from directly awarding a future NIFS contract, if we are able to satisfy Teckal and state-aid rules.

I give the member an absolute guarantee that the tender process will be open and transparent. I also promise him that we will engage on the

specifications in an open manner. On the milestones and when the invitation to tender will be ready and so on, I will make sure that he is kept up to date.

**Colin Smyth (South Scotland) (Lab):** I, too, thank the transport minister for advance sight of his statement. It is clear that the basic principle that public transport is an essential public service and not an opportunity for private profiteering is not shared by the Scottish National Party. We again have promises of jam sometime in the future.

Last week, just before the United Kingdom Government confirmed that it would operate the east coast main line route through an operator of last resort approach, the transport minister said that he was “agnostic” about the contract returning to public hands and stated that he does not have a preference for either public ownership or private ownership.

It is clear today that a pattern is developing when it comes to this Government’s commitment to public ownership: it simply does not have one in practice. Having dragged his heels and today ruled out bringing the northern isles ferry services under public control, will the minister guarantee a level playing field during the tender process? Will he ensure that there will be a strong public sector bid? Furthermore, unlike what happened with the previous bid from CalMac Ferries, will the process be open?

**Humza Yousaf:** I will make a couple of points of clarification. First, when it comes to a public sector bid for the railways, which is where Colin Smyth started his question, I remind him that it was the SNP Government that changed the law so that a public sector bid can come forward. That was not done by Labour Party during the years and years that it was in power—the Labour Party did heehaw on the matter; Labour put all its efforts into blocking the full devolution of railway powers to the Scottish Parliament. I will not take any lectures from Colin Smyth on our railway powers—*[Interruption.]*

**The Presiding Officer:** Mr Smyth, please be quiet.

**Humza Yousaf:** Secondly, I remind Mr Smyth that when Labour was in power, it also tendered ferry contracts—on the west coast. He is also extremely out of step with the communities in Orkney and Shetland. I do not know whether he has travelled to Orkney and Shetland in his political capacity. I suspect that he has not, because had he done so he would have heard directly from the communities, the business owners, the community councils and the local authorities themselves about what they do not want.

I agree that those are not the only considerations. The other consideration for us to take is whether we can satisfy the European Commission. I am not prepared to put the service at risk simply because the Labour Party wants me to do so. I do not rule out directly awarding the contract as something that we could do in the future, if we satisfy Teckal and state-aid rules. If the Labour Party had any sense, it would not put the northern isles ferry services at risk either.

**The Presiding Officer:** I remind members to ask their question and then listen to the answer. It is not a conversation.

**Richard Lyle (Uddingston and Bellshill) (SNP):** I for one think that the minister is doing an excellent job. [*Interruption.*] I welcome the minister's statement. The SNP Government has a strong record in supporting Scotland's ferries and the communities that depend on them. Could the excellent minister set out just how much the Government has invested in supporting ferries in Scotland?

**Humza Yousaf:** My friend is as kind as he is wise.

Richard Lyle raises an important point. We have invested heavily in our lifeline ferry services. We have invested £1 billion in ferry contracts since 2007. On top of that, we have cut fares for the west coast, which has led to a real boom in the island economies. We are looking to do the same in Orkney and Shetland later this summer. We have made progress in tackling underinvestment in ships. We have added eight new ferries, at a cost of £118 million to the Government. We know that Ferguson's is also building two 100-metre, dual-fuel ferries, which is a contract that is worth £100 million. We have just purchased the three ropax—roll-on/roll-off passenger—vessels, and so on. That is a significant amount of financial support and—dare I say it?—much more investment than that provided by previous Administrations.

**John Finnie (Highlands and Islands) (Green):** I thank the minister for early sight of his statement, which I found extremely disappointing. The Green Party had hoped that the purchase of those vessels would be the first step towards public ownership. The minister has lost a real opportunity to deliver a publicly owned service that operates exclusively in the interests of the islands, rather than for the benefit of private shareholders. It is hardly the response of a progressive Government.

I thank the minister for the letter that he circulated, which alludes to public ownership as being significantly challenging. Is the Government not up for significant challenges? Where does that leave us in relation to the challenges around

ScotRail? If that is the direction of travel, it is a very depressing one.

**Humza Yousaf:** I urge Mr Finnie to read the letter that I gave to the Scottish Parliament information centre and sent to the European Commission. I spoke to Mick Cash from the National Union of Rail, Maritime and Transport Workers earlier today and said to him that it is worth looking at that letter. If I were to do what Mr Finnie asks and directly award the northern isles ferry services contract, I would be putting it up for significant legal challenge, which would put the delivery of the services at risk. That is something that I am not prepared to do.

If the member has a different legal opinion, I would be open to hearing that advice—as I said to the RMT's Mick Cash. However, we should be under no illusion that what Mr Finnie is asking me to do would put the services at significant risk, which is something I cannot do.

I can give him some reassurance, first, that my officials and I are working hard to ensure that we can directly award the contract for the west coast when it expires in 2024 and, secondly, that our approach does not preclude me from directly awarding a northern isles ferry services contract in the future. I note Mr Finnie's disappointment, but I hope that that will give him some element of reassurance.

**Tavish Scott (Shetland Islands) (LD):** I thank the minister for his statement and I agree with it, because this is the right decision.

I would like the minister to clarify one point. He said that the principle is how the operation is run; my principle is what is in the best interests of the islands. I applaud the decision that he has announced today, but in the future—particularly given that we are about to pass the Islands (Scotland) Bill—I hope that island needs will be uppermost in the mind of the Government, whoever is in government at the time, and that decisions will be taken in that light.

The minister was right to mention the seafood industry. Will he undertake to meet the industry, councils and other players to ensure that the specification on which he is about to embark is right? That is particularly important in the context of whatever decision he is about to make on road equivalent tariff, because capacity is the issue now and will be in the future; it is important to ensure that there is enough capacity for the islanders and for the freight industry, so that the industry can export the goods to the mainland that it needs to export.

**Humza Yousaf:** I thank Tavish Scott for following Richard Lyle's lead in thanking me for the important decision that has been made.

Everyone knows that where Richard Lyle leads, everyone else follows.

**Richard Lyle:** They should follow.

**Humza Yousaf:** The serious point is that Tavish Scott is absolutely right. I said that we would look at the state aid and Teckal implications of any decision and that we would also consider the best interests of the community and the community's needs and preferences. I have done that in this case. Such consideration will also be a significant part of decisions on a future NIFS contract—it will not be the only factor, of course, but it will be a significant one.

I can give Tavish Scott an absolute assurance and guarantee that the discussion about the specification will be very open. I am more than happy to take his suggestions on who to meet when I travel to Shetland—and, of course, Liam McArthur's suggestions about who to meet when we travel to Orkney. When I was last in Shetland, the seafood industry made vital points to me about capacity issues, of which I am very cognisant.

In this Parliament, I have previously given John Finnie an undertaking that the unions will be very much part of the conversation about specifications. I am happy to put that on the record again, too.

**Jamie Halcro Johnston (Highlands and Islands) (Con):** I declare an interest as a partner in the business of J Halcro-Johnston and Sons, and I thank the minister for the advance sight of his statement.

I welcome the outcome in the short term, but although the minister claims to have listened to local people it appears that he simply had his hand forced by the European Commission. The minister has made clear that he still wants to take the northern isles ferry service into state control, despite today's recognition that in the northern isles there is clear local opposition to such an approach. Will the minister continue to push for an outcome that is clearly not what local people want?

If the future of tendering remains under review, will the minister commit to engaging fully, not only with local representatives but directly with the people of Orkney and Shetland, on the future of our lifeline ferry links?

**Humza Yousaf:** I absolutely will commit to engaging fully. I will go back over my notes, but I am not sure that I received representation from Jamie Halcro Johnston on this point, although I appreciate his making it in the chamber. I have engaged fully with communities and business leaders in Orkney and Shetland. It would be fair of anyone who represents the islands to say that I

have been up there to talk to people and that I have listened to what people had to say.

There are two factors in my decision. One is the community interest and community needs and preferences; the other is very much the European Commission. When it comes to a future NIFS contract, I can give the member an absolute assurance that I will listen to what the community has to say; where we are with Brexit and the state-aid rules and so on by the time of the next contract will also be part of the consideration.

This Government has said that it will listen to the communities of the northern isles, and today's decision clearly demonstrates that we are very much listening to what those communities have to say.

**The Presiding Officer:** There are still eight more questions, which I would like to get in.

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** In view of the importance of the £0.5 billion seafood industry, which is important to members from the northern isles and members from north-east Scotland, will the minister take account of interests at the other end of the ferry line, in the north-east? Those interests depend on the link and indeed are working to ensure friction-free access to the European Union for our high-value seafood, because it will be no good landing the seafood in Scotland if we cannot sell it in Europe—and the Tories are putting that at risk.

**Humza Yousaf:** The member is absolutely right to raise that point. When it comes to the specification, I will of course also engage with communities in the north east.

Conservative members are standing up one after the other and demanding that we listen to the interests of the communities, but the biggest threat to our seafood industry is the Brexit shambles, and that decision was not taken by the Scottish Parliament or the people of Scotland.

**Rhoda Grant (Highlands and Islands) (Lab):** The decision is disappointing, especially when councils are asking for help with their inter-island ferry routes. Surely consideration should have been given to building economies of scale with all those services and that should have been done before this short-sighted decision was made.

**Humza Yousaf:** I am really disappointed by Rhoda Grant's remarks. It is obvious that she has not spoken to the local authorities in either Orkney or Shetland. I spoke to both leaders before coming into Parliament and they agreed with the Government's position. Rhoda Grant needs to get out there, meet the communities and engage with them and local authorities. I have done that and she has not.

The Cabinet Secretary for Finance and the Constitution is rightly reminding me that the Labour Party voted against the lifeline that we provided for internal ferries. They would have had hee-haw, zilch and nada if Rhoda Grant was in charge. We are not only listening; we are supporting lifeline services in Orkney and Shetland.

**Stuart McMillan (Greenock and Inverclyde) (SNP):** I welcome the minister's commitment to building a case for an in-house operator, and he spoke about the review in his statement. How is the review looking at options for achieving a competitive tender in a secure, sustainable and affordable way that gives long-term confidence to the ferry users, the communities and the employees?

**Humza Yousaf:** The way to do that is by having open engagement with stakeholders across the board. The member is right to mention all those sectors of society, be it communities, businesses, unions, employers or others. We will engage with them all in an open way.

When it comes to the specifications, we will be under the obvious constraints but we will seek to be as flexible as possible and make our engagement as wide as possible.

**Edward Mountain (Highlands and Islands) (Con):** It is interesting to be talking about ferries with the minister today, fewer than eight days since he addressed the Rural Economy and Connectivity Committee on many issues to do with ferries but not this particular subject.

Now that Caledonian Maritime Assets Ltd owns the ferry and CalMac will be encouraged to tender, if CalMac is unsuccessful will the existing ferries remain on the northern isles routes?

**Humza Yousaf:** On the point about the committee, I am not in charge of the questions that members ask; I simply answer the questions that I am asked by committees.

On the question about CalMac, I can give the member an absolute assurance. We have to ensure that we have separation between CalMac, which is owned by the Scottish Government as a majority shareholder, and the procurement process. We have shown how we can achieve that separation with our Clyde and Hebrides routes. The intention behind securing those vessels was to secure the future of the northern isles services.

To return to Tavish Scott's question, which was very fair, the expectation of the islanders is for us to look at how we increase that capacity when possible.

**Kate Forbes (Skye, Lochaber and Badenoch) (SNP):** The minister has partly touched on this point, but could he explain further what risk there

might be to community services if we were to push forward with a direct award without first satisfying ourselves and the European Commission that such an award would be lawful under Teckel and the state-aid rules?

**Humza Yousaf:** That is an important point. Some members have said that we should just go ahead with it. However, if we were not satisfied legally on the Teckel and the state-aid side, particularly under the four Altmark criteria, we would be going against legal advice, which a minister cannot do, and we would be putting that service at risk. If that service was challenged by a private operator, we would not have a leg to stand on. The delivery of that service would then be at risk, and the same members would want to haul me in front of the Parliament to ask me why on earth I took such a legal risk in the first place. We are doing the legally prudent thing, as well as progressing with the tender that will secure the services in the long term.

**Lewis Macdonald (North East Scotland) (Lab):** As the minister knows, there are people working on the existing contract who are not covered by trade union collective bargaining agreements. He also knows that seafarers on some of the vessels that are chartered to deliver those services have not been covered by minimum pay and employment legislation. When he consults the trade unions, as he has said he will do, will he undertake to ensure that all jobs on those services in the future will be covered by those protections?

