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Thursday 12 March 2020

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Scottish Parliament

Thursday 12 March 2020

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

Business Motion

The Presiding Officer (Ken Macintosh): Our first item of business today is consideration of business motion S5M-21233, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a revision to today's business.

The Minister for Parliamentary Business and Veterans (Graeme Dey): I apologise to members for having to propose a change to today's business at such short notice. The Cabinet Secretary for Health and Sport is required to participate in a meeting about coronavirus with the United Kingdom Government, and she is therefore unable to update Parliament today. However, the First Minister will write to update all party leaders as soon as practically possible after today's meeting, and with the agreement of the bureau, the Government proposes to make a statement to Parliament on the issue next Tuesday.

I move,

That the Parliament agrees the following revisions to the programme of business on Thursday 12 March 2020—

delete

2.30 pm Ministerial Statement: Novel coronavirus COVID-19 update

followed by

2.30 pm Portfolio Questions: Transport, Infrastructure and Connectivity

and insert

2.30 pm Portfolio Questions:
Transport, Infrastructure and
Connectivity

The Presiding Officer: I thank Mr Dey. The information was circulated to business managers by email this morning, so we accept the motion. However, there is huge parliamentary demand for an update on the UK Government statement. Everyone understands that we are in a moving situation, and that the health minister and the First Minister will have to attend the COBRA meeting, but there is an expectation that Parliament will be kept fully informed.

I am chairing the meeting of the corporate body at lunch time, so I suggest that Mr Dey and the business managers get together with the business team at lunch time to discuss how Parliament might be kept informed. In light of all the responses to questions and First Minister's

questions, we can revisit the issue and there might be an opportunity to have an urgent question at the end of the day. If we can get the business managers together at lunch time, they can discuss it.

On that note, the question is, that motion S5M-21233 be agreed to.

Motion agreed to.

General Question Time

Adverse Childhood Experiences (Renfrewshire South)

1. Tom Arthur (Renfrewshire South) (SNP): To ask the Scottish Government what it is doing to tackle adverse childhood experiences in the Renfrewshire South constituency. (S5O-04260)

The Minister for Children and Young People (Maree Todd): The Scottish Government recognises and is committed to tackling adverse childhood experiences, or ACEs, within the Renfrewshire South constituency and across Scotland. This is a broad agenda that we are progressing across many ministerial portfolios, by pursuing four key areas for action that are set out in our programme for government. We are providing intergenerational support for parents, families and children; reducing the negative impact of ACEs for children and young people; developing adversity and trauma-informed workforce and services; and increasing societal awareness and supporting action across communities.

Tom Arthur: I thank the minister for her answer and welcome the work that the Scottish Government is doing. She referred to working across portfolios. One organisation that operates in my constituency is Youth Interventions, which is based in Linwood. It address issues with adolescent substance misuse and the experiences of young people who have grown up in households where there was substance misuse.

Will the minister join me in commending the work of Youth Interventions? Will she also accept my invitation to come to Linwood and Renfrewshire South to see its work at first hand?

Maree Todd: Absolutely. I welcome the valuable work that Youth Interventions carries out in Renfrewshire by supporting young people who are affected by alcohol and drug use. Addressing the impact that they can have on individuals and their families is absolutely critical to preventing adverse childhood experiences and to safeguarding future generations. I would be more than happy to consider a visit to Youth Interventions, so I ask Mr Arthur to contact my office directly with further details.

Discretionary Housing Payments (Pension Rules)

2. Bob Doris (Glasgow Maryhill and Springburn) (SNP): To ask the Scottish Government what impact changes to the pension age and new rules for mixed-age couples might have on discretionary housing payments in Scotland. (S5O-04261)

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): I am deeply concerned that those damaging United Kingdom Government policies will punish older people. We estimate that the change could lead to an annual loss of as much as £7,000 per household, and by 2023-24 could affect as many as 5,600 households in Scotland.

The effects of the changes will impact on entitlement to assistance such as cold weather payments, and will also increase the number of households impacted by the bedroom tax, therefore increasing demand for discretionary housing payments, which we use to mitigate the bedroom tax in full. The Scottish Fiscal Commission forecast that that unwelcome change for mixed-age couples will cost an additional £3 million in 2020-21.

Bob Doris: I am glad that the Scottish Government has estimated how much that double whammy—the removal of financial support to pensioner households and the requirement for the Scottish Government to pick up the pieces in 2020-21—will cost. Will the cabinet secretary make representations to the UK Government to either reverse those policies or financially make recompense to the Scottish Parliament?

Aileen Campbell: As Bob Doris knows, we have urged the UK Government on a number of occasions to reverse its damaging welfare cuts and we will continue to do so. The action that we are taking to tackle poverty and inequality is clearly reflected in the budget for 2020-21. It includes investment of £110 million to mitigate the worst impacts of UK Government welfare cuts, including the bedroom tax. That includes an increase of £3 million following the Scottish Fiscal Commission's modelling of the increase to the pension credit qualifying age and the UK Government's changes to benefits for mixed-age couples. We would much rather spend that £110 million on other priorities, including tackling child poverty, and it is a pity that we have to continue to mitigate the actions of the UK Government.

Access to Community Sports Facilities

3. Brian Whittle (South Scotland) (Con): To ask the Scottish Government what action it is taking to ensure that people across the country have easy access to community sports facilities. (S5O-04262)

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): The Scottish Government is committed to ensuring that everyone across Scotland has access to sporting facilities in their local community. Sportscotland is on track to achieve our commitment of delivering 200 community sport hubs across the country in 2020. As members will know, community sport

hubs focus on sustainable, community-led approaches that get clubs and local partners working together to develop welcoming, safe and fun environments for sport that meet local needs.

Brian Whittle: Community sports assets across the country have been an easy target for council cuts, especially in rural and more deprived areas, as council budgets are continually squeezed. Does the minister agree that cutting access to activity is a false economy, because, if the spend on the preventative agenda is cut, it will just appear as poor health outcomes in a ledger later on? If so, what will the Scottish Government do to reverse that trend?

Joe FitzPatrick: Brian Whittle will be well aware that the budgets of local authorities across Scotland have been supported in a way that we have not seen elsewhere on these islands. That has allowed local decision makers to consider a range of priorities, and we are now seeing more people involved in a range of sporting activities across Scotland.

Mr Whittle often comes to the chamber expecting the Scottish Government to centrally direct local decision makers. That surprises me, because I thought that we all believed that localism is important and that local decisions should be made by councils and not by me as the Minister for Public Health, Sport and Wellbeing.

We need to work together and support local authorities if they are supporting sporting and other physical activities. There is fantastic work going on across Scotland, and I would always encourage local authorities to work with a range of partners to make sure that the offering in their areas continues to improve, such that people become more active everywhere in Scotland.

Shetland College (Proposed Privatisation)

4. Rhoda Grant (Highlands and Islands) (Lab): To ask the Scottish Government what discussions it has had regarding the proposed privatisation of the new merged college on Shetland. (S5O-04263)

The Minister for Further Education, Higher Education and Science (Richard Lochhead): The Scottish Government is in regular contact with the Scottish Funding Council on the issue, but we have not yet received any formal business case for a merger. We expect that it will be submitted in due course, at which point it will undergo full scrutiny.

Rhoda Grant: Concerns have been expressed to me about the level of consultation with staff, students and the wider public. Concerns were also expressed around access to public funds for further and higher education and the impact of privatisation on staff's terms and conditions. In

order to allay those fears, can the minister advise me what protections would be available in the event of privatisation, and say whether privatisation will be blocked, should it carry such risks?

Richard Lochhead: The proposal has been developed locally and we await a final business case to be signed off by the Scottish Funding Council, which the Scottish Government would consult on before any legislation was put in place to make the merger officially happen.