**Humza Yousaf:** I give that assurance again on union engagement. On the issue of minimum pay and the minimum wage, Lewis Macdonald knows that the matter is reserved to the UK Government and we should push collectively for that. It was my intervention—I know that Lewis Macdonald took an interest in the issue—that managed to negotiate with Seatruck Ferries so that we got those vessels from the northern isles here, and so that Serco paid above the minimum wage. On what we can do in the contract for fair work and fair pay, of course we will explore what is in our gift. My point is simply that the law on that remains reserved to the UK Government. I would be happy to work with any member of this Parliament to try to get the UK Government to change tack and see sense.

**Angus MacDonald (Falkirk East) (SNP):** There are always challenges with regard to keeping ferry fleets up to date. What is the Scottish Government doing to ensure the future provision of suitable vessels for the northern isles?

**Humza Yousaf:** I have touched on that matter, so I will be very brief. The future of the three ropax vessels that serve the northern isles has been secured. The deal was agreed for CMAL to

purchase the vessels outright with loan funding from the Scottish Government. MV Hamnavoe, MV Hrossey and MV Hjaltland, which were previously leased from the Royal Bank of Scotland, are now owned by CMAL on behalf of the Scottish Government. CMAL will then charter the vessels to the ferry operator on a bareboat basis. The specification for the tender will set out the vessel requirement for the transport of passengers, cars and freight for the duration of the next contract.

**Liam McArthur (Orkney Islands) (LD):** I, too, welcome the statement and the decision to tender the services. I encourage the minister to take full cognisance of the views that were expressed during the recent visit to Orkney and Shetland, not just now but in future decisions.

The minister may be aware of the concerns that I have already raised about the previous tender process and the lack of transparency. As well as taking on the meeting that was suggested by Tavish Scott, will he ensure that there is on-going engagement with the councils and with key stakeholders as the tender process continues, to ensure that what emerges at the end of the process does indeed meet the needs of both communities?

**Humza Yousaf:** Yes I will, and I will have a conversation with Liam McArthur and Tavish Scott to ensure that they feel that we are engaging with all the right people and the right community organisations and business leaders. This should be an open engagement. I should, of course, say that we need to press the button on this immediately, because we know that the contract expiration date is autumn 2019 and there are a number of milestones to go through in any procurement. The engagement will start in earnest in the summer and I look forward to engagement with the constituency MSPs to make sure that we engage with all the appropriate stakeholders.

**The Presiding Officer:** Thank you very much. That concludes our statement on the northern isles ferry procurement.

## Draft Revised National Outcomes

**The Deputy Presiding Officer (Christine Grahame):** The next item of business is a debate on motion S5M-12324, in the name of Bob Doris, on the report on the consultation on the Scottish Government's draft national outcomes. I invite members who wish to speak in the debate to press their request-to-speak buttons. I call Bob Doris to speak to and move the motion on behalf of the Local Government and Communities Committee.

15:04

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** Thank you for the opportunity to open the debate. The kind of Scotland that we want to live in and our vision for the Scotland that we will leave for our children are the key focus of the draft national outcomes. Those outcomes, along with the Scottish Government's purpose from its national performance framework, were refreshed in 2016, and, in late March this year, a revised set of draft national outcomes was laid in Parliament. The Local Government and Communities Committee was designated as the lead committee for consideration of those outcomes.

I know that members eagerly awaited the publication of our report last week, which has the rather snappy title of "Report on the Consultation on the Scottish Government's Draft National Outcomes". It is zingy, is it not, Presiding Officer? The report might not sound like a page turner, but the draft outcomes and the policies that will flow from them will impact on every single one of us in Scotland for many years to come, so the work of our committee and the other committees that contributed their views for our report was extremely important. I therefore thank everyone for their diligent work in the area.

It is fair to say that not many of us could object to outcomes such as

"We tackle poverty by sharing opportunities, wealth and power more equally"

and

"We grow up loved, safe and respected so that we can realise our full potential."

The national indicators, which will be used to track progress against the outcomes, were equally of interest to the committee.

Before I turn to the committee's recommendations, I will set out the scrutiny approach that our committee adopted. The draft national outcomes were laid on 29 March, which was the last sitting day before the April recess. The Parliament then had 40 sitting days in which

to carry out the scrutiny. As it happens, today is the 40th day, so we are just in the nick of time. That timescale meant that the Local Government and Communities Committee had to seek views, consider them, take evidence and report by last week.

Given the broad range of 11 national outcomes, I wrote to all committee conveners, inviting them to consider those national outcomes that fall within their remits. In the time that was available, the Local Government and Communities Committee was unable to give any consideration to other committees' responses, but we have published them alongside our report, so they should be seen as part of the committee's report and form part of today's debate.

Given the short timetable for scrutiny, it is unsurprising that one of the recommendations that was made—not just by our committee but by a number of others—was a plea for more scrutiny time in the future. The legislation provides 40 sitting days for scrutiny, but perhaps next time the Scottish Government could publish an initial draft well in advance of the formal laying date, so that we could engage more meaningfully with communities and stakeholders before the formal 40-day scrutiny process began. I would welcome the cabinet secretary's views on how much more time might be provided for future iterations of the national outcomes.

**The Cabinet Secretary for Finance and the Constitution (Derek Mackay):** I will write back to the committee, as would be expected of the Government. However, I am flexible with regard to the specific matter of future timetables. I have complied with the legislation that the Parliament has approved, but I am open-minded on providing even more time. It is also important to reflect on the fact that there has been extensive pre-parliamentary scrutiny, which has helped to inform the process that we are now undertaking.

**Bob Doris:** That is helpful. Our report acknowledges that 16,000 people attended public events across the country and that 220 organisations engaged with the Government. However, our committee would also like to have some engagement with civic Scotland while the outcomes are in draft form. We would like to be part of that process.

**Graham Simpson (Central Scotland) (Con):** As the committee convener, does Bob Doris agree that pre-parliamentary scrutiny is not the same as actual parliamentary scrutiny and that parliamentarians should have had longer?

**Bob Doris:** What parliamentary scrutiny should look like is formally laid out in statute, and the Government abided by that. However, our unanimous committee recommendation is that we

should go beyond that in pre-parliamentary scrutiny. That is what we signed up to as a committee, and I welcome the fact that the cabinet secretary has agreed to look at that in the future.

Given the challenges, I am especially thankful to all those who responded to our call for comments on social media and those who took the time to write to us with their views. I also thank the other parliamentary committees for responding to us with their comments. In our report, we call on the Scottish Government to respond to each committee on its comments and recommendations, and I hope that the cabinet secretary will confirm today that the Scottish Government will do that.

The current set-up of the national performance framework and the national outcomes is not new. The framework was established in 2007 and created a 10-year vision for Scotland, which was refreshed in 2011 and again in 2016 to reflect both lessons learned from across the public sector and changing Government priorities.

When the Community Empowerment (Scotland) Bill was passed in this chamber, the national outcomes gained a statutory footing for the first time, which is why we are all here for this debate. Under the Community Empowerment (Scotland) Act 2015, the Scottish Government is now required to consult the Scottish Parliament on any proposed revisions to the national outcomes and to give details of the consultation processes that it has followed.

I turn to my committee's scrutiny. Although most of the 11 draft national outcomes can be linked to the remit of virtually every committee in the Parliament, we identified three areas that fall largely within our remit. I have already mentioned the outcomes of tackling poverty and growing up in a loving and safe environment. The third outcome is that

"We live in communities that are inclusive, empowered, resilient and safe."

The views that we received on those draft national outcomes and the ambitions contained in them were generally supportive. It is hard to argue with them as a vision for Scotland. Having said that, our scrutiny of those three outcomes flagged up some issues in relation to which we have made recommendations that we want the Government to address.

It seems sensible to start with the stated overall purpose of the draft national outcomes, which is

"to focus ... on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing and sustainable and inclusive economic growth."

That is the top-line national outcome. It is virtually the same as the purpose in the current national performance framework, but the words “wellbeing” and “inclusive” have now been added. During our scrutiny, we heard the view that the purpose seems to conflate the means and the end. It was questioned whether the purpose should be to create a more successful country with opportunities to flourish, and increased wellbeing and sustainable economic growth would be two ways of achieving that. We are perhaps conflating the tools to achieve the outcomes with the outcomes that we want to achieve—all in the same sentence.

During our evidence session with the cabinet secretary, he explained that he was content that the purpose is expressed in a meaningful way and that it gets across what the Scottish Government is trying to achieve. Nevertheless, we recommend that the Scottish Government look again at the wording of its purpose and separate those things out so that it can focus more clearly on the vision for the future of Scotland rather than on both the vision and the road map of how to get there—the tools that we have with which to achieve that vision.

I turn to the national indicators. Some indicators that are currently listed in the national performance framework are no longer listed under the new draft national outcomes. For example, the outcome around high-quality public services has vanished completely, although we all know that having high-quality public services is one of the Government’s top priorities. The committee is keen to ensure that progress against that outcome continues to be measured and reported on in some way.

Similarly, although the Scottish Government has committed itself to the United Nations sustainable development goals, which are globally agreed priorities for tackling poverty and inequality in UN member states until 2030, many of the indicators in the UN sustainable development goals have not been specifically included in the indicators for the draft national outcomes. We accept the cabinet secretary’s explanation that the national performance framework is not the place to measure the delivery of all the UN sustainable development goals, especially given that there are 232 indicators compared to the 79 that make it into the NPF. We have, however, recommended that information on progress against the UN sustainable development goals be made available alongside information on progress against the NPF outcomes indicators in one easily accessible place online, expressed transparently and in plain English, so that anyone with an interest can track the progress against them all. That is especially important given the cabinet secretary’s assurance that the revised national outcomes have been

framed by the UN sustainable goals, which the committee welcomed.

Another concern that was raised with us was about how there will be meaningful measurement of the progress that has been made against some indicators. For example, how can we measure loneliness or how loved children feel? Many people questioned how meaningful those indicators are if we cannot demonstrate a measurement of them. If I recall correctly, the cabinet secretary said that a lot of that information would be contained in the 2018 national household survey and that there would be a matrix for measuring some of those things. However, a lot more clarity about how some of them will be measured would be welcome.

In evidence, the cabinet secretary told the committee:

“What is important to us as a society cannot always be measured, but we should still be able to express it and, if we can measure it, we should try to do so.”—[*Official Report, Local Government and Communities Committee, 18 April 2018; c 7.*]

That is a reasonable position. We know the right thing to do, even if it is not always easy or possible to measure it, so that is certainly a sentiment that the committee can agree with. We note that, although these things cannot be measured specifically, proxy measures can be used to indicate progress. Therefore, it is important that they are included in the national performance framework.

As I said at the beginning of my speech, the national outcomes will impact on every person in Scotland. It is, therefore, vital that the Parliament be given the opportunity to provide its views on them to the Scottish Government. The Local Government and Communities Committee will continue to monitor the direction of progress of the national outcomes, especially as part of the new outcomes-focused budget scrutiny process.

It has been my pleasure to open the debate.

I move,

That the Parliament notes the findings and recommendations in the Local Government and Communities Committee’s 7th report, 2018 (Session 5), *Report on the Consultation on the Scottish Government’s Draft National Outcomes* (SP Paper 317), and the other committees’ responses contained in the annexe to the report.

**The Deputy Presiding Officer:** Thank you, Mr Doris. I call Graeme Dey, the convener of the Environment, Climate Change and Land Reform Committee, to speak on behalf of that committee.

15:15

**Graeme Dey (Angus South) (SNP):** I welcome the opportunity to speak on behalf of the

Environment, Climate Change and Land Reform Committee and to provide our views on the review of national outcomes.

In practice, having just 40 sitting days to complete parliamentary scrutiny of such an important document proved, from our perspective, quite inadequate, as it limited our engagement with stakeholders. We wrote to 12 stakeholders seeking their views on the revised national outcomes and the proposed national indicators within the committee's remit and received responses from seven of those stakeholders. Those responses informed our deliberations and our interactions with the cabinet secretary and her officials when they appeared before us. The committee made best use of the limited time at its disposal but, self-evidently, the scrutiny process would be more robust if a more flexible approach could be deployed, as was discussed earlier.