With regard to the funding, a financial memorandum would have to be put together and signed for the new merger, should it proceed. The memorandum would also be signed off by the Scottish Funding Council. Processes are in place to make sure that such matters are in order. If Rhoda Grant has specific concerns, she should write to me and I will have them looked at.

Disability Employment Gap

5. James Dornan (Glasgow Cathcart) (SNP): To ask the Scottish Government what steps it is taking to reduce the disability employment gap. (S5O-04264)

The Minister for Business, Fair Work and Skills (Jamie Hepburn): The Scottish Government is committed to at least halving the disability employment gap in Scotland by 2038. We launched our disability employment action plan in December 2018 and we will shortly publish our first progress report. In the action plan, the baseline disability employment gap was 37.4 per cent. In the latest statistics, which cover the period from October 2018 to September 2019, the disability employment gap was 33.9 per cent.

To date, progress in taking forward the action plan includes: publishing our recruitment and retention plan; establishing a public social partnership to support employers to recruit and retain disabled people; and, through fair start Scotland, delivering personalised support to 19,000 people, 5,000 of whom have already been supported into work.

James Dornan: I recently met several of my constituents who have extensive physical disabilities. They have found it difficult to find and hold down permanent work. What actions in the action plan will help my constituents to secure long-term employment?

Jamie Hepburn: The disability employment action plan is a pan-disability plan, but I recognise that some groups can be disproportionately impacted and might require more targeted support to find and sustain employment. My initial answer set out some of the progress that we have made, such as the recruitment and retention plan and the public social partnership, which will support the

constituents whose cases James Dornan laid out as a source of concern for him.

We are also taking forward an accessible travel framework, which will remove barriers that prevent people from travelling and we have established the parental employability support fund, which has a focus on disabled parents. We continue to take forward fair start Scotland, which supports many disabled people, and our £800,000 workplace equality fund supports employers to adopt fair and inclusive workplace practices that support disability-related issues. Some of the work is under way; there is more to be done, but Mr Dornan can be assured that we will continue to take forward that work.

Employability Services

6. Mark Griffin (Central Scotland) (Lab): To ask the Scottish Government what its response is to the Scottish Fiscal Commission's forecast that spending on devolved employability services will be £27 million lower in 2022-23. (S5O-04265)

The Minister for Business, Fair Work and Skills (Jamie Hepburn): Fair start Scotland was commissioned for a three-year referral period, ending in March 2021, with a further two years for people to benefit from the nature of the support that is offered. The forecast figures reflect the natural tailing off of that contract. The latest statistics show that more than 19,000 people have started on the service, with more than 5,000 people supported into work in a dignified and respectful way.

Mark Griffin: The minister's answer adds to a series of written responses that reveal that Remploy is no longer active in the scheme in Glasgow; the third sector no longer supports the scheme in Tayside; Rathbone and the Wise group have left the south-west scheme; and, in my region, NHS Forth Valley has pulled out. On top of the Scottish Fiscal Commission forecast that spend will be £4 million lower this year than it said it would be 18 months ago, freedom of information requests have revealed that all the contracts are under performance management after hundreds of compliance issues have been identified. By all accounts, the scheme is in crisis. Fair start Scotland was meant to get disabled people into work and yet we are more than half way through the period and only 10 per cent of referrals have made it into a job for three months or more. How will the Scottish Government turn fair start Scotland around?

Jamie Hepburn: That is an extraordinary question. There was not one word of welcome from Mr Griffin that, since the beginning of this initiative, 19,000 people the length and breadth of this country have been supported through the service—5,000 of them into employment—in the

dignified and person-centred fashion in which we sought to take it forward. None of them were under the threat of sanction, unlike in the previous initiative that was in place under the United Kingdom Government.

Mark Griffin suggested that it is not a successful initiative; I utterly reject the premise of his question. In the first year of operation of the programme, we supported the equivalent of 9 per cent of the unemployed population in Scotland. The programme that is in existence in England and Wales—which would, presumably, have operated in Scotland had it not been devolved, allowing us to take a different approach—supported only 4 per cent of the unemployed population in those countries. As such, I totally and utterly reject the notion that the programme is not delivering for the people of Scotland.

Colin Beattie (Midlothian North and Musselburgh) (SNP): The Scottish Government has taken a substantially different approach to employability services from that of the UK Government, most notably in that participation is voluntary. Will the minister advise how the reach of devolved employability services compares to that of UK Government programmes?

Jamie Hepburn: The most fundamental way that it differs is the way that I just outlined to Mr Griffin. Unlike in the approach that is taken by the UK Government, we do not compel people to take part in our programmes under the threat of being sanctioned under the social security system. We have heard that the UK approach has delivered many people into serious circumstances of further deprivation.

I have already laid out the fact that we are supporting a wider cohort of the unemployed population. In relation to the unemployed disabled population in particular, in its last year of operation in Scotland, work choice, which was operated by the Department for Work and Pensions, supported 12 per cent of the unemployed disabled population in Scotland; by contrast, in the first year of fair start Scotland, we supported 19 per cent of the same population. In addition, in the analysis of the first year of operation of our programme, of the 1,000 participants who were surveyed, more than 90 per cent said that they were being treated in a dignified and respectful manner. That is the approach that I will continue to take with our employability services. Yes, there is much to learn; however, we are delivering for the people of Scotland.

Hate Speech

7. John Mason (Glasgow Shettleston) (SNP): To ask the Scottish Government how it ensures that the action that it takes to restrict hate speech

does not inadvertently discourage freedom of speech. (S5O-04266)

The Cabinet Secretary for Communities and Local Government (Aileen Campbell): Scotland is a modern and inclusive nation that protects, respects and realises internationally recognised human rights. Any form of hate crime is, nonetheless, unacceptable. In June 2017, the Scottish Government published an ambitious programme of work to tackle hate crime through an action group that I chair. Our plans include the introduction of a hate crime bill during this parliamentary term. The bill, like all our efforts to tackle hate crime, has been carefully balanced against the fundamental rights and freedoms of all who live in Scotland, as reflected in human rights legislation.

John Mason: We have had two recent cases in Glasgow where freedom of speech has, apparently, been restricted. One case was when Franklin Graham was refused an event at the Scottish Exhibition and Conference Centre, and the other case was when forwomen.scot was refused an event at the Glasgow Women's Library. It appears that there is a cooling towards freedom of speech and that, when someone disagrees with someone else, it is simply called hate speech.

Aileen Campbell: I am aware of the exchanges that John Mason referred to, and I am sure that we are all aware of the tone and nature of some of the discussion and dialogue that has gone along with them. That tone is not necessarily helpful in carving out the space for dialogue, discussion and debate, and for that to be done respectfully.

As I said in my earlier reply, Scotland is a modern and inclusive nation; however, that does not happen by accident. It is precious, and we need to work hard to keep that. It is incumbent on all of us as parliamentarians to ensure that we set the right tone, lead by example, and are guided by kindness, respect and empathy. That should be the hallmark of our approach to all the vexing and challenging discussions that we have.

Gordon Lindhurst (Lothian) (Con): Following on from the cabinet secretary's comments, does she share the concern of many Christians in Edinburgh at the cancellation of a Destiny Church event at the public Usher Hall venue, and their concern about perceived, potentially state-supported, religious censorship?

Aileen Campbell: As I said, the tone of some of the dialogue that happens around that is, sometimes, not necessarily helpful. I am happy to meet Gordon Lindhurst and John Mason should they have concerns to make sure that, as we take forward the hate crime bill, they can be made to feel reassured.

As I said, Scotland is a modern and inclusive nation; however, that has to be worked hard for. We should lead by example. We will meet members to discuss concerns to ensure that we proceed in a positive way and that people do not feel in any way threatened.

Glasgow School of Art (Morale)

8. Pauline McNeill (Glasgow) (Lab): To ask the Scottish Government what its response is to reported concerns regarding morale at the Glasgow School of Art. (S5O-04267)

The Minister for Further Education, Higher Education and Science (Richard Lochhead): The Scottish Funding Council continues to meet the Glasgow School of Art senior management on a regular basis to ensure that the high level of governance that we expect of our higher education institutions is delivered, and to support staff and students.

Pauline McNeill: The minister will be aware that the Glasgow School of Art has paid out a staggering £800,000, accompanied by confidentiality agreements. Such gagging orders are concerning, because the people involved have important information about the running of the school. In contrast, whistleblower Gordon Gibb was sacked for speaking out about his view of the running of the school. Given that the school gets funding from the Scottish Funding Council, when will the minister start asking the institution to account for that unacceptable sacking of a whistleblower and for the fact that it has presided over dreadful relations at a critical time, or is he not concerned about that?

Richard Lochhead: As I explained to the member a few moments ago and in answering her previous questions on the issue, the Scottish Funding Council has considered all the procedures that the Glasgow School of Art followed and takes the view that they were followed correctly.

There are now five new members of the Glasgow School of Art board, and a new director, Penny Macbeth, was recently appointed. I hope that Pauline McNeill will take the opportunity to meet the new board members and the new director to discuss her concerns with them. I look forward to meeting them as well.

I am pleased to say that, in the latest QS world university rankings, which were published only last week, the school was named eighth in the world for delivering art and design courses. We should all welcome that.

First Minister's Question Time

12:01

Covid-19

1. Jackson Carlaw (Eastwood) (Con):

Partisan rough and tumble may be the stuff that excites some of the parliamentary sketch writers, but I believe that there is a huge and understandable public appetite for detailed information on coronavirus and the measures that are being taken to deal with it.

In the past week, public concern about coronavirus has inevitably increased, with statements from and actions initiated by, among others, the United States, Italy and, in the past hour, the Republic of Ireland. In consequence, there is much speculation about how our Governments will respond, when it is right to move from the containment phase to the delay phase, and whether and when it is right to move to more radical measures of social distancing, such as shutting schools or cancelling events. The public are worried and need reassurance.

Can the First Minister give us some sense of when the Scottish Government expects to move to the next phase of its response? If she cannot tell us exactly when we might expect more comprehensive measures, can she at least give us some sense of how the decision will be made and how the Government will judge when it is the right moment to take wider action?

The First Minister (Nicola Sturgeon): I agree with Jackson Carlaw that the public want to have as much information on the situation as possible. The daily update of our number of confirmed cases will be published at 2 o'clock today, as normal, after the essential process of checks and verification has been carried out. I therefore cannot give the precise number right now, but I can tell Parliament that we will see a sharp rise in cases reported today, and we might also see further evidence of community transmission of coronavirus.

That underlines the seriousness of the situation that we all face. The Cabinet Secretary for Health and Sport and I, along with our chief medical officer, will participate in the COBRA meeting that the Prime Minister will chair early this afternoon. Among the issues for discussion will be the move from the contain phase to the delay phase. My view is that the time is now right to do that, and I expect that the four United Kingdom nations will reach an agreement on that this afternoon. If that decision is taken this afternoon, that will necessitate new guidance to the public that sets out clearly what we expect them to do, most likely

from the start of next week. I am happy to go into further detail about that if Jackson Carlaw wishes me to do so.

In addition, the health secretary and I have been considering what further actions we are required to take, particularly to protect the resilience of our front-line emergency workers. That involves our position on mass gatherings. Again, I am happy to go into detail about what we are minded to advise from the start of next week on that issue.

This is a serious situation. There is no doubt that we will be asking people to change the way that they normally live their lives for a period, but people must understand that the purpose of that is not to take away the challenge because, unfortunately, we cannot do that. The purpose is to seek to manage the challenge in a way that delays the spread and reduces the peak impact—which is important for our national health service—and, crucially, to take action that will protect as best we can those whom we know are most susceptible to developing serious illness.

Those are the steps that we will take. I am sure that Jackson Carlaw will want me to go into further detail on a number of those issues.

Jackson Carlaw: I thank the First Minister for that comprehensive response.

We are at a phase in which a lot of us are receiving requests for advice and guidance about events that are currently planned, whether we think that it is appropriate for those events to proceed, and whether it is safe for people to participate in them. It would be helpful if the First Minister were able to give Parliament some further indication of the sort of response that she thinks MSPs should be offering when they are challenged on those matters.

The First Minister: I will address the issue of mass gatherings directly. I make it clear that I am, of course, speaking for the Scottish Government at this stage and that it is for the other Administrations to reach their own position, although, obviously, I will be very interested in the views of the other Administrations at the COBRA meeting this afternoon.

Let me be clear on one thing. I have said all along that it is important that we are informed by the scientific advice, and that continues to be the case. The scientific advice tells us that cancelling mass gatherings will not in itself have a significant impact on reducing the spread of the virus. That does not mean, of course, that that would have no impact, but the health secretary and I have come to the view that there are wider issues to take account of. Mass gatherings require to be policed and to have emergency ambulance cover, and they require the services of our voluntary health services. At a time in which we need to reduce the

pressures on those front-line workers in order to free them up to focus on the significant challenge that lies ahead, it is inappropriate that we continue as normal.

The health secretary and I decided this morning that we are minded—we will seek views on this decision from others at COBRA—that we will advise the cancellation of mass gatherings of 500 people or more from the start of next week. That is principally to protect the resilience of our front-line workers. We will continue to take other decisions on issues such as schools in collaboration with the other nations of the UK in the future, and they will be very much driven by the scientific advice.

Jackson Carlaw: Obviously, there will be schools and university campuses with cohorts of people present that would meet the threshold of a gathering of 500 people or more. I imagine that there will be an instant question in the minds of many other organisations as to what the implications of that recommendation—which, of course, we would support—would be. It would be helpful to have an understanding of that.

The chancellor announced measures yesterday concerning the resilience of our front-line national health service. I am sure that the First Minister will confirm that any consequential that come from them and any moneys besides that that are required will go directly to our NHS.

Concern has been expressed by general practitioners, who have also taken to social media, about the availability of appropriate surgical masks. Can the First Minister give some indication of the challenge that there is now to particular NHS supplies and what plans are in place to ensure that those supplies are sustained in the immediate period ahead?

The First Minister: I will take those issues in turn.

On what I have said about mass gatherings, I was talking about events that require policing and ambulance cover. I am very clear that we are basing the decision on resilience issues and not simply on the action that we require to take to reduce the spread of the virus. It is important that we recognise that those decisions have to be informed by the science but that there are wider implications that we all have to be mindful of. Our emergency services, like all parts of our workforce, are likely to suffer from higher than normal sickness absence rates in the weeks and months ahead and our NHS in particular will be under significant pressure. Therefore, it is important that we protect that resilience as much as possible and reduce any unnecessary burden on those front-line workers at this stage.

The current advice is that closing schools and universities would not be the right thing to do at

this stage, so we are not recommending that. Obviously, COBRA has not met yet, and we will advise Parliament if that advice changes at any time. That has to be kept under constant review, and I undertake that we will do that.

On the issue of yesterday's budget, we welcome the announcements that were made specifically on coronavirus. I do not say this as a criticism—it is simply a statement of fact—but we do not yet have clarity on the allocation of resources to the Scottish Government. However, I give an undertaking that any money that is available for the NHS will go to the NHS. That also applies to money that is available to support businesses. Once we know what the consequential are, they will go to those purposes. We will do everything that we can to mitigate the impact of the situation that we face.