In considering the review, members looked at the three key existing national outcomes that relate to the remit of the Environment, Climate Change and Land Reform Committee, noting that those have been replaced with just one national outcome. We recognise the desire to have focused outcomes. However, Scotland has world-leading research capacity, for example, which underpins everything that we do. We would therefore welcome the Scottish Government's view on the call for the reinclusion of research and innovation within the national outcomes before the framework is finalised.

We also looked at the national indicators to track progress in achieving the revised environment national outcome and those, too, have changed. The committee has a number of recommendations on the indicators. We ask the Scottish Government to give further consideration to including a climate change adaptation and mitigation-related indicator and an indicator of resilience from a climate change adaptation perspective.

The committee also heard calls for Scotland's carbon footprint and greenhouse gas emissions in consumption to be a national indicator. We would welcome the view of the Scottish Government on that and on how it might be calculated. We will be considering the climate change indicators for greenhouse gases and Scotland's carbon footprint, and the target against which to track progress, within our scrutiny of the Climate Change (Emissions Reduction Targets) (Scotland) Bill.

We heard concerns about the absence of an indicator relating to land ownership by type. Some thought that that was a missed opportunity in light of the renewed policy emphasis on land reform as a driver for sustainable development in Scotland.

The committee itself had concerns about the indicators for the green economy and resource efficiency and we would welcome further information as to why the indicator relating to growth in the green economy was not included; why there is no resource efficiency or circular economy indicator; and why the indicator to increase renewable electricity production has been dropped.

The committee recently completed an inquiry into air quality in Scotland and we would welcome further consideration of the need for, and the benefit of, including an indicator that assesses the reduction of pollution and the impact of that on the health of the population.

The committee will be focusing particularly on the marine environment over the next three years and there are three additional indicators associated with that. We consider the health and cleanliness of the marine environment to be a priority and an overall assessment of the marine environment requires additional indicators. However, we question the usefulness of an aggregate indicator for Scottish seas, as it could mask problems in specific locations. We sought assurance that, in reporting on the sustainability of stocks, the Scottish Government will focus on specific issues and areas of concern in addition to reporting on the general trend.

Although the new indicator relating to the sustainability of fish stocks is an improvement, we wonder whether it alone is sufficient to provide a good indication of the health of Scotland's marine environment. We understand that the biodiversity indicator is to be revised to include terrestrial and marine biodiversity and we welcome that. However, we note that there is no clear descriptor for that indicator and we are disappointed that that has not been included in the review.

The committee explored how the outcomes and indicators will be measured and what further work is planned in relation to that. We are concerned that the proposed draft NPF does not specify targets and we consider that it could be improved by better connecting the outcomes to the underlying targets. More work needs to be done to ensure that the indicators are more specific and measurable.

The committee expects environmental indicators to be embedded across all outcomes and welcomes the alignment of the NPF with the sustainable development goals. We encourage the Scottish Government to consider further opportunities to connect the NPF more closely to the SDGs and reflect that in the final framework.

**Derek Mackay:** Will the member take an intervention on that point?

**Graeme Dey:** Do I have time, Presiding Officer?

**The Deputy Presiding Officer:** You are in your last minute, but I will let you make up the time.

**Derek Mackay:** Before it turns into a trend, I make the point that the sustainable development goals are absolutely aligned to and fundamental to every aspect of the national performance framework. All members should be aware of that.

**Graeme Dey:** I thank the cabinet secretary for that clarity.

The committee considers that it would have been helpful if the review had clearly set out the criteria that were used for assessment of the indicators and it recommends that the Scottish Government includes them in future review documents. However, overarching all our consideration is a concern that reporting progress in meeting the indicators on aggregate may—I stress that word—mask problems or issues in particular areas and in meeting specific targets. Therefore, we would welcome assurance that information on specific areas of concern will be highlighted when reporting on indicators at an aggregate level.

**The Deputy Presiding Officer:** I call Gordon Lindhurst, who is convener of the Economy Jobs and Fair Work Committee, to speak on behalf of the committee.

15:21

**Gordon Lindhurst (Lothian) (Con):** I will begin with the bard—not that one, the other one. To paraphrase from “Twelfth Night”, some are born niche, some achieve nicheness and some have nicheness thrust upon them.

The Economy, Jobs and Fair Work Committee is on rather a run. Whether we are natural born anorak wearers I will leave for others to judge, although that can be dangerous. However, earlier this year we completed an inquiry into the joys of economic data, and our 90-page report is the talk of the steamie—in the statistical community at least. Currently, we are examining European structural and investment funds, the regulations for which are 600 pages long. That is just nuts—NUTS, nomenclature of territorial units for statistics. I thank the officials for my copy of the mere five-page jargon buster. Then along came the opportunity to consider the national outcomes consultation. How could we resist?

I will cover three areas from my committee’s perspective: consultation, alignment and national indicators.

The Confederation of British Industry, the Scottish Council for Development and Industry and Women’s Enterprise Scotland provided input to the consultation. However, the extent to which the views of the wider business community were

sought is unclear. For example, it is unclear how small and medium-sized enterprises—the mainstay of the Scottish economy—were encouraged to have their say. Those that were consulted said that they wanted something simpler, shorter and more accessible. Therefore, the fact that the number of indicators has gone from 54 to 79 raises a collective eyebrow. How will the Scottish Government ensure that the tally is manageable and meaningful?

The second area is alignment, which has been a bit of a buzzword since the enterprise and skills review. A key role of the new strategic board, which is chaired by Nora Senior, is better aligning the enterprise agencies. We are told that that covers prioritisation, avoiding duplication, reviewing performance and encouraging joined-up thinking.

It can also mean clarifying terminology. Pinning down the meaning of “inclusive growth”, for instance, has been something of a hobby for us. Last year the chief economist said that there was

“no single measure”,

that it was

“multidimensional and”

that

“it challenges you to look beyond GDP”.—[*Official Report, Economy Jobs and Fair Work Committee*, 14 November 2017; c 22.]

Nora Senior told us in February:

“There is a discussion to be had on the definition of inclusive growth and whether it should focus on gender, geography or generation.”—[*Official Report, Economy Jobs and Fair Work Committee*, 27 February 2018; c 6.]

On 1 May, Keith Brown informed us that the fundamentals were “distribution, equity and fairness”.

I trust that the enterprise agencies are all following that and, indeed, following all of this.

A further aspect of alignment concerns the UN’s sustainable development goals. The cabinet secretary described them as “a fundamental building block” of the national performance framework, and his officials said that reporting on the main goals will be done through the Scotland performs website and the annual budget statement. Our question—particularly for devolved policy areas—is whether the Scottish Government intends to report on progress in a way that is disaggregated from the United Kingdom.

The third area is the national indicators—the level down from outcomes. As we move away from previous time-based purpose targets, our concern is impact and measurement. What will the benchmark be, and how should policy be tracked

and monitored without a timeframe? In the words of Montesquieu,

“Success in the majority of circumstances depends on knowing how long it takes to succeed.”

The NPF is seen as an international leader for approaches to wellbeing in public policy, but it remains merely a means of improvement, not the improvement itself. That said, we welcome the aspirational dimension of the national outcomes and the NPF review.

In the data inquiry, we called for a more agile, imaginative and ambitious approach. The national outcomes must be an integral part of that. The principle should be to consider not only what is readily measurable but what could more usefully be measured. As the Carnegie UK Trust put it, “Measure what we treasure”, because what might seem a niche topic can shape decisions.

As I come to my close, we are back where we started. With decision making comes accountability. A person does not have to be an anorak to work here, but it can help.

**The Deputy Presiding Officer:** I am just getting over the anorak reference.

15:26

**The Cabinet Secretary for Finance and the Constitution (Derek Mackay):** I know that the Deputy Presiding Officer is in awe of Gordon Lindhurst’s use of poetry and the bard in setting out the evangelisation for the national performance framework. Me, too. I was thinking about which bard he was going to use and could only think quickly of Rabbie Burns in relation to the national performance framework.

I will make the connection. Rabbie Burns said:

“O wad some Power the giftie gie us  
To see oursels as ithers see us!”

That is important—it was not scripted, of course—because we have engaged comprehensively with the public to establish what kind of country the public want Scotland to be, and I have followed the parliamentary process and gone beyond my statutory requirements in that regard. We did not simply leave it to the self-selecting people who might complete every survey; we went out, and there was great work done by Oxfam and the Carnegie UK Trust, which we commissioned to undertake the exercise for us.

There are things that can be measured, such as economic growth and, absolutely, inclusive economic growth, but what came across was about the sense of wellbeing and kindness that people want to ensure that we instil in our society. This is about actions across society, and about the cultures that we create.

The first national performance framework, which is over 10 years old, changed how the Government did business, and how we helped to direct our agencies and departments and worked with partners such as the Convention of Scottish Local Authorities and local government. So far, the proposed national performance framework has been exceptionally well received by environmental organisations, human rights organisations and many others, not the least of which is COSLA. They have unanimously backed the proposition that we have put forward.

I accept that more parliamentary scrutiny—more than the proposed 40 days—would be welcomed by Parliament, and I have already said that I am open to that. However, let us not diminish the pre-parliamentary scrutiny by community groups, stakeholders and the cross-party forum on which all political parties that are represented in the chamber have been represented for a while. That forum has been totally engaged on the direction of travel, the consultation exercise and the process that I undertook as lead minister. I appreciate that the Local Government and Communities Committee has been the lead committee, and I am very grateful for the work of all the committees, which I will respond to shortly.

The national performance framework sets out the vision and purpose, how we intend to deliver our outcomes, and the measurements that we will use, while recognising that not everything can be measured. A culture of collaboration has helped to transform how we do business in the public sector, but the national performance framework actually goes much further. It is a purpose and vision for the whole nation, so that all partners and stakeholders—private, public and third sector—can collaborate and align our efforts to create the kind of country that we want to be

Bob Doris was right to say that the outcomes are beyond objection, but that is because of the nature of the collaboration through which we arrived at them. Let us bear it in mind that the first time a national performance framework came out there was minimal parliamentary scrutiny. This is a much-enhanced process. It is absolutely up for refinement and improvement, but there has been a far better process of engagement than anything that we have had before.

I am unapologetic about some of the new indicators that we propose. There is an interesting difference already between those who argue for fewer or the same number of indicators and other conveners who have said that there should be more, and have asked why we have not included other indicators. There has to be a balance in what we measure for the purposes of the framework, and we should recognise, as the convener of the Local Government and Communities Committee

has appropriately done, that many other measurements will still be undertaken but reported elsewhere.

I know that Andy Wightman will probably make reference to the UN sustainable development goals. He would be right to do so, but I want to impress upon members that our indicators are absolutely aligned and fundamental. Some of the indicators that we have already met, such as basic sanitation, are more appropriate to other nations than they are to Scotland, so our focus need not be on them, but we know that we must make far more progress in other areas—gender inequality, for example.

Some of the new indicators and measurements are so important because they represent the progress that we want to make as a society. There are new and improved indicators relating to issues such as child wellbeing, happiness, ability to influence local decisions, engagement with trade unions and work-related ill health, and I think that they speak to our purpose and to the values that we want to express. We have 11 new national outcomes describing what we want to achieve, and we want to set out in an open and transparent way the progress that we make towards them.

I am content with our purpose. We are not just adding words for their own sake. Defining our mission around wellbeing and inclusive growth is, in fact, world leading. This Government and this Parliament are internationally recognised for those efforts. That is why, when we launch the framework, there will be a great deal of international interest, just as there was for the inclusive growth conference that the Government hosted earlier this year, with attendees from other Governments, the Organisation for Economic Co-operation and Development and the International Monetary Fund. People are watching our strategy closely, and are recognising that we want to deliver sustainable economic growth in a fairer, more progressive and more inclusive way. Wellbeing is multidimensional, but we are clear that we want to align all our public sector agencies, the private sector and wider society towards that goal.

Work that I have done with local government, trade unions and charities has been particularly constructive, and we have already relied upon the extensive consultations that took place earlier, including the fairer Scotland and healthier Scotland consultations, which has meant not just that there were tens of thousands of participants at public events, but that hundreds of thousands of people were engaged and reached online. It has not been just the consultation churn that we usually go through, in which we go back to the same people: we have drawn on the range of engagements that the Government has had with

Scottish society. It is interesting to note that 220 organisations were invited to our consultation activities, in order to ensure that we left no stone unturned in identifying the priorities for the people of Scotland.

I know that Parliament and the committees will ask us to do more and will, rightly, probe us on what we should be reporting and trying to achieve, but we are substantially aligned so far on what we want to achieve as our purpose and the outcomes for our nation.