Lastly, on the very important issue of protective equipment, Health Protection Scotland yesterday issued revised guidance on the equipment that is required for staff, which is based on clinical and scientific evidence. We will continue to work to ensure that all services have the resources that they require. The safety and wellbeing of our NHS staff are vital at all times but, given what they now face, they are now particularly important. If any front-line health professionals out there feel that they do not have what they need, they should contact their health board. The Scottish Government will be working closely with health boards to make sure that they have what they need.

Jackson Carlaw: The First Minister is, of course, right: this is not just about the NHS. Businesses are worried, too. Many are good, viable businesses, but they know that the next few weeks will be tough.

In Scotland, we face a further challenge to our key sectors. Many tourism and hospitality businesses will be concerned as we approach the start of their season. The price of oil has dropped—that will cast a shadow over the economy of the north-east in particular—and many small businesses will be worried about their supply chains and, indeed, their ability to trade at all.

The chancellor has acted to meet the seriousness of the times with radical rates relief and other measures to support the economy. I accept and appreciate the comment that the First Minister has just made about being absolutely certain about the consequential that will be forthcoming, but can she reassure business that it is likely that the Scottish Government will wish to implement plans that are complementary to those that have been announced for the economy of the rest of the United Kingdom, potentially with some incrementality to reflect particular circumstances that affect the Scottish economy?

The First Minister: Yes, I can give that assurance in general terms. Obviously, the structure of our business rates system is not identical to the structure south of the border, so we will have to make sure that action is applicable to the Scottish system. As I said a moment ago, we do not yet have clarity on the quantum of consequential that will come from yesterday's announcements, but I can give an assurance that all the consequential that come from the non-domestic rates decisions that were announced by the chancellor yesterday will go to supporting businesses in Scotland. I hope that that assurance is welcome.

Beyond that, we will continue to make sure that the money that is available through that route goes to where it is needed. However, we are also looking at how we can provide additional support within our own resources, as I am sure the Parliament would expect us to do. There is still a need to do more than what was done in the budget yesterday to support individuals who will suffer hardship if they are not able to work. The Scottish Government is looking at that. I welcome some of the changes that have been announced on benefit rules and statutory sick pay, but there is still a need for the UK Government to do more in that regard.

Covid-19 (Social Care Services for Older People)

2. Richard Leonard (Central Scotland) (Lab): Presiding Officer, we know that older people and those with underlying health conditions are at the greatest risk from the spread of Covid-19. Many of us are rightly concerned about parents and grandparents, especially those who are being cared for either in their own homes or in residential care. Escalation and additional resourcing of the national health service are, without question, necessary, but will not be sufficient. Will the First Minister tell us what contingency plans there are to ensure that essential social care services are properly supported?

The First Minister (Nicola Sturgeon): I thank Richard Leonard for raising those important issues.

He is absolutely right to talk about the importance of protecting older people and those with underlying health conditions. As I am sure will be the case at Cobra this afternoon, the focus of discussions so far—which are being informed very much by scientific advice—has, in broad terms, been twofold. First, how do we slow down the spread of the virus and reduce the peak impact, so that the pressure of that peak on our national health service is reduced as much as possible? Secondly, how do we protect those who are most at risk of becoming most seriously unwell? The

vast majority of people who get this infection will have mild symptoms, but that will not be true for some. I am sure that there will be discussion this afternoon on that latter point and on the advice that will be given—perhaps not immediately, but over the coming days—to older people and, particularly, to those with compromised immune systems, which will be important.

Of course, patients who have severely compromised immune systems will already have guidance about what to do and what not to do, and it is important that that guidance is followed.

The points about social care are very important. Often, for shorthand, we talk about the national health service. That is vital, but the contribution of social care—not just in care homes, but in the community—will also be absolutely vital. The Cabinet Secretary for Health and Sport has already had discussions with the Convention of Scottish Local Authorities, as COSLA has a critical part to play in making sure that those contingency plans are in place and are ready to be implemented. I assure Richard Leonard that all those plans are well advanced with a view to implementation and that we will continue to progress them.

Richard Leonard: Social care workers are the bedrock not only of our care services but of our communities, and we know, from the Scottish Government's own fair work convention, that 83 per cent of that workforce are women. More than one in 10 social care workers are on zero hours contracts, one in five is on a temporary contract and their average pay is less than £10 an hour. Yet, they are on the front line of the battle against the onset of the Covid-19 pandemic. Alongside our health service workers, they need our unwavering support.

Following yesterday's budget statement, what additional resources does the Scottish Government plan to allocate to social care? Given the complexity of the commissioning and contracting system, how will the First Minister ensure that any additional resources find their way through to support and protect those workers on the front line?

The First Minister: I will genuinely try to be as helpful as possible on the resources question. There were some helpful announcements in the budget yesterday, but it is a simple fact that we do not yet know the quantum that will come to the Scottish Government, whether for non-domestic rates assistance or for the national health service. Nor do we yet know the basis on which that funding will be allocated. I hope that we will get clarity on that soon. I give a commitment to pass on everything that is intended for health and social care to health and social care and to be

transparent in updating the Parliament as soon as we have the detail of that.

We have just set our budget, and it involves additional resources for health and social care. Nevertheless, we will look across our budget at the ways in which we need to change what we are doing and how we are doing it to support the efforts to deal with the challenge in the weeks ahead. On the question of commissioning, it is absolutely the case that we will allocate additional resources in particular areas and perhaps not use the usual methods of allocation, in order to make sure that the money gets to exactly where it is needed.

I agree with the member's point about the social care workforce. The points about zero-hours contracts and insecure employment feed into and underline what I said earlier. We still need to do more to support individuals who will end up in hardship because of the situation. Regarding the social care workforce, in particular, the discussions that we are having and the plans that we are looking at involve very quickly ensuring additional training for that workforce and making sure they have the equipment and kit that they need to deal with the very different challenges they will face.

We are going to face a significant challenge in the weeks and months to come—there is no getting away from that. A significant number of us will get the infection; we cannot make a virus like this simply go away. The challenge, and our responsibility, is to manage the situation as best we can by doing what I have already spoken about: giving the public the right advice and supporting those on the front line to the best of our ability. I assure the Parliament that that is what I, the health secretary, and the Government as a whole are absolutely focused on.

Richard Leonard: I thank the First Minister for that commitment.

Donald Macaskill of Scottish Care reminded us this week that how we treat our older people and how we respond to Covid-19 will say a lot about what kind of society we are. He reflected that social care has been consistently underfunded and that the work of social carers is all too often portrayed as unskilled and of little economic value. He said:

"We need to reset those attitudes if we are not only going to beat the disease, but also beat the attitudes which we are facing."

He is right, is he not? Before coronavirus Covid-19, we have not given sufficient priority to our social care workforce and so to the people they care for. With Covid-19, we now need to reset our priorities as a society. That will also mean a reset of the Government's priorities. Will the First

Minister agree today to that reset, to give us the best chance of dealing with this immediate crisis in the right way?

The First Minister: I am going to genuinely try to find consensus rather than division in my answers to these questions, because they are important and, to a very large extent, valid.

I do not agree that we have not been prioritising social care, although there is more to be done. The work that we have been doing on integrating health and social care, increasing the resources that are going to social care and shifting the balance from health to social care is not completed but is on-going. It is really important that we continue and accelerate that work, in which sense I agree with Richard Leonard about its importance.

On the characterisation that—I absolutely accept—social care workers often feel is made of them, it is not one that I agree with. They are not low-skilled workers; they are essential workers who, in the best of times, do a really important, valued and valuable job. In the weeks and months ahead, that will be even more the case, and we need to make sure that they are properly supported. Again, I give an assurance and an undertaking that we will do everything that we can to make sure that that is the case.