Let us not try to find ways to divide over the process. In a cross-party and cross-sectoral way, we are trying to set out what we want to achieve for our country, so that we can positively align all our efforts to create a fairer and wealthier society in which we tackle inequality in a cohesive and confident manner. In that regard, I look forward to the rest of the debate and to presenting the completed national performance framework to the Parliament and people of Scotland.

15:35

**Alexander Stewart (Mid Scotland and Fife) (Con):** I am delighted to participate in the national performance framework debate this afternoon as a member of the Local Government and Communities Committee. I acknowledge the work that other committees have done to support the process.

The national outcomes are the Scottish Government's broad policy aims. They are part of the national performance framework, which sets out the Scottish Government's purpose and provides a way to hold the Scottish Government to account against its stated aims. The national indicators are high-level measures that show how the Scottish Government is performing.

However, the new outcomes are slightly vague and ambiguous. That gives me cause for concern, because it might prevent effective scrutiny of the Government's performance, which is what we want. As we have already heard, the outcomes were originally set in 2007, with other outcomes added in 2011 and 2016.

The Scottish Government chose to seek views in phases and gathered opinion from the general public and from a range of experts. We have already heard that tens of thousands of individuals and hundreds of organisations engaged in the process. It is very encouraging that we have such support and that kind of mechanism, which I welcome. Those people included stakeholders from many organisations, adults and young people, as well as Scottish Government officials and ministers. The consultation asked for people's views on what kind of Scotland they want to live in, which is a good question to ask. It is important that

we understand, reflect on and challenge those views.

There are 11 national outcomes, but the Local Government and Communities Committee was involved in considering only three of them. They included:

“We live in communities that are inclusive, empowered, resilient and safe.”

That is very good. We should take that on board, but it is slightly vague and ambiguous.

Another outcome that we considered was:

“We tackle poverty by sharing opportunities, wealth and power more equally.”

Nobody can disagree with any of that, but it is about how that is managed and effected.

A further outcome that we considered was:

“We grow up loved, safe and respected so that we can realise our full potential.”

Exactly. Everybody should have the opportunity to unlock their potential, but it is difficult to gauge what “loved” and “safe” are in some situations and it is important that we understand that. The outcomes are all well and good, but it is sometimes difficult to equate some of them, due to their ambiguity.

**Derek Mackay:** Does Mr Stewart agree that some things, such as kindness, are worth expressing, even if they cannot be measured? We might not be able to measure kindness, but if people want it and there is a joint aspiration for it, it is still worth saying.

**Alexander Stewart:** They are all aspirations and nobody would deny that. However, when the Government is trying to manage, group and organise what it and the nation wants to achieve, the aspirations are very difficult to equate, so we need to do more to make that happen. I hope that the cabinet secretary will consider expanding the whole process.

The new outcomes show a shift by the Scottish Government away from hard targets towards vaguer promises. If the Government was committed, it would welcome serious and rigorous scrutiny to determine its success. In fact, the challenges give the impression that the Government does not want to be held to account.

**Derek Mackay:** Can Mr Stewart give an example of a specific indicator in which we are trying to be vague, rather than deliver progress?

**Alexander Stewart:** As I have already said, there are lots of indicators that want prosperity and other things to happen, but they can happen only if the Government delivers and puts funding behind the process to make it happen.

Moreover, it is increasingly important that any changes to the national indicators do not mean that they are no longer comparable with the previous indicators, so that we can check that year-on-year progress is being made.

Scottish Conservative members are disappointed that the majority of the United Nations sustainable development goals have not been included in the revised indicators. It is important that those goals are realised.

Although the Scottish Government might argue that it has gone beyond what is required by the Community Empowerment (Scotland) Act 2015 with regard to the provision of details of the draft outcomes and indicators, the 40-day consultation period was seen as insufficient. As other members have indicated, it was inadequate—

**Derek Mackay:** That is what the member's party voted for.

**The Deputy Presiding Officer:** It would be helpful if you would intervene, cabinet secretary—

**Derek Mackay** *rose*—

**The Deputy Presiding Officer:** No, you will have to ask.

**Alexander Stewart:** I have already taken two interventions, and I want to continue. [*Interruption.*]

**The Deputy Presiding Officer:** Heckling does not help. On you go, Mr Stewart. You are stirring it up a wee bit.

**Alexander Stewart:** Thank you, Presiding Officer. I am passionate about the whole process, so I want to ensure that we have a good debate.

We must take on board the fact that the consultation period was inadequate. The Local Government and Communities Committee has recommended that the Scottish Government take steps to extend the timescale for parliamentary scrutiny of the next draft national performance framework, and I strongly support that request.

In recent years, Audit Scotland has highlighted concerns about the extent to which public sector bodies contribute to the achievement of the national outcomes. Many public sector bodies have failed to include national outcomes in their reports, which has made it difficult to determine what impact their activities and their expenditure have had on those outcomes. It was therefore encouraging to hear the cabinet secretary's commitment to ensuring that, in the future, the national performance framework will be fully embedded in the public sector.

The inclusion of reference to poverty in the national outcomes is, of course, welcome, but in common with many other members, I still feel that the wording of the relevant outcome is a bit

ambiguous. The Child Poverty Action Group has questioned whether tackling poverty is an outcome, and has suggested that it is a means to achieving the goal of eradicating poverty. In addition, the outcome does not make reference to the drivers of poverty and is limited in its approach.

We welcome the opportunity to debate the committee's report on the draft national outcomes. Although we have certain reservations about the new draft outcomes, we welcome the Scottish Government's commitment to ensuring that the national performance framework is embedded in public policy. I hope that what is said in the debate will lead to the Scottish Government confirming that the data that is provided on the national outcomes will remain comparable. That will ensure that progress against the national outcomes can be properly evaluated by the Parliament, which is extremely important.

I thank members who have participated in the debate so far, and I look forward to listening to the rest of it. [*Applause.*]

**The Deputy Presiding Officer:** Oh! I thought that peace must have broken out when I was not looking.

I call James Kelly to open for Labour. You have six minutes, Mr Kelly.

**Derek Mackay:** Keep up the consensus, Mr Kelly.

15:43

**James Kelly (Glasgow) (Lab):** I will do my very best to support the consensus, although I have noticed that the cabinet secretary has been a bit grumpy at times, which is not like him.

I welcome the opportunity to contribute to the debate on the Local Government and Communities Committee's report. I commend not only the committee's work, but the work that has been carried out by all the Parliament's committees as part of the consultation on the national outcomes. I also commend the work of the round table and the important work that was done in the consultations that took place before the parliamentary consultation.

As Bob Doris said, the national outcomes are not a recent concept but one that goes back to 2007, when Scotland performs was introduced. At that point, there was a feeling that, eight years into devolution, vast sums of public money were being allocated in budgets without there being any measure of whether that expenditure was producing successful outcomes. That was the genesis of the debate on the national outcomes that we are having today, which is very welcome.

In a previous life, before I became an MSP, I was a business analyst, and I welcome the fact that we have measures and evidence and can look to assess whether the public money that we are investing is achieving the sort of outcomes that we want to see in relation to all the issues that we debate in this Parliament. From that point of view, this work is absolutely essential.

On the outcomes, I do not think that anyone can disagree with the suggestion that we want people to be well educated and healthy and that we want to do things such as tackle poverty. Crucial to what we are doing is that there must be a strong link to the budget process. There remain massive challenges for the Scottish Government in terms of the budget process and delivering properly on outcomes. I say that because there is now a £40 billion budget, and there remains a culture around budgeting—which I have seen not only in relation to the Scottish Parliament budget, but in the private sector—that involves budget holders, when the budget review comes around in December or January, trying to defend their budgets with the aim of maintaining the amount of money that they were allocated in previous years. Sometimes, budget holders do not have as their primary purpose a consideration of the outcome that they have been given the money to deliver. Because of the number of budget holders that are involved in the Scottish Government budget, changing that culture is a challenge.

**Derek Mackay:** On that point, does Mr Kelly agree that there is a requirement for all public services—as well as, perhaps, other services—to align around that outcomes focus? There should be a transformational focus on outcomes, not just inputs. Equally, we in Parliament have a responsibility to focus a bit less on inputs and more on outcomes.

**James Kelly:** I absolutely endorse that approach. The question is not just about inputs; we need to change the debate in terms of outcomes.

The changes to the budget process that have been made are helpful, and having a longer-term cycle in the budget process would help. I acknowledge that it is incumbent not only on the Government but on all the political parties to change that approach.

The other thing that I would say is that if we want to change outcomes, we need to change the way in which we conduct the debate—that is absolutely fundamental. For example, on health, the reality is that people—certainly in the area that I represent—sometimes struggle to get general practitioner appointments. People are being left on waiting lists not only for longer than the legally permitted time, but for longer than the time specified for the ailments that they have. We are

struggling to meet health targets, which means that we are struggling to meet the health outcomes.

I will develop that point more in my closing speech. For now, however, I will say that it is all very well having a debate this afternoon, agreeing the definitions and the indicators, clapping everyone on the back and saying how inclusive we are, but if, on the ground, the health service is failing, there are problems in education and the number of homeless applications for children in temporary accommodation is rocketing, that shows that there are real issues in terms of achieving the desired outcomes. To change that, we need an honest debate involving not only the Government—

**Bob Doris:** Will the member take an intervention?

**James Kelly:** Do I have time to take the intervention, Presiding Officer?

**The Deputy Presiding Officer:** You do, if it is a short one.

**Bob Doris:** The member makes important points about how public services fit into what we are talking about and he talks about negatives in that regard. However, does he agree that, if we are going to measure national outcomes properly, we also have to look at the positives and track what we are doing well, rather than just consider the negatives?

**James Kelly:** I am all for being positive, but the point that I would make is that there are issues on the ground—Mr Doris will see them in his Maryhill constituency, I am sure—and that, if we are serious about tackling them, we need an honest debate that is focused on priorities and how we manage taxation. If we do that, we can be serious about making a real attempt at achieving some of these outcomes.

**The Deputy Presiding Officer:** Thank you—that was swift. I call Andy Wightman to open for the Green Party. You have six minutes, Mr Wightman.

15:49

**Andy Wightman (Lothian) (Green):** Today's debate focuses on the national outcomes that are contained within the national performance framework. As Gordon Lindhurst—who is paying close attention to the debate as it proceeds—observed, the topic is not always one that immediately arouses political passions. Nevertheless, in the committees on which I sit—the Local Government and Communities Committee and the Economy, Jobs and Fair Work Committee—it is fair to say that when we took evidence from the Cabinet Secretary for Finance

and the Constitution and the Cabinet Secretary for Economy, Jobs and Fair Work, members found themselves more interested and engaged in the topic than they first thought they would be, which was gratifying.

As Bob Doris mentioned in his opening remarks, having a clear idea of where one is going is important for any Government, and the national planning framework is as useful a framework as any in providing some direction, accountability—as James Kelly mentioned—and purpose for everything that Government does. As has been emphasised, our role in Parliament is to perform some modest scrutiny of the proposed national outcomes as part of a statutory consultation process.

In the short time that I have available, I want to focus on two areas that have been the subject of debate and which have been mentioned already today: the economic outcome and the status of the sustainable development goals. In doing so, I am aware that the statutory role of Parliament is restricted to being consulted on the outcomes, not the purposes, values or indicators. Nevertheless, as will be clear from my comments on the sustainable development goals, no one part of the overall framework can be considered in isolation from the others. I commend the cabinet secretary for recognising that in the consultation document and for going beyond the strict statutory obligations that the Government has in that regard.

In the Economy, Jobs and Fair Work Committee report, I was a sole dissenting voice on the question of the overall purpose, and I had an interesting exchange with Derek Mackay on that topic when he gave evidence to the Local Government and Communities Committee. The purpose, as currently framed, is:

“to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive economic growth”.

As members are aware, and as became evident in evidence, “inclusive economic growth” is a contested term. Never mind that economic growth itself is problematic because it is predicated on a flawed metric of gross domestic product; making that growth inclusive is as yet not defined. Thus, to have the concept embedded in the highest level of the national planning framework is—as the Carnegie UK Trust pointed out and as Bob Doris highlighted in the Local Government and Communities Committee's report—to confuse means and ends. The proposal has also been questioned by Oxfam and the Scottish Council for Voluntary Organisations.

By contrast, the economic outcome is framed as Scotland having

“a globally competitive, entrepreneurial, inclusive and sustainable economy.”