In due course—sooner rather than later, although I do not want to pre-empt the discussions that we will have this afternoon—general advice will be given to older people about how they should change their behaviour to protect themselves against the virus. The earliest advice that we will see coming in the next few days will be to the general population about the importance, if people have symptoms of coronavirus, of self-isolating to help reduce and delay the spread of the virus.

As we take these decisions and steps, it is really important that we set out very clearly for the public the advice and what we are asking them to do. We all have a part to play in that.

Of course, I should remember to say, as I do on all such occasions, that, even though we move from the contain to the delay phase, the general advice to the public about hand washing and personal hygiene remains as valid as ever. In all these things, we can all play a part in making sure that the public have the answers, guidance and support that they are going to need in the weeks to come.

The Presiding Officer (Ken Macintosh): I suspect that we will return to that subject, but we will take some constituency questions first.

Arran Ferry Service

Kenneth Gibson (Cunninghame North) (SNP): Arran, in my constituency, has, like much of Scotland, been buffeted by storms in recent weeks, which has led to numerous unavoidable cancellations of the island's lifeline ferry service. However, what has caused upset, anger and frustration to boil up among islanders are technical problems that have hugely worsened an already difficult situation.

In the past week alone, the 27-year-old MV Caledonian Isles has had problems with its bow doors, mezzanine decks and a mooring winch gearbox. So many cancellations mean that islanders cannot get to hospital for chemotherapy and elective operations, and hotels and tourist businesses are losing custom—some may go out of business. Six weeks of further disruption is expected, including over Easter.

Given the on-going crisis, what assurances can the First Minister give that additional ferry cover will be provided to Arran throughout that period and beyond? When will a long-term, often-promised, comprehensive ferry replacement programme to renew a rapidly ageing fleet be put in place?

The First Minister (Nicola Sturgeon): It is clearly a matter of great regret that passengers using the key Ardrossan to Brodick service are facing disruption, and I absolutely understand the frustration.

Although the vessel on the route—MV Caledonian Isles—continues in service, it does so with operating restrictions. The master who assessed the situation introduced a wind speed limit restriction. Caledonian MacBrayne has sourced a supplier with the replacement parts in stock, which will minimise the timeframe for repairs to approximately seven days. In response to the disruption, CalMac is providing additional sailings on another route.

Transport Scotland is currently working with Caledonian Maritime Assets Ltd and CalMac to develop investment programmes for small and major vessels, with the aim of increased fleet standardisation, taking account of the many varied routes that CalMac serves.

Sheriffhall Roundabout

Michelle Ballantyne (South Scotland) (Con): As the First Minister will know, by 2022, 88,000 cars will use the Edinburgh city bypass, many of them passing through Sheriffhall roundabout. Sheriffhall provides the main route for many Borders and Midlothian residents to access the capital, and it forms a key axis for public transport and the Edinburgh and south-east Scotland city region deal.

In 2017, a much-needed flyover was announced, which was welcomed by many in the south of Scotland. Now we learn that it might be delayed, following budget discussions. Can the First Minister confirm that the flyover will go ahead and clarify how long any delay will last?

The First Minister (Nicola Sturgeon): I understand the point that the member is making. Indeed, the point was made by members on my party's benches—naming nobody in particular—given the congestion that is suffered at Sheriffhall.

As we announced in the budget, we are mindful of the points that have been made, but we are also mindful of our responsibility to ensure that everything that we do now is also consistent with our climate change responsibilities. That is why, as part of the budget, we confirmed that we would engage with local partners to seek their agreement to undertake a review of the scheme and its compatibility with our environmental obligations. We would proceed with changes only if they could be agreed with local city deal partners. We will keep the Parliament updated on that, particularly those members who have a constituency interest.

Transport Scotland Statistics

Lewis Macdonald (North East Scotland) (Lab): Sir David Norgrove, the chair of the UK Statistics Authority has today expressed "concern" about Transport Scotland's

"selective use of unpublished data"

in a news release on the Aberdeen western peripheral route last month. Does the first minister agree with Sir David that Transport Scotland must act in line with the code of practice for statistics, which applies to all producers of official statistics, and will she urge Transport Scotland to publish all the data in question without further delay?

The First Minister (Nicola Sturgeon): I hope that Lewis Macdonald will forgive me and understand that I have spent the morning engaging in discussions about tackling coronavirus, so I have not had the opportunity to catch up with the statement that he refers to. I will undertake to do that this afternoon and will come back to him about it in detail.

Coronavirus (Older and Vulnerable People)

3. Willie Rennie (North East Fife) (LD): Balhousie Care Group has asked non-essential visitors not to visit its homes. That begs the question about our approach to people who are cared for in their own homes. If the symptoms of the coronavirus do not show until some time after a person is infected, what is the advice? How has the Government evaluated the risks of visiting elderly and vulnerable neighbours, and how will

isolated people who have no family support get help when the peak of the virus hits home?

The First Minister (Nicola Sturgeon): I thank Willie Rennie for raising those important issues. As a general matter, I am sure that members understand that there are a number of issues like those, which are all important, and we are seeking to work through them on the basis of the best advice. Right now, the advice to people about when they should seek advice and testing is clear, but that advice is likely to change.

The issues around care homes have been raised with me directly, and I know that they have also been raised with the health secretary. Scottish Government officials and Health Protection Scotland are looking right now at the advice that will be provided to the care home sector on all those issues. We will ensure that members of the Scottish Parliament are provided with information about that as soon as possible.

Willie Rennie: That is a very helpful answer. The issues are very difficult. Everybody in the chamber will try to help to get clarity on exactly what is required and advised.

As intensive treatment unit capacity is limited, how will the Government create enough isolation spaces for the predicted numbers of patients who will need respiratory support, and where will those spaces be? It has been suggested that options could include clearing wards with lots of single rooms, stopping elective operations and using theatres for isolation support.

The new neuroscience building at the children's hospital in Edinburgh has capacity for 70 beds. What obstacles are there to using that building, and can they be overcome in the next few weeks, before the peak of the outbreak hits?

The First Minister: The new neurosurgery facilities at the hospital in Edinburgh are being looked at right now. Obviously, we have to ensure that any facilities would be safe to use, but we want to ensure that we are able to utilise all the capacity that can be used within the national health service.

The health secretary mentioned ITU capacity in the statement that she gave earlier this week. She will give further details in the statement that she will give to the Parliament next Tuesday. We are seeking to double the provision of intensive care capacity. That will involve using different facilities within hospitals— theatre facilities, for example. All of that is being progressed right now as part of the implementation plan to scale up NHS resources.

Although we will provide more detail as we go along, I want to be very clear that there will, inevitably, be an impact, and I anticipate that it will be a significant impact, on non-urgent, elective

procedures within the national health service. However, it is important that we set that out properly once the planning has been done. That planning is under way, very intensively. We are doing everything that we can to increase intensive care capacity, and also to expand general hospital capacity and the number of beds that are available. The health secretary will be able to give more information about that when she further updates Parliament at the start of next week.

Jackie Baillie (Dumbarton) (Lab): Constituents with cystic fibrosis have significantly reduced lung function and so will experience severe consequences as a result of coronavirus. Some are self-isolating already, but others remain at work. I have become more concerned since a local general practitioner contacted me this morning, urging the Scottish Government to act now to institute isolation measures across the population. He strongly believes that the true extent of the virus's spread is much wider than the amount among those who have been tested. He said:

"Every extra 24 hours that we leave it now will mean more deaths in two weeks' time."

I therefore urge the First Minister not to wait until next week, and ask her to accelerate action in order to protect the population.

The First Minister: I am grateful to Jackie Baillie for raising the issue. I am acutely aware of the importance and urgency of the issue. She will understand that because I am not a clinician it is important that I, and all those who are in positions such as mine, listen to, and are guided and informed by, the advice and expertise of the people who are best placed to give it.

On many occasions—most recently, this morning—I have discussed with the chief medical officer the issue of people who have underlying health conditions. The four chief medical officers of the United Kingdom are considering how to give specific advice quickly to people who have particular conditions, of which there is potentially a large number. As I said earlier, there is existing guidance for people who have severely compromised immune systems, and that guidance should be followed.

I make it clear to Jackie Baillie and other members that the issues are being treated urgently. That is true not just of the Government but of our medical advisers. It is important that we give people the right advice. The behaviour changes that we will ask people to make will be in place for, potentially, a significant period and not just for a couple of weeks. It is important that that advice is right, that people can rely on it and that it is informed by people who know what is the right thing to do. I will continue to have discussions

regularly, as will the Cabinet Secretary for Health and Sport.

Andy Wightman (Lothian) (Green): The First Minister made important points earlier about the resilience of front-line workers. I have a constituent who runs a day nursery whose insurers are not adding Covid-19 to the list of notifiable diseases, which will potentially leave the nursery uninsured and having to lay off staff and close. Is the Scottish Government aware of such issues? Can ministers provide any advice or support, given the important role of nursery provision for the wider workforce?

The First Minister: Yes, we are aware of insurance issues for daycare nurseries and more generally. The Scottish and UK Governments intend to get more clarity on those issues and to encourage insurance companies—and businesses—to be as flexible as possible. We will endeavour to keep members updated on that.

Daniel Johnson (Edinburgh Southern) (Lab): The precedent of school closures in response to Covid-19 in other countries—Ireland, most recently—will naturally concern school pupils who are planning to take exams after the Easter holidays. What communication has the Scottish Government had with the Scottish Qualifications Authority? What contingencies are in place, should this year's exam diet be impacted by potential restrictions and disruptions as a result of the pandemic?

The First Minister: The Deputy First Minister and Cabinet Secretary for Education and Skills has already had extensive discussions with the SQA, and those discussions will continue. Work is under way, as it is across the whole range of our areas of responsibility, to put in place sensible contingency plans. That work will develop in the days to come.

The advice right now is not that schools, colleges and universities should be closed, but—as I said earlier—we must keep that under review. In the interest of time, I will summarise and generalise advice in relation to schools. If schools are closed, children will inevitably gather together in less formal settings, which might be a greater risk in terms of spread of infection than their being in school, where they are encouraged to use proper hand-hygiene practices. That is the advice right now, but we will continue to keep it under review—informed, of course, by the experts from whom we are seeking advice.

Abdelbaset al-Megrahi (Conviction Referral)

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I declare an interest as a member of the Justice for Megrahi campaign.

Does the First Minister agree that the referral by the Scottish Criminal Cases Review Commission of the conviction of Abdelbaset al-Megrahi back for appeal to the High Court on the grounds of unreasonable verdict and non-disclosure of evidence by the Crown will at long last, after decades, allow the court process in Scotland to be exhausted, whatever the outcome of that appeal?

The First Minister (Nicola Sturgeon): First, my thoughts are very much with the people who lost loved ones on that dreadful evening more than 30 years ago. The strength and compassion that they have shown has created a legacy of friendship that will ensure that the memory of those who died will live on.

The Scottish Criminal Cases Review Commission plays a critical role as part of the checks and balances in our justice system. It has completed a comprehensive investigation and decided that it is appropriate to refer the conviction of al-Megrahi back to court. The member will, of course, appreciate that the Scottish Government will not comment on the specifics of the case. It will now be up to Mr al-Megrahi's family to decide how to take forward the appeal. However, I have every confidence in Scotland's justice system in dealing with the case. We have always been clear that al-Megrahi was convicted in a court of law and that a court of law is now, and always has been, the only appropriate forum for determining his guilt or innocence. In that respect, I agree with Christine Grahame.

United Kingdom Budget

4. Bruce Crawford (Stirling) (SNP): To ask the First Minister what the Scottish Government's response is to the United Kingdom budget. (S5F-04049)

The First Minister (Nicola Sturgeon): We were pleased to see the UK budget respond to the economic impact of coronavirus, which is one of the most important challenges facing both the Scottish Government and the UK Government, although—as I have said—we do not yet have clarity on what that means for Scotland.

The Barnett consequential that were otherwise announced in the UK budget are in line with the assumptions that underpin the Scottish budget and the Budget (Scotland) (No 4) Bill, which was passed by the Scottish Parliament last week. Although that money is welcome, our resource budget is still lower in real terms than it was at the start of the decade, in 2010-11.

Bruce Crawford: Does the First Minister agree that the coronavirus emergency will be the most challenging situation for people in Scotland since the establishment of the Parliament? In his budget statement yesterday, the Chancellor of the

Exchequer announced a number of measures in response to the emergency. What consultation has the UK Government had with the devolved Governments with regard to the £5 billion emergency response fund for the national health service and public services, which is very welcome? What discussions have taken place about how the fund will be allocated? How soon will the money from the fund find its way into the NHS? Does the First Minister agree that the money needs to get into the NHS as early as possible to help to protect and care for people in Scotland, who are very deeply concerned about the impact of the coronavirus?

The First Minister: I agree very much with Bruce Crawford that it is important that we get the money to where it is most needed as quickly as possible.

In answer to the specific questions, I say that I am not aware of any prior engagement with the devolved Administrations on the £5 billion emergency fund. As I said earlier, we have not yet received confirmation of the associated funding for Scotland. I repeat that that is not a criticism. The Governments across the UK are incredibly busy working to address the situation. We have been liaising with HM Treasury to secure assurances on the funding applications for Scotland. Clearly, the position needs to be resolved urgently. I am very clear that all exceptional consequentials related to coronavirus will be spent to protect individuals, our public services and wider society.

Donald Cameron (Highlands and Islands) (Con): My question is in a similar vein. Yesterday's UK budget, as others have noted, included an announcement of a significant package in relation to coronavirus and business. Scottish Chambers of Commerce has spoken about the urgent need to invest extra funds in business support in order to boost the economy. Does the First Minister acknowledge the need for rapid assistance to business? Even if there is uncertainty about the precise figures, can she give details of what types of support will be given to business and workers?

The First Minister: I have already given a commitment today, which I hope is welcome, that every penny of the consequentials that are intended for business will go to business. We will look at the specific needs of business and we will discuss with the business community what is best.

Broadly speaking, we would want to replicate here in Scotland the types of support that were announced yesterday in the budget. We might have some differences, depending on the views of businesses and the circumstances that we face here.

I want to be able to give greater clarity on the matter as quickly as possible, but I cannot give clarity that I have not had from the Treasury. I hope that that clarity comes soon; I have no reason to expect that it will not. When it does, we will pass it on. We need more action from the UK Government and the Scottish Government to help individuals as well as businesses. As, I think, I said earlier, we are also looking within our own resources at what additional steps we can take to provide help, particularly for vulnerable people. Those will be among the many matters on which we will keep Parliament updated in the weeks to come.

Abellio ScotRail and Serco (Franchise Payments)

5. Peter Chapman (North East Scotland) (Con): To ask the First Minister for what reason Abellio ScotRail and Serco are to be given a reported £103 million in additional public funding despite not meeting their targets. (S5F-04045)

The First Minister (Nicola Sturgeon): The Abellio ScotRail and Serco Caledonian sleeper forecasted payments for next year are in line with both current franchise agreements. Those are contracted amounts between the Scottish Government and the franchisees.

The increase in franchise payments takes account of many factors, not least that we are funding 9 per cent more ScotRail services compared with the start of the franchise, and that the payments include changes to the track access charges through the nationalised Network Rail, which are determined by the independent Office of Rail and Road.