I would rather have a co-operative economy than a competitive economy, but I agree that our economy, however it is framed, should be sustainable. Therefore, why is that broad outcome of inclusive economic growth, with no means or metrics associated with it, subverted by an overarching purpose that commits to a flawed, contested and ill-defined measure of what constitutes economic progress?

I hope that in the next iteration of the national planning framework it will be abundantly clear, through the growing body of evidence—most recently exemplified by the report, “Measuring What Matters: Improving the indicators of economic performance”, from the Institute for Public Policy Research commission on economic performance—that the purpose needs to be changed to one that reflects the very real limitations of any economy based on the current crude metrics of economic growth.

The second issue that I want to reflect on is the sustainable development goals, which are a set of global goals that have been agreed by all members of the UN and are binding on Scotland. They comprise 17 goals, 169 targets and 232 indicators, and the indicators are really quite specific. For example, goal 5 is on achieving gender equality and empowering all women and girls, and the indicators include

“Proportion of seats held by women in national parliaments and local governments”

and

“Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex”.

I welcome the incorporation of the sustainable development goals into the national planning framework. However, to be clear—the cabinet secretary has commented on this twice now—just as the national performance framework comprises a purpose, values, outcomes and indicators, so the sustainable development goals comprise the goals themselves, targets and indicators.

Yet those goals, targets and indicators are only selectively and broadly incorporated into the NPF, and although I understand and agree that it would be inappropriate to incorporate them wholesale, I am concerned that the global framework for performance, which is measurable and reportable in a common framework across all UN member states, is not being used as the foundation for Scotland’s national performance framework.

Those concerns are reflected in the report from the Environment, Climate Change and Land Reform Committee, which Graeme Dey has highlighted. I ask the Government to consider how

it could connect the national performance framework more closely with the sustainable development goals. The next iteration of the NPF should consider how to do that, not least because of our obligation as part of the UK to report on the sustainable development goals.

Outcomes are important—

**The Deputy Presiding Officer:** No, please conclude right now. Thank you. [*Interruption.*] Oh—you have another minute. I have spoken too early. I was deep listening to you—that is my problem. Carry on.

**Andy Wightman:** Outcomes are important and the national performance framework remains a work in progress. Its introduction was a welcome and novel departure from conventional means of measuring progress through inputs, and it will be important that, more than a decade on from its introduction, the next review is more fundamental and assesses whether the framework provides the best way, in the light of international best practice, to measure the performance of a country.

**The Deputy Presiding Officer:** I apologise, Mr Wightman. You kept your balance, which is important.

I call Willie Rennie to open for the Liberal Democrats. You have six minutes. Remember that, Presiding Officer.

15:56

**Willie Rennie (North East Fife) (LD):** It is good to have a national performance framework. The fact that we measure beyond strict economic growth, that we consider happiness and satisfaction, which are influenced by, for example, the environment, the performance of public services, infrastructure, equality and the economy and that we try to align to UN sustainable development goals are all good things. It is also good that we review what is in and what is outwith the national performance framework. What is not good is that the framework is not part of the national discourse.

If I went down to Bonnygate in Cupar, which is in my constituency, and started to talk to people about the national performance framework, they would not have the faintest idea of what I was talking about. That happens quite often, but it would certainly be the case in that circumstance. [*Laughter.*] However, we do not even debate the framework in this Parliament. If we were to look back through the *Official Report*, we would see that it got only a handful of mentions in the past five years. In fact, the most mentions that the national performance framework has had in that period was when we last reviewed it. It is not part of the discourse in this Parliament. It should be,

because the indicators are important and they should be the subject of big debates. We should be looking at the issue strategically, rather than in isolation, which is what we tend to do in this Parliament.

I suggest to the cabinet secretary that, every year, and perhaps in Government time, we should have a debate, not like this one, but on the substance of the indicators. The Government should have to come forward and explain itself.

**Derek Mackay:** I appreciate that comment, and I will certainly give it thought. I do not dispute anything that Willie Rennie has said so far but, every year, on the production of my draft budget, I also produce the scorecard on the national outcomes and performance against those. It is also true to say—this takes us back to James Kelly's point—that members are far more interested in the input measures than the outcomes, so there is a duty on us all to focus on that debate, too.

**Willie Rennie:** The Government could help to force the Parliament to consider the national performance framework by creating time for an annual debate and putting forward the results of the framework in a broader sense, so that we could debate those matters in the chamber, rather than some of the issues that are perhaps of less value.

The cabinet secretary has agreed with me so far, but I want to bring some disagreement into the debate and look at some of the targets. Eight of the 11 purpose targets show no improvement or a decline. The decline in performance on income equality and regional equality is especially concerning. Overall, performance is stagnating, and is sluggish at best.

The national indicators are poor, too. Of the 55 indicators, 43 show no improvement or a drop in performance. Educational attainment has fallen, which is particularly concerning; we are failing on the number of people in poverty; and the abundance of breeding birds has declined.

In a variety of areas, we are not performing. It is important that we have an annual debate, so that we can argue the points. I am sure that the cabinet secretary would have a contrary view, or an explanation for that performance, but we never get into the guts of the matter. That is why we should have an annual debate, so that we can properly scrutinise in a strategic way. We debate the individual issues and have separate debates, but we should consider performance strategically, which would be much more valuable.

The cabinet secretary pointed out that there is a conclusion that we should not measure everything, which I find intriguing. Some people say that if we do not measure something it does not count, but if

we measure everything does that devalue measurement? I suspect that it does. When we agree that we should measure everything, everyone comes up with a long list of all the things that should be measured and it is much more difficult to take things off the list. Instead, we should focus on what we are trying to change in the next five years, so that we can focus on the priorities for change, rather than trying to have the ultimate, comprehensive set of targets and indicators.

I noticed that one of the SNP back benchers pointed out that James Kelly was being far too negative. The Scottish Parliament is about focusing on the things that are going wrong, so that we can try to fix them. If we are not here to try to change society, why are we bothering to turn up to Parliament in the first place? If we just want to be complacent and dwell on what we are getting right, we will never deliver any change.

**Bob Doris:** I am the back-bench MSP that Mr Rennie was referring to. I was not accusing anyone of being too negative. If we are going to measure outcomes, we must measure them all, whether they are good, bad or indifferent, rather than focusing only on the negatives. That is how outcomes are measured.

**Willie Rennie:** I do not agree. If we measure everything, we will not have a real focus on what the Parliament is trying to do, which is to make a better society. If measurement is just to satisfy the Government, we will get no further forward.

I know that that is difficult for members of the governing party and for Government ministers, but they must remember that they are here to try to change society. Of course, we will get the First Minister trotting out the list of greatest achievements of the previous week at First Minister's questions. There are plenty of opportunities to do that, including patsy back-benchers' questions, which are always available for everyone. [*Laughter.*] I know that Bob Doris would never do such a thing.

What we should really be trying to do in the national performance framework is focus as objectively as possible on what we are trying to change or improve. As the chief executive of Scottish Enterprise pointed out, how do we know what the effect of policy is? Things might have improved, but we should ask whether that was because of Government action or because it was going to happen anyway. Finding a way in which to measure that would be valuable.

**The Deputy Presiding Officer (Linda Fabiani):** We now move to the open debate. Speeches of up to five minutes, please, because we are a bit pushed for time.

16:02

**Brian Whittle (South Scotland) (Con):** I thank the Local Government and Communities Committee for bringing the debate to the chamber and I welcome the opportunity to contribute.

In considering national outcomes as a tool to set the tone for the Government's direction of travel, we would all support the framework wholeheartedly. In business parlance, it equates to a mission statement, whereas in sporting terms—to go back to my roots—it is having a long-term aspiration, such as a young sportsperson wanting to be Olympic champion or to lift the football world cup for Scotland. I was trying to take the chamber with me with that one.

We might not end up at the final goal that we set, but if we manage the process well, we will be able to understand how close we came. Not hitting the goal does not necessarily equate to failure—I am drawing on my experience, once again.

I am a great believer in aspiration and in setting down the highest of goals so that we can read and refer to them. In that way we can constantly remind ourselves where we are heading, ensuring that whatever we do is delivering on those objectives. I am also a great believer in committing to those goals and aspirations. To do so requires short and medium-term deliverable objectives that are measurable and time sensitive, with enough flex to be able to adapt as goals are met or otherwise. The road will not be straight or without bumps, so having that ability to adapt as things change is key. The best strategies are consistent, but have the flexibility to adapt.

I welcome the fact that the Government has written down its high-level objectives. The strategy for delivering against the objectives is not a strategy unless it is written down. Far be it from me—usually—to quote Alastair Campbell, but I agree with him that

“developing a strategy is about having arguments, not avoiding them.”

I would go further, having taken part in many arguments in this chamber, and say that those arguments should at least attempt to be constructive, and therefore that the Government should open itself to scrutiny. That is really what this debate is about.

Good strategy is about action, not theory. That is where effective tactics come into play. In other words, what are the step-by-step initiatives that will ultimately deliver the national outcomes? The cabinet secretary said that we should not have a debate about the process, but I think that we should be able to scrutinise the process, because if we do not do so, the national outcomes will not be achieved.

That is where the Government is coming up a little light. It is unwilling to open up its ideas to scrutiny, and sometimes it tries to close down debate, which inevitably leads to much weaker propositions and outcomes. The Government has high-level objectives that I think that we all agree with and support, but we need to consider the nuts and bolts that are required to deliver on them.

Governments and politicians are always accused of avoiding issues, making high-level promises and commitments and using vague language without backing up their commitments with a businesslike strategy. My concern is that the Government is falling into that pattern of behaviour.

**Derek Mackay:** Will the member take an intervention?

**Brian Whittle:** I would love to take an intervention.

**Derek Mackay:** If Mr Whittle thinks that I have got something wrong in the proposed national performance framework, will he identify just one outcome that he would like me to change, in light of what he has said so far?

**Brian Whittle:** If the cabinet secretary had listened to what I was saying he would know that his outcomes are not the issue. It is how he will deliver on those outcomes—the process of delivery—that I am questioning.

It is not enough to set objectives in soundbites and language that the public wants to hear. In setting national outcomes, the Government must understand each objective and the steps that will need to be taken to achieve it—and the timeframe for taking those steps. It must be prepared to make the sacrifices that will be needed if the goal is to be reached.

It could be suggested that in certain circumstances the SNP is particularly good at working towards a certain goal, irrespective of all the sacrifices for the rest of the country that that would entail. However, my feeling from reading the report is that there is the potential to abandon hard targets in favour of vagueness that is difficult to quantify and measure, so that the Government cannot fail. For example, one of the national outcomes is:

“We are better educated, more skilled and more successful”—

I cannot disagree with that. It goes on to say that we are

“renowned for our research and innovation.”

I think that we already are, and I want that to continue.

Another outcome is:

“Our young people are successful learners, confident individuals, effective contributors and responsible citizens.”

However, in recent weeks, during a Conservative debate and at First Minister’s question time, we have seen the Government’s reluctance to have its record on education scrutinised against its own targets.

I see that the Presiding Officer is indicating that I am coming to the end of my allotted time.

The Local Government and Communities Committee’s report highlights the lack of clarity on goals and objectives, measurables and strategies, and on tactics to deliver on objectives.

**The Deputy Presiding Officer:** I remind speakers that they have up to five minutes.

16:08

**Joan McAlpine (South Scotland) (SNP):** I am delighted to speak on the Local Government and Communities Committee’s report on the national performance framework. It is important to remind ourselves, as the Carnegie UK Trust did in its briefing, that the Scottish Government broke new ground globally when it introduced a holistic definition of social progress, back in 2007. All members of this Parliament should celebrate that.

I am the convener of the Culture, Tourism, Europe and External Relations Committee, but I am speaking in a personal capacity, because my committee lacked the time to scrutinise the draft outcomes as we would have wished to do. However, we responded to the Local Government and Communities Committee’s request for our views, as Mr Doris said.

I welcome the proposed new draft outcome for culture, which reads:

“We are creative and our vibrant and diverse cultures are expressed and enjoyed widely”.

Attached to that outcome are the following indicators:

“Attendance at cultural events or places of culture

Participation in a cultural activity

Growth in cultural economy

People working in arts and culture”.

All my colleagues on the committee welcomed the new outcome in a letter, which appears in the report that we are debating today. The outcome will also be welcomed by stakeholders who have long campaigned for a specific outcome on culture, although none responded to the Local Government and Communities Committee’s call for evidence—I assume that the organisations simply did not have time; I acknowledge that they

contributed to the extensive pre-parliamentary scrutiny, and I welcome that contribution.