The Scottish Government is still required to use the flawed franchise system because previous United Kingdom Governments have failed to reform the structure of the railway industry. The conclusions of the Williams review of the railway industry, which were promised in autumn 2019, are still awaited.

Peter Chapman: I thank the First Minister for her answer, but I note that the £103 million additional funding equates to a 25 per cent increase in subsidies compared with last year. That increases subsidies to a substantial £520 million. Fare prices are up, delays are up and cancellations are up. It seems mind-boggling that a company can be rewarded so lucratively for failing to deliver its core service.

We have the ferries fiasco and the Edinburgh sick kids hospital debacle, which are costing the taxpayer hundreds of millions of pounds. It seems as though, every time that the Scottish National Party Government signs a contract, the taxpayer has to foot the bill. Is the rail contract not just an

additional example of another incompetent contract that the Scottish Government seems to be so adept at signing?

The First Minister: No, is the short answer. The member's characterisation of the issue is downright wrong. It fails to take account of some of the factors that I set out in my initial answer, which lie behind the increase in the payment. I will repeat some of them: we are funding 9 per cent more ScotRail services compared with the start of the franchise; and, of course, there have been changes to track access charges, which are determined not by us but by the independent ORR. Hard facts lie behind the increase in the payment, rather than the reasons mentioned by the member.

I say again that I do not think that the current franchise system is ideal—far from it. It is deeply flawed. For a long time, we have argued for the system to be changed. Previously, Labour UK Governments and, more recently, Tory UK Governments have dragged their feet on that. Perhaps it would be better to hear the Tories argue for some of the fundamental reform that we need, to get to the source of the problem, rather than for them to stand up and mischaracterise the situation in this Parliament.

Domestic Violence Services (Waiting Lists)

6. Pauline McNeill (Glasgow) (Lab): To ask the First Minister what the Scottish Government's response is to comments by Scottish Women's Aid that victims of domestic violence face being put on waiting lists of up to six months before they can access services. (S5F-04037)

The First Minister (Nicola Sturgeon): Far too many people still experience domestic abuse, and they should not have to wait to receive support. As a Government, we are looking at the issue. On Tuesday, the Minister for Older People and Equalities visited Dundee Women's Aid, where she heard about the impact of domestic abuse and the role of front-line services in aiding women and children's recovery.

Last month, we opened our new £13 million delivering equally safe fund for applications. The fund specifically supports organisations that are involved in that work. In addition, alongside the Convention of Scottish Local Authorities, we are reviewing how the services will be funded in future, because we all want those who are experiencing the pernicious harm of domestic abuse to have access to the support that they need, when they need it.

Pauline McNeill: The First Minister will be aware that there were 60,000 incidents of domestic abuse last year, which is an increase of 2 per cent.

Scottish Women's Aid supports more than 1,000 women and children across the country on any given day. The vast majority of Women's Aid groups operate waiting list of up to six months, and half of those services are forced to operate a waiting list for refuge spaces. I know that the First Minister is only too aware that we are talking about women and children who are fleeing from their homes in order to be safe.

I am pleased that the First Minister has said that there will be a review of the funding. In this Parliament, Labour and the Scottish National Party have a good record on dealing with domestic violence issues. In view of that, are the First Minister and, of course, Christina McKelvie, the Minister for Older People and Equalities, willing to consider setting up an emergency fund as part of the review, to help eliminate waiting times and focus on refuge services in order to help women fleeing violence?

The First Minister: I am always happy to consider suggestions that are made, although we have, of course, just finalised the budget for next year. As I said, we recently opened the delivering equally safe fund for applications. That £13 million will be available to organisations that tackle violence against women and girls. However, we will continue to consider such suggestions on an on-going basis.

I pay heartfelt tribute to the work of Women's Aid and other organisations in this field. I want to make sure that their services are available to women who need them when they need them. Since 2015, we have invested more than £80 million in work to tackle violence against women and girls. In the financial year that is about to end, our equally safe fund has already allocated around £4.7 million to local Women's Aid organisations across Scotland. That is evidence of our strong commitment. In fairness, Pauline McNeill recognised that.

I absolutely recognise that there is more work to be done here. I am personally very committed to making sure that further progress is made on the issue, and I am more than happy to take Pauline McNeill's suggestion away for consideration.

The Presiding Officer: I apologise to the members who did not get to ask supplementary questions, but I am afraid that we have no more time.

Anas Sarwar (Glasgow) (Lab): On a point of order, Presiding Officer. I want to make it very clear that this point of order is not a criticism of the First Minister, the Cabinet Secretary for Health and Sport, the business managers or, indeed, the Presiding Officer.

We all accept the seriousness of the coronavirus and the implications that it has for our

constituents. I am sure that all members will have received communications from people who have concerns about the coronavirus. I think that there are a number of questions that it would be legitimate for members to raise with the First Minister or the health secretary, and I know that they would want to answer those questions as best they could in the chamber. Will an opportunity be provided for those questions to be asked in the chamber?

I will give a practical example. A group of 150 general practitioners from the west of Scotland who cover Glasgow, Lanarkshire and Renfrewshire have communicated to me that, despite promises being made that protective equipment and materials would be sent to their practices to help to protect those who deliver our primary care, no such equipment, apart from paper masks, has yet been received. I know that that will be of concern to the First Minister and the health secretary.

There are legitimate concerns that members would wish to raise concerning the significance of the coronavirus, and I seek the Presiding Officer's guidance on what opportunity might be provided for them to raise those concerns.

The Presiding Officer: Thank you for that important point of order, Mr Sarwar. We changed the business. A statement on the issue was scheduled for this afternoon but, unfortunately, we had to change the business at the very last minute when we came into the chamber at 11.40. As I understand it, the main reason for that is that this afternoon's COBRA meeting has been delayed.

I recognise that there is a huge amount of interest in the subject—I made that point at the start of business. I tried to take as many questions on the issue as possible, and the First Minister and the party leaders addressed it, too.

When we started business, I suggested that the business managers and the chamber team should get together over lunch time to discuss whether it would be possible to add, for example, an emergency statement at the end of the day today. I noticed that Jeane Freeman was nodding in agreement at that point. However, I am aware that the Government is not in charge of the timetable and that the COBRA meeting might go on indefinitely.

Do you wish to add something, First Minister?

The First Minister: I am at the service of the Parliament, as is the health secretary. We do not know how long the COBRA meeting will last, but we would be happy to come back to the chamber later on.

More generally, we are aware of and are already following up on the specific issue that

Anas Sarwar raised. Members should feel free to come to us immediately with any issues that are raised with them and we will follow up on those as best we can. As far as our presence in the chamber is concerned, that is for the business bureau to decide, but the health secretary and I will make ourselves available as flexibly as possible to answer as many questions as possible. Indeed, the health secretary is happy to speak to any member outwith meetings of the Parliament.

The Presiding Officer: I thank the First Minister for that response.

I am conscious that we do not want to keep the health secretary away from the COBRA meeting if at all possible. However, we will consider the matter over lunch time and will come back to the chamber with information.

Before we move on to members' business, as a number of members, ministers and members of the public need to change seats, we will have a short suspension.

12:49

Meeting suspended.

12:52

On resuming—

Scottish Apprenticeship Week

The Presiding Officer (Ken Macintosh): The next item of business is a members' business debate on motion S5M-20766, in the name of Jamie Halcro Johnston, on Scottish apprenticeship week 2020.

Motion debated,

That the Parliament notes that Scottish Apprenticeship Week takes place from 2 to 6 March 2020; understands that this year's theme is Talent Without Limits; appreciates that the annual campaign is coordinated by Skills Development Scotland and aims to highlight the opportunities that Scottish apprenticeships create for everyone, no matter their background, and for every business, no matter its size or sector; notes that events, activities and visits will take place across the country to celebrate the diversity that makes work-based learning good for individuals, employers and the economy; celebrates that a growing number of employers and training providers are offering foundation, modern and graduate apprenticeships, and notes that Members are being encouraged to take part in a local visit or event as part of the week.