Those organisations include culture counts, which is based within the Federation of Scottish Theatre, and which represents 40 different arts organisations. It has led the campaign for an improved place for culture in Scotland’s national outcomes. In 2011, that campaigning resulted in the inclusion of an indicator on cultural engagement. That was welcomed, because there is an increasing understanding across the world that cultural engagement is valuable not just in and of itself, but because it has a beneficial impact across policy areas such as health and wellbeing, learning and equality, and because it contributes to sustainable economic growth through our vibrant creative industries and the work of many thousands of individual artists.

As the convener of the Scottish Parliament’s cross-party group on culture, I chaired a meeting devoted to this issue in March 2015, during which culture counts pointed out that culture is the glue that holds society together; it can address inequality, and it can empower communities. It was also pointed out that Sweden, in particular, has recognised for some time that cultural participation and enjoyment impacts on a broad range of policy areas, and that is also apparent in its budget streams.

Of course, we also see that in practice in Scotland. It is certainly something that the cabinet secretary with responsibility for culture, Fiona Hyslop, understands very well. To quote just one example, some members here will have been able to enjoy last night’s event celebrating the 10th birthday of Sistema Scotland’s big noise orchestras, which transform the lives of children who live in parts of Scotland that face social and economic challenges. The funding for that amazing project did not just come from the culture budget stream; it was considered to be an infrastructure investment, because the orchestras would help to build the communities’ resilience.

That is one example, and I would like to know what other examples there are. Will the new outcome on creativity result in more cultural spending across all budget strands?

I am slightly nervous, because we are told that the UN sustainable development goals underpin the national performance framework. In the Government’s document on the framework, underneath the creativity outcome, there are three linked UN sustainable development goals—improving gender equality, reducing inequality, and building sustainable cities and communities. I agree with all that, but I wonder why culture is not aligned to a wider range of sustainable development goals.

**Derek Mackay:** Will the member take an intervention?

**The Deputy Presiding Officer:** You will have to be very quick.

**Derek Mackay:** I simply want to make the point that the document can only express so much. What will appear online will show that interconnectivity right across the outcome, indicators and the UN's sustainable goals in a more comprehensive fashion.

**The Deputy Presiding Officer:** You have half a minute left, Ms McAlpine.

**Joan McAlpine:** I was going to ask the cabinet secretary for reassurance on that so I am pleased to receive it, because it will benefit the whole of society and not just the culture strand.

16:13

**Michelle Ballantyne (South Scotland) (Con):** During the 37 years of my working life in the public, private and voluntary sectors, I have witnessed and participated in numerous new approaches, fresh ideas and rethinks on how frameworks should look, feel and be worded. However, one fundamental thing does not change. Frameworks are there to say what we are going to do, how we are going to do it, and how we will know whether we have done it.

Is the debate that we are having today going to deliver that? I welcome the extensive conversations that the cabinet secretary has had—not personally but through his staff—and I also welcome his willingness to be flexible about the consultation. We hear today that there is quite a lot of debate to be had around some of the points. However, the challenge lies in ensuring that the indicators are understood and that the relationships between the indicators are coherent. In answer to the question that has just been asked, the cabinet secretary might stand up and say that he has done what I am about to ask, but we will see.

For example, a coherent and well-considered approach to tackling poverty is required, and, as they stand and from what I have seen, the indicators will not tell the full story. It appears that the indicators fail to appreciate that, for example, the more employees there are on the living wage, the more that will impact on the cost of living and potentially on food poverty. We must tackle poverty not simply by sharing wealth but by generating it, and by improving economic growth and productivity. More than that, there must be a focus on the drivers of poverty beyond income.

**Claudia Beamish (South Scotland) (Lab):** Does the member agree that being a living wage

employer would come through in the policy that the indicators underpin, and that it is important?

**Michelle Ballantyne:** I return to my point that living wage employers—I hope that, eventually, that will be every employer—potentially drive up the cost of the products that they deliver. We have to see the interconnectivity between the outcomes and drivers that we ask for and the implications of what they mean for the workplace or the marketplace.

The national outcome fails to take into account the root causes of poverty such as the attainment gap, parental addiction, broken families and worklessness. There appears to be a salient omission in the indicators, which is the provision of not just fair work but flexible work. If there are to be opportunities for everyone, flexible work needs to be available to allow single parents or carers, for example, to participate and to utilise their skills.

I am slightly concerned that growing up “loved, safe and respected” is one of the weakest outcomes. We know that growing up loved will instil confidence and resilience in our children, but there must be a means to measure the extent to which that is actually achieved, otherwise we will not know whether we have done it. A good start in life can benefit people in many ways, so that outcome is perhaps one of the most important. Therefore, I have a request—it is among the many that the cabinet secretary will get. I am disappointed that there is no indicator regarding breastfeeding. That would be an easily measured and appropriate indicator.

**Derek Mackay:** The answer that I will give is the one that I gave at the Local Government and Communities Committee. It is important to stress that we will still undertake many measurements, particularly national health service, health and social measurements, that may not feature in the national performance framework for the reason that Gordon Lindhurst and Willie Rennie gave: we cannot count everything. We will continue to measure breastfeeding and it will still be a health target, but for the purposes of the NPF, it will not feature. I agree that it is a priority and we want to deliver on it. It will still be measured and it will still be reported on.

**Michelle Ballantyne:** That is good news. Can I make an argument for it being higher up the agenda? Fundamentally, there is no breastfeeding culture in this country, and breastfeeding is undermined by the promotion of formula milks that are not an adequate substitute, as the Breastfeeding Network constantly points out. It is worrying that, after six to eight weeks, only around 30 per cent of children are breastfed. Mothers come out of hospital early now—which is a good thing—and sometimes that means that they are discharged before breastfeeding is properly

established. There are not enough resources to properly support mothers in the community, so supplementation rates are high.

We know that breastfeeding contributes to healthy weight and healthy cognitive development; it can also be important for forming positive relationships between mothers and babies, which can be vital in determining children's future mental health and attainment outcomes. Breastfeeding is a very simple thing that could make a massive difference right across the framework, which is why it should be much higher up in what we say we want to do and in our outcomes. It is very measurable, so we will know if we have succeeded.

There has not been much improvement in the number of mothers in Scotland who breastfeed, and there has been little improvement in support to encourage more mothers to breastfeed. It has always been a health target, but it has not been paid the attention that it needs. That is why I want it up there on the agenda.

**The Deputy Presiding Officer:** Can you close now, Ms Ballantyne?

**Michelle Ballantyne:** Fundamentally, I need to know whether policies are working. I agree with what Mr Rennie said, and that would be my challenge to the cabinet secretary. I like the way that the report looks—that is my upside—and a really good job has been done in the presentation.

**Derek Mackay:** Hear, hear. [*Laughter.*]

16:19

**Ivan McKee (Glasgow Provan) (SNP):** Much of the debate has been about what should be included in the national performance framework outcomes, which is important. I hope in my contribution to explore the process whereby we can deliver those outcomes and the relationship between outcomes, indicators and targets. It is only by understanding those relationships, and how they support process improvement, that we can effectively direct resources towards the outcomes and ensure that they are something that we make progress towards, not just aspirations with no road map for delivery. If it does not get that right, the process of public service delivery runs the risk of drift, lack of focus and succumbing to the simplicity of soundbites over substance. Delivering high-quality public services as efficiently as possible is what is at stake, and making a difference to people lives and doing so in a financially sustainable way is the prize.

Although the Scottish Government's use of the performance framework is recognised as world leading compared with the work of other Governments, there is more to be done to match

global best practice across all sectors. The need to embed the NPF in public bodies is recognised in the Local Government and Communities Committee's report. Like all good continuous improvement activities, embedding is not an event but an on-going process. The more that public bodies build the framework outcomes and indicators into their work, the more effective they will be, and the more joined up government will be.

Of course, not every activity, objective or operational target is included in the NPF—nor should it be—but the relationship between those day-to-day operational measures and objectives and the higher-level, more strategic national performance outcomes must be clearly understood and mapped out. The hierarchy of key performance indicators cascading down from the national performance framework to local indicators and targets needs to be clear. If local service delivery is focused on a set of measures and objectives that exist in an island with no bridge to the NPF, we will struggle to succeed at all levels. The test of a truly well-functioning performance framework is not just what it contains but how relevant it is seen to be by those who are delivering on the ground. In any system where there is such a disconnect, there is inefficiency but also scope for improvement.

The work of Harry Burns's review of targets and indicators in the health context also contributes to this discussion. It presents in a coherent fashion the ways in which outputs, indicators and targets are related as parts of a continuous improvement process under a whole-system approach. However, in the health context—and, I expect, across other public services—it also highlights the existence of multiple suites of performance indicators, not all of which will necessarily be linked to each other or to the NPF indicators.

More work needs to be done on the relationship between spend and outcomes, and the budget review process is putting more emphasis on understanding the links. Although it is not always possible to directly map spend on to a specific outcome—for example, much spend is on process infrastructure that contributes to multiple outcomes—that does not mean that we should not try to do so where possible. Indeed, constantly assessing the relationships between inputs, outputs and outcomes is essential to focusing resources most effectively.

The Christie commission stressed the importance of moving beyond a focus on inputs towards assessing the impact of our actions on outcomes. That has already been mentioned in the debate. However, that does not come naturally to politicians. The lure of headline-grabbing extra resource commitments is difficult to ignore. Viewing the answer to all service delivery

problems as more spend rather than assessing the equally important relationship between spend and results is a trap that we all too easily fall into. We need to have a mature debate on effective service delivery and move beyond just discussing inputs.

Finally, I want to say a word on measurement. The great Scottish scientist and engineer William Thomson, Lord Kelvin, is credited with saying:

“when you can measure what you are speaking about, and express it in numbers, you know something about it; but when you cannot measure it, when you cannot express it in numbers, your knowledge is of a meagre and unsatisfactory kind”.

Although that may not be true in all cases, the default position should certainly be that we seek to measure where possible to ensure that we know where we are, which is a key part of making sure that we keep moving forward towards our destination.

The national performance framework is a powerful vehicle for driving public service improvement. I hope to see more work by the Government to ensure that the framework is further embedded and deployed to deliver high-quality and cost-effective services across the public sector.

16:23

**Claudia Beamish (South Scotland) (Lab):** The national performance framework is fundamental to ensuring that our policies are embedded in our collective vision and principles for Scotland. This goes beyond electoral cycles.

As a member of the NPF round table who has represented Scottish Labour since the time when John Swinney was chairing it, I have followed progress closely. I want to focus on one of the criteria for the new national outcomes:

“Better reflect these values and aspirations of the public, expert stakeholders and Ministers”.

In my view, the consultation arrangements and feedback achieved the public part pretty well, not by asking people down the pub what they thought of the NPF, as Willie Rennie said, but because phase 1 of the review involved consulting the public on what kind of Scotland they would like to live in. It was supported by the Carnegie UK Trust and had street stalls that were run by Oxfam.

Let us also be aware that there were 515 participants involved across a range of the Scottish index of multiple deprivation areas, covering eight electoral regions. Marginalised communities were thus actively involved. The round table itself activated stakeholders. One of the particularly interesting contributors was the

Children’s Parliament, which was involved in phase 1. It stated:

“Whenever we talk to children about their needs and their rights we find children’s conversations revolve around love. If there is a bottom line, a key message, this is it: children need to be loved.”

Whatever Alexander Stewart says, most people know what that means. As the Children’s Parliament said,

“it is the bond they have, the protection they need and the basis for the confidence, agency and resilience they need to grow and flourish and manage adverse childhood experiences.”

Childhood wellbeing is one of the most important of the developments in the NPF.

It was challenging for the committees to receive the review findings only once they had been laid, but I cannot see how else it could have been done, apart from by asking for committees’ input at phase 1, too, which might be considered for the next review.

The Cabinet Secretary for Finance and the Constitution stated that he was open to improvement and that,

“if it is about further collaboration, engagement and scrutiny”,

the NPF

“could well be enhanced by that.”—[*Official Report, Local Government and Communities Committee*, 18 April 2018; c 25.]

So, here goes with a few short points. The Local Government and Communities Committee stresses that there is room for improvement in monitoring, which is ultimately vital in tracking our progress and ensuring that the NPF is more than just aspirational words. Data should remain comparable from year to year and accessible online. I appreciate the challenges with that, but I think that it is significant.

I add my support to the call for more information from the cabinet secretary on how the NPF can be applied and monitored in the public sector for a consistent approach towards the same ends.