12:52

Jamie Halcro Johnston (Highlands and Islands) (Con): Last week, this Parliament marked another successful Scottish apprenticeship week. Many members took the opportunity to visit a range of businesses and employers in their constituencies and regions and met apprentices who shared their experiences so that we could learn at first hand about what they do. Apprenticeship week has been a fixture in the calendar for many years now, but it still retains the ability to surprise and impress us. It allows us to see for ourselves apprentices setting out on new careers, learning, training and developing their skills.

Here, in the Parliament, it was my pleasure to welcome apprentices from all parts of Scotland last Wednesday. The reception in the garden lobby, which showcased just some of the exciting work that they do, was a celebration of their achievements but it also allowed us time to reflect on the important role that apprenticeships play.

Earlier that day, I convened a meeting of the Parliament's cross-party group on skills, at which we were joined by a number of young apprentices who came to share their experiences, including 2019's apprentice of the year, Jordan Fairlamb. There was a drop-in that gave members an opportunity to meet modern and graduate apprentices, and the cross-party group on colleges

and universities held its own meeting later in the week.

I was pleased to see so many colleagues engage with those opportunities and show their support. I particularly thank the team at Skills Development Scotland, which has done so much to make successive Scottish apprenticeship weeks such successes. I also thank all those who were able to join us here, in the Parliament.

As I mentioned, Scottish apprenticeship week is a celebration of our apprentices' achievements, but it is also about raising awareness of apprenticeships, their importance to our society and their contribution to producing a highly skilled workforce. This is partly promotional, because an apprenticeship is a great way to gain a range of skills for work, to learn while doing and to earn a wage.

We can also look at the wider gains that apprenticeships provide by improving productivity, supporting good-quality work and encouraging businesses to think more about training and their wider social responsibilities. High-quality, well-organised apprenticeships can have an enormously positive effect on our labour market. We should learn the lessons from their success, such as the importance of structured training and the need to look in greater depth at lifelong learning and change it from an aspiration to a practical reality in all our workplaces.

We should also recognise the contribution of employers, who are getting involved in increasing numbers. Some might be taking an apprentice for the first time. Others might be smaller businesses that did not think that it would be possible for them to recruit apprentices. Some may be pathfinders, creating new routes into sectors and workplaces where they would not have been found before. In all cases, apprenticeships have made a contribution whose value will endure for many years to come.

I mentioned the range of visits that members were involved in during apprenticeship week. My own visit this year was to Walkers, in Aberlour, the world-famous producer of traditional Scottish shortbread. It is a family business that is firmly rooted in Speyside, and it has been operating for more than a century in a small Moray village. However, it has a global reach and is a huge exporting success, topping the list of Scotland's food exporters.

Complementing its long history is a focus on the future and the workers who will carry on the business into the next generation. I had a fantastic visit, met the apprentices and heard about the company's passionate support for the apprenticeship scheme.

Just as many providers are looking to the future, so must we. We look at the fast-changing world in which our labour market finds itself and see that people's aspirations are shifting and their approach to work is evolving. The skills that businesses require can increasingly be quite different from one year to the next, and there is a sense that training and qualifications must keep up. The challenge for apprenticeships is to match that pace of change and to maintain their relevance in an evolving economy but also to grow and to maintain their high quality, becoming even stronger and more responsive.

Of course, apprenticeships are also changing. Modern apprenticeships have been joined in recent years by foundation and graduate apprenticeships, which provide new routes for learning. They are still at a relatively early stage, but they are real commitments to growth that should and must be met. Foundation apprenticeships, in particular, must go beyond being an option in every local authority area to sitting equally alongside the established qualifications framework.

There are, of course, other policy choices to make on improving and expanding our existing schemes. In the most recent years, apprenticeship growth has been marked among the over-25s. That is a positive step and one that was called for by many, including myself. However, we should be vigilant that it does not come at the expense of the under-25s. We are also still seeing considerable gender divides within frameworks. This is not a problem of the apprenticeships themselves, but a wider issue around opening up aspirations to all our young people regardless of their attributes and background.

Sitting alongside parity of esteem with other post-school learning routes comes the question of how we effectively signpost these opportunities; what guidance is given to our young people on careers; and, at a more fundamental level, how we show young people from the earliest points in their education the whole range of opportunities that can await them.

This Scottish apprenticeship week has looked, in particular, at where an apprenticeship can take a person. Its catchline, "talent without limits", focuses on aspiration. When we look at our education and skills system, the core question should be about whether it is translating talent into opportunity. Is it effective in moving people into the careers that they seek?

We have seen considerable progress in apprenticeships since the Parliament was created, two decades ago. As Skills Development Scotland points out, the old-fashioned ideas no longer apply. We should look to the future with ambition for our apprenticeship system and our

apprentices, but also with confidence. Together, we have heard many positive experiences from apprentices and those who have moved on into careers. I look forward to hearing more from around the chamber today. We should remember that apprenticeships are not just another qualification or training scheme, as important as that is. Done well, they support our economy and build pride in achievement. They open horizons, and that is what we should all be aiming for.

12:59

Clare Adamson (Motherwell and Wishaw) (SNP): I thank Jamie Halcro Johnston for bringing the debate to Parliament today. It is a timely debate about something we should be celebrating. I also thank him for hosting last week's event, at which we had so many young apprentices—I should say apprentices of all ages and not fall into the trap of assuming that apprenticeships are all about young people. It brought people to the Parliament to see the number of diverse opportunities that exist and hear the apprentices speak passionately about the opportunities that they have been given.

As a member of this Parliament for two sessions, I have seen the development of the developing the young workforce agenda, with schools and employers taking up those opportunities to engage with apprenticeship programmes—foundation apprenticeships, modern apprenticeships and, of course, the graduate apprenticeships. It is a joy to see that agenda bedding in to what we are doing as a society in Scotland.

That evening, the minister brought it home to us that nearly 30,000 people are engaged in apprenticeships in Scotland, which is a fantastic result.

I try to do an apprenticeship visit every year, and this year I was delighted to go along to L McCann Electrical Ltd, in Motherwell, in my constituency. It is a national electrical contractor that has been established for over 30 years. It is also a proud sponsor of Motherwell Football Club, so we had quite a nice backdrop for our apprenticeship week photograph this time.

The visit was incredible, and I cannot thank the director, Ryan McCann, enough for the opportunity to meet four of the apprentices and talk about the stages on their journey to qualification. I also thank Ryan's daughter Sienna for my beautiful flowers.

All the apprentices were eager to talk about the wealth of opportunity that they have been given. Some have been able to work in London and in northern England on some of the major contract work that the company is engaged in, and they were enthused by the quality of the opportunities

in the projects, which included refitting colleges with more energy-efficient lighting and looking at the carbon footprint of the organisations that they were engaging with.

I cannot think of a better company to visit, given that we have just been through a climate change budget, because it specialises in LED lighting design and installation and offers turnkey solutions and business case services. The installations that it does are state of the art. It will come as no surprise to the Presiding Officer that we started talking about sensor technology, the LoRa network and what the fourth industrial revolution will mean for a lot of companies. I felt very much at home discussing those issues.

McCann Electrical is a partner of Philips Lighting, which has been renamed Signify. The company does partner work with many lighting manufacturers to support the delivery of installations and commercial bids. It also helps other companies to reduce their carbon footprint and installs state-of-the-art technology. I was very interested to hear about one of its products, which uses a particular wavelength of ultraviolet light to control mould and fungus and to ensure that working environments are free from bacteria, which is relevant to our current situation.

I will finish by saying thank you once again to Ryan McCann