Another review criterion was:

“Improve the alignment with the Sustainable Development Goals (SDGs) and Scotland’s National Action Plan for Human Rights (SNAP)”.

I welcome the briefing from the Scottish Human Rights Commission and its recognition that the wording

“reflects Scotland’s human rights obligations and duties under international law.”

That is the right approach. We have made a good start, even if we are not completely there with the SDGs. The cabinet secretary himself highlighted one of those, which is that we

“achieve gender equality and empower all women and girls.”

That is fundamental.

In the context of the SDGs, the ECCLR Committee notes the view of the Scottish Government on sustainability and sustainable economic growth. We would welcome further clarification as to whether sustainable development, instead of sustainable economic growth, was considered. I hope that the cabinet secretary will address that in his closing remarks.

In my view, the most important review criterion was:

“Allow us to better track progress in reducing inequalities, promoting equality and encouraging preventative approaches.”

The Trussell Trust has recently stated that food banks are the “fourth emergency service” and that it gave almost half a million emergency food supplies to children last year across the UK. In Scotland, there is real cause for concern. The cuts to councils and other issues must be addressed in the context of the NPF.

More broadly, and finally, what is prosperity for all? Do we really go beyond GDP in the NPF and measure what matters to the people of Scotland? I know that that is a challenge, but I do not think that we are quite there yet. Surely the time has come for a pilot to be undertaken on measures that are parallel to GDP. In my view, the NPF would then be even more fit for purpose and inclusive than it is as a result of this review.

16:29

**Tom Mason (North East Scotland) (Con):** I remind the chamber that I remain a councillor in Aberdeen City Council. I am happy to speak on the revised national outcomes in the national performance framework. The whole process reminds me of trying to teach MBA students about strategic documents.

So far, the Scottish Government has informed its decisions on amending the outcomes by seeking views from many sources—adults, experts, children and even Government ministers. I welcome that approach, and I would like it to continue into the future. However, I fear that the revised outcomes have become rather vague. In fact, the phrase “motherhood and apple pie” comes to mind. It seems that the Government is abandoning hard and measurable targets in favour of vague promises that seemingly cannot fail.

That brings me to the topic of measurement. The Scottish Parliament information centre has said that it does not know how well the national indicators will measure the revised outcomes. When measurement can no longer be directly tied to outcomes, accountability is lost: if we cannot

measure it, we cannot manage it. We have seen that behaviour before. As the results were going from bad to worse, the Scottish Government scrapped the Scottish survey of literacy and numeracy, and literacy and numeracy levels have plummeted under the SNP’s tenure.

I fear that the national performance framework no longer deals with performance. The Government will claim that progress towards the outcomes is still tracked through the national indicators, but my point is that it is no longer explicitly measured against them. For every one statistic that exposes a failure or an area to be improved, the Government will point to five other, vague measurements and pretend that nothing needs to be done.

If we are going to discuss the indicators, let us do it properly. According to the Scotland performs website, over four fifths of the 55 national indicators are not showing an improvement.

**Derek Mackay:** Does the member not see the blatant inconsistency in the remarks that he has just made? He says that we do not judge performance, then he turns to the very measurements by which we judge performance and that we publish even for those areas in which we have not achieved the performance levels that we want. My commitment is that Scotland performs will continue to measure and report, and that information is available not just to Parliament but to the public as a whole. The member cannot say that there is no scrutiny and then turn to the scrutiny to criticise the Government’s performance.

**Tom Mason:** The scrutiny is just that—it is judging the Government’s performance against the indicators, and four fifths of the indicators are, so far, indicating no improvement at all. On top of that, the Government is missing its current economic performance targets, which is costing Scotland billions of pounds. The SNP would have us believe that that is not its fault—that the UK Government or even Brexit is somehow to blame. However, in the Finance and Constitution Committee meeting yesterday, Andrew Chapman, from the Government’s own fiscal responsibility division, said that the problem that we currently face is “a Scotland-specific economic shock”, and that is a worrying indictment of the Government’s performance.

In the face of that information, we would expect a robust response—perhaps a decluttering of the economic landscape or the lowering of taxes on businesses and people to encourage them to interact, because consumer spending is by far the largest part of our economy. What do we get instead? An increasingly vague set of national outcomes and a 400-page fantasy novel on

independence. At least we know where the SNP's priorities lie.

In looking at the revised outcomes, I could not help but notice that the previous commitment to high-quality public services did not make the latest cut. Obviously, the Government feels that that outcome has been achieved.

**Derek Mackay:** Will the member take an intervention on that point?

**Tom Mason:** Yes.

**The Deputy Presiding Officer:** It will have to be very quick.

**Derek Mackay:** Does the member not recognise that high-quality public services are a means to an end, not an end in themselves?

**The Deputy Presiding Officer:** You have about 30 seconds, Mr Mason.

**Tom Mason:** That is too complicated for me to understand.

Last year, public satisfaction with local services fell by 10 per cent. At the time, I asked Derek Mackay whether he thought that the best way to respond to that was the Government's plan to force councils to raise local taxes. Instead of giving the obvious answer—"No"—he claimed that public services are local authorities' responsibility, not the Government's. Indeed, he said that devolved Administrations are

"autonomous bodies, responsible for managing their own day to day business"

with the money that is available to them. I would like to see him apply that sentiment to his own organisation.

I worry that simple accountability is being pushed out of the door in favour of normative statements that are easy to spin. I worry that, if the SNP will not measure it, it cannot manage it, which is the worst outcome of all.

16:34

**James Kelly:** In some senses, it has been an interesting debate. There have been a number of themes to it.

In the initial stages, the speeches from the members who spoke on behalf of the committees interested me. There seemed to be some differences of opinion. Graeme Dey made a good case for some of the proposed indicators that were not included, such as land ownership. We also heard from Gordon Lindhurst on behalf of the Economy, Jobs and Fair Work Committee. A theme in the evidence to that committee was that there are too many indicators and they should be cut down.

Andy Wightman made a good case for including a measure of the co-operative economy. However, I take the cabinet secretary's point that we must be careful that we do not drown in definitions and that we need an element of clarity. One way forward on that was pointed out by Claudia Beamish, who said that the Local Government and Communities Committee wants proper monitoring to take place. That would help greatly in determining the correct and most effective definitions.

Willie Rennie's speech was excellent and went straight to the heart of the debate. There is a danger that we could spend all afternoon—or, at least, too much of the time—debating what indicators and measures should be included and lose sight of what we are trying to achieve. I agree with him that there are debates in the Parliament to which we do not necessarily need to allocate so much time and that we should find more time to develop the themes that come out of this debate—not just on the outcomes but on their scrutiny.

As the measures show, the Government is struggling in some areas. In one ward in Rutherglen—Rutherglen Central and North—child poverty is running at 28 per cent. That means that, in that ward, children are not being fed and clothed properly, and they might be going out to school on winter mornings with holes in their shoes. That is a real issue, as it undermines those kids' ability to be safe and to be educated properly.

In recent times, we have frequently heard in the chamber about the challenges in education. We have heard that we have 3,500 fewer teachers and that we do not have enough teachers in technology and engineering, which undermines our economic performance.

We need to be aware of those issues, and they must be brought into the debate. That can be difficult in a political climate in which, understandably, the Government does not want to admit that it is wrong. The debate can be quite heated, particularly around the time of the budget process. However, to an extent, Ivan McKee outlined a way forward on that. We need a process that considers not only inputs—the money that is allocated to the budget—but outputs and outcomes. The issue is not only the monitoring of those but the fact that we need to change the overall nature of the debate.

As Willie Rennie suggested, we need debates—and more honest debates—about that process in the Parliament. When we debate outcomes around the budget time, the atmosphere can be quite charged. I understand that it is difficult and that the Government always wants to advance a positive prospectus but, if we are ever going to achieve proper progress in the areas that we are talking about, we need an element of honesty

about them not only from the Government but from the Opposition parties.

**Derek Mackay:** In the spirit of transparency and openness, I remind members that, as I said to Willie Rennie, at every budget, I produce the Scotland performs scorecard, which sets out even challenging statistics on progress in relation to the national performance framework. We all have a duty to promote and scrutinise that scorecard. It has been published for years, but perhaps the debate will add to the interest in it in future years.

**James Kelly:** That is true.

The other, linked issue is that there needs to be an honest debate about priorities in the budget and how we find the money for them. Labour put forward an extensive list of spending commitments in the most recent budget round. There is debate to be had about whether they are the right commitments and whether the level of taxation is correct but, ultimately, there needs to be honesty from all parties about whatever budget we come to being a defined number. Therefore, there will always be challenges in what can be achieved in the budget. The problem with the debates around the budget period is that we all get locked into party positions and we are sometimes unable to have a proper exchange on the issues and challenges, which undermines our ability to achieve the national outcomes.

Gordon Lindhurst said that the debate is one for anoraks. We need to get our anoraks off and get down to dealing with the issues if we are to deliver on the national outcomes.

**The Deputy Presiding Officer:** I call Graham Simpson, who has up to six minutes.

16:41

**Graham Simpson (Central Scotland) (Con):** Thank you, Deputy Presiding Officer. I am pretty sure that I was just called an anorak.

**Alexander Stewart:** Yes. If the cap fits, wear it. [*Laughter.*]

**Graham Simpson:** My heart soared somewhat when I saw our list of speakers and that Alexander Stewart would go first, because—I have to be honest—the whole subject leaves me a little bit cold. During the Local Government and Communities Committee meeting with the cabinet secretary, I think that I achieved a first for me in that I asked no questions whatsoever. I did not rib Mr Mackay, and I asked him about nothing. That was not just because I like Mr Mackay, which I do—

**Members:** Aw!

**Graham Simpson:** I could not really think of anything to ask about, because I could not get my

head round the waffle that is the national outcomes. They took me back to my previous employment as a sub-editor on a newspaper. If I had seen those outcomes coming before me, I would have asked what they meant.

I will run through all the proposed draft national outcomes, because the comprehensive list has not been run through in the debate. They are:

“We have a globally competitive, entrepreneurial, inclusive and sustainable economy.”

“We are open, connected and make a positive contribution internationally.”

“We tackle poverty by sharing opportunities, wealth and power more equally.”

“We live in communities that are inclusive, empowered, resilient and safe.”

“We grow up loved, safe and respected so that we can realise our full potential.”

“We are well educated, skilled and able to contribute to society.”

“We have thriving and innovative businesses, with quality jobs and fair work for everyone.”

“We are healthy and active.”

I am not sure that we are healthy and active; I am, but I am not sure that everyone else is.

“We value, enjoy, protect and enhance our environment.”

“We are creative and our vibrant and diverse cultures are enjoyed widely.”

“We respect, protect and fulfil human rights and live free from discrimination.”

The final one, which I think was a national outcome before, is:

“Our public services are high quality, continually improving, efficient and responsive to local people’s needs.”

**Graeme Dey:** Graham Simpson talks about “waffle”, but does he accept that the stakeholders’ response to the Environment, Climate Change and Land Reform Committee’s call for evidence and, indeed, the depth in which that committee has gone into the matter and the number of recommendations and calls on the Government that have been made suggest that the national outcomes really matter?

**Graham Simpson:** I can say only what I think, and that is my view of the language that is used.

The Child Poverty Action Group welcomed the inclusion of poverty in the national outcomes, but questioned whether “Tackling poverty” is an outcome. Instead, it suggested that

“it is a process intended to achieve the goal of eradicating poverty for good.”

and said that

“In the interests of clarity the outcome should state the eventual aim rather than the method of achieving it.”

I think that that is right. The problem is that the wording is all wrong—it is bureaucratic babble and it is Governmentspeak gone mad. Alexander Stewart and others were quite right to point that out when they spoke of “ambiguous” wording and “vague promises”.

I wondered who could be responsible. Was it the cabinet secretary? Apparently not, because when Derek Mackay appeared before the Local Government and Communities Committee he gave the game away. A cross-party group had been formed, and he said:

“This is the first time that we have tried to define our mission and our purpose beyond just what the Government wants to achieve; we have tried to define our purpose as a society as well, which takes us into our values. Frankly, if I can get agreement around the table between people such as Murdo Fraser and Patrick Harvie, I suggest that I am not doing too badly.”—[*Official Report, Local Government and Communities Committee*, 18 April 2018; c 24.]

There we have it, Presiding Officer. Murdo Fraser is the villain here, in collusion with the cabinet secretary and Patrick Harvie. Claudia Beamish—who has left, sadly—was spared.

**Derek Mackay:** She was there, too.

**Graham Simpson:** I know—but Mr Mackay did not mention her.

It has been an interesting debate for me, because I have learned some stuff that I did not know before. I will tell you something that Mr Mackay did not know, Deputy Presiding Officer. Michelle Ballantyne, who spoke about breast feeding, is a bit of an authority. She has had six children who were all breast fed, which probably makes her the breast-feeding champion of the Parliament, so she does know what she is talking about.

Gordon Lindhurst—in a rather bizarre opening, I thought—quoted from “Twelfth Night”, and described his committee as “anorak wearers”. I do not know what they will make of that. Just to prove his point, however, he went on to quote a French philosopher, but I think that Mr Lindhurst was agreeing that things have to be clearer. It was something like that, anyway.

Despite what I have said, we welcome the draft national outcomes. They are important. That has been impressed on me by various speakers, so I commend the document, despite its vagueness.

16:47

**Derek Mackay:** That final comment by Graham Simpson may make the point that, despite some of the criticism and debate this afternoon, the framework is to be commended. We have made a

number of points—some party political and some about process—but is there a fundamental and deep-seated challenge to the purpose, the values or the outcomes that the Government and Parliament are proposing? I genuinely do not believe that there is real divergence between us.

It is important that there is consensus, because it will calibrate the public sector, the private sector, the third sector and the wider community to help to deliver the outcomes. I would be careful about describing some of the framework as “waffle”, because it was developed in consultation with the communities of Scotland. Some of the language has come from children in the Children’s Parliament, and some of it has come from human rights organisations, environmental organisations and the business community. It is not political correctness gone mad, as we often hear. It is an evidence-based approach to aligning our efforts so as to build a better society, and it is one that defines, as best we possibly can, the kind of society that we seek.

In that regard, I have tried to balance the political interests—from the Conservative representative, Murdo Fraser, through to the Greens’ position, represented by Patrick Harvie. All political parties were invited to the round table that helped to shape the process and they all contributed constructively.

**Michelle Ballantyne:** I hear what you say and I will not argue with that, but I would like to ask about the process. If we accept that what you are saying is correct—and I am happy to do that—would you also accept that, in order for the framework to be meaningful to Parliament we need to have a way of measuring and understanding whether what you have set out is achieved, and in what context? When you come back before us, will you make sure that we have some actual things that we can get hold of, so we can see where the baseline is and where we are going?

**The Deputy Presiding Officer:** I remind all members that, even when they are being nice to one another, they should speak through the chair.

**Derek Mackay:** The answer to the question is yes. The Scotland performs website is better than just sending an occasional report to committees. It is live and transparent, and the measurements—through the indicators—have been determined largely by the Scottish Government’s chief statistician. Officials and others have worked very hard to specify what we think we can measure. The Scottish Trades Union Congress and other organisations asked me to put in indicators that we had not proposed, so I changed the indicators.

I have a few important points in relation to the criticism of the consultation. I have done what the

law asked me to do, and I have gone beyond that. I did not just publish the proposed purpose and outcomes; I also published the indicators, which the law does not require me to do. It was my imperative and at my instruction that the indicators were published. It made sense to set out how we propose to measure that which we want to deliver. That was all shared with the cross-party steering group, on which there was business representation, charities, children and a host of other people.

The indicators are credible and helpful and will be critical when progress is not made. There are many things that will not be published in the national performance framework—for the reasons that other members have given—but will be published elsewhere. The Government will be held to account for them, whether in parliamentary debate, committees or questions.

**Graeme Dey:** On scrutiny, how does the cabinet secretary view Willie Rennie's suggestion about more regular consideration in the chamber of the NPF? Does he share my view that such an approach might best be undertaken in the form of joint committee debates on the back of committees' work, rather than during Government debate time when we would see members contributing as individuals and, as James Kelly alluded to, party politics would certainly creep in? Having scrutiny based on broader and detailed committee work ahead of a debate might get us a better outcome.

**Derek Mackay:** I agree with that helpful suggestion. Just as we are proposing all-year-round budget scrutiny, of course we should have all-year-round scrutiny of Scotland performs and not just the performance of Government but performance right across society. That is why alignment is so important.

I think that some members have got purpose, values, outcomes and indicators confused. Going beyond the indicators, implementation and the policy actions that deliver success is crucially important. Members can by all means criticise implementation, but that was not what today's debate was supposed to be about and it is not what the current consultation process is about. It is about establishing whether we, as a Parliament, can unite around the outcomes and the purpose. As I said, I have offered the indicators for further scrutiny. I welcome transparency and the contributions to the debate, which I will of course reflect on.

On a number of occasions, I tried to make the point about the United Nations sustainable development goals being part of the structure. Another key point is that the relationship between the outcomes and the indicators is complex, and

the website will helpfully show how a range of indicators relate to a range of outcomes.

Fundamentally, this is about consensus on our vision for our country and on our purpose. I have tried to balance the views of those who want economic growth with the views of those who do not, and the views of those who want inclusivity with the views of those who think that inclusivity is not as important as we believe that it is. The purpose itself captures all that. It focuses on sustainable economic growth, wellbeing and equality for all, so that our country and all our people have an opportunity to flourish.

I am particularly pleased that I have worked so closely with other political parties, human rights charities, community groups, the Children's Parliament, the STUC, COSLA, the business community, Murdo Fraser, Patrick Harvie and Claudia Beamish. The Liberal Democrats were invited as well.

We can disagree on implementation and performance if we choose, but surely we can agree on our desire to build a fairer society and a stronger nation. We need the national performance framework. As Brian Whittle said, it is our mission statement, and there is much agreement on it. We should collaborate on it in the way that we have done on justice, the early years and culture, as Joan Whittle—I am sorry; Joan McAlpine—mentioned. Joan Whittle is a whole new creation.

We can unite around the national performance framework, even if party politics will undoubtedly encourage us to find points of difference on its implementation. If we can at least agree on the outcomes, that will put us in a stronger place—as a country and as a Parliament—to deliver the kind of society that we want, which the public consultation has suggested that the public want, too.

**The Deputy Presiding Officer:** I call Monica Lennon to wind up the debate on behalf of the Local Government and Communities Committee. A wee bit of brevity would be appreciated towards decision time, if that were possible.

16:55

**Monica Lennon (Central Scotland) (Lab):** Thank you, Presiding Officer. You have been very generous with your time this afternoon, which has made for an interesting debate.

As deputy convener of the Local Government and Communities Committee, I am grateful for the chance to close the debate. I have listened with great interest to the views of members during what has been a wide-ranging, broadly consensual and, at times, poetic debate. That reflects the fact that,

on the whole—I look at Mr Simpson as I sound that note of caution—all sides of the chamber support the aspirations behind the draft national outcomes.

This is the first time that the Scottish Parliament has formally been consulted on the Scottish Government's draft national outcomes, and I was encouraged by the range of responses that our committee received following our call for views, especially given that stakeholders had only a very short time—just one week, over the Easter recess—to share their opinions. All those responses helped to shape our questions to the cabinet secretary and informed our report's recommendations.

The aspirations of the national outcomes have been broadly welcomed, as the views that we received illustrated, although, as has been said, our call for views resulted in concerns being expressed about the wording of the overall purpose, how successfully the national outcomes align with the UN sustainable development goals and how some of the draft indicators can be measured. The theme of measurement has been brought up many times in the debate. Those concerns, and other issues that were raised, led to the recommendations in our report. We look forward to the Scottish Government writing to us to tell us its views on our recommendations in due course.

As the committee's convener, Bob Doris, mentioned earlier, the scrutiny of the draft national outcomes that was undertaken was not the job of the Local Government and Communities Committee alone; several other committees were involved, many of whose members have spoken in the debate. I pay tribute to my fellow committee members—even to Mr Simpson—and to all the members across the chamber who participated in the scrutiny process.

Many different views have been expressed in the debate. The national performance framework and the outcomes mean different things to different people. Claudia Beamish talked about childhood wellbeing, while Andy Wightman talked about the co-operative economy. Ivan McKee, Tom Mason and others talked about process and measurement, and Joan McAlpine talked about culture as the glue that holds society together. I was pleased to hear Michelle Ballantyne speak about the importance of breastfeeding. There is a bit of a recurring theme here—again, I address Mr Simpson. It is not necessary to be someone who breastfeeds to champion breastfeeding. That should be the responsibility of everyone in this place.

We also heard a lot of about anoraks. I do not define myself as an anorak—

**Graham Simpson:** I quite agree with what Monica Lennon said. I am a great champion of breastfeeding. Men should be. My wife breastfed. It is not necessary to have breastfed to champion breastfeeding as the best way to feed your kids.

**Monica Lennon:** It is good to have that on the record—I thank Mr Simpson for that.

The cabinet secretary touched on other issues, such as trade union engagement, which is extremely important. Some people have described the mention of the concepts of love, happiness and wellbeing as “waffle”, but they are very important. It is true that they are difficult to measure. I am not sure that we can manage love, nor should we want to. However, those ideas and priorities have come from many people across Scotland, including our young people. It is important that that aspect of the outcomes has been part of the debate, and it is a shame that it has turned some people cold.

The Presiding Officer was generous in allowing interventions throughout the debate, so a lot has been said already that I do not need to repeat now. However, in closing, I will say that it is important that we have had the opportunity to scrutinise this matter. We have heard from James Kelly and Willie Rennie that we need to get into the guts of this, and that annual scrutiny will be really important—I see that I have just received a thumbs-up from Alex Cole-Hamilton, so I am doing something right today.

I thank everyone across the Parliament. We did not have a huge amount of time for scrutiny. It is great that the cabinet secretary has said that he will be more flexible in that regard in future. Colleagues would welcome that, as would people across civic Scotland. It is important that we get our approach right and that the national outcomes are embedded across the public sector. The Public Audit and Post-legislative Scrutiny Committee and Audit Scotland have told us that we are not seeing the necessary evidence, particularly with regard to the recent annual report of Scottish Enterprise, which did not mention the national performance framework. However, I know that the cabinet secretary has said that he will hold a high-level event on the matter. I am sure that we will all be interested to see what that will entail.

Again, I thank everyone who has made a contribution to this important scrutiny.

## Parliamentary Bureau Motions

17:00

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of two Parliamentary Bureau motions. I ask Joe FitzPatrick to move motions S5M-12432, on committee membership, and S5M-12433, on committee substitution.

*Motions moved,*

That the Parliament agrees that the following changes to committee membership will apply from close of business on Thursday 24 May—

Gordon MacDonald be appointed to replace Ruth Maguire as a member of the Education and Skills Committee; and

Alex Neil be appointed to replace Gil Paterson as a member of the Environment, Climate Change and Land Reform Committee.

That the Parliament agrees that—

Willie Coffey be appointed to replace Alex Neil as a substitute member of the Economy, Jobs and Fair Work Committee;

Clare Haughey be appointed to replace Stewart Stevenson as a substitute member of the Justice Committee; and

David Torrance be appointed to replace Colin Beattie as a substitute member of the Delegated Powers and Law Reform Committee.—[*Joe FitzPatrick.*]

## Decision Time

17:01

**The Presiding Officer (Ken Macintosh):** The first question is, that motion S5M-12324, in the name of Bob Doris, on the report on the consultation on the Scottish Government's draft national outcomes, be agreed to.

*Motion agreed to,*

That the Parliament notes the findings and recommendations in the Local Government and Communities Committee's 7th report, 2018 (Session 5), *Report on the Consultation on the Scottish Government's Draft National Outcomes* (SP Paper 317), and the other committees' responses contained in the annexe to the report.

**The Presiding Officer:** The next question is, that motion S5M-12432, in the name of Joe FitzPatrick, on committee membership, be agreed to.

*Motion agreed to,*

That the Parliament agrees that the following changes to committee membership will apply from close of business on Thursday 24 May—

Gordon MacDonald be appointed to replace Ruth Maguire as a member of the Education and Skills Committee; and

Alex Neil be appointed to replace Gil Paterson as a member of the Environment, Climate Change and Land Reform Committee.

**The Presiding Officer:** The final question is, that motion S5M-12433, in the name of Joe FitzPatrick, on committee substitution, be agreed to.

*Motion agreed to,*

That the Parliament agrees that—

Willie Coffey be appointed to replace Alex Neil as a substitute member of the Economy, Jobs and Fair Work Committee;

Clare Haughey be appointed to replace Stewart Stevenson as a substitute member of the Justice Committee; and

David Torrance be appointed to replace Colin Beattie as a substitute member of the Delegated Powers and Law Reform Committee.

*Meeting closed at 17:01.*



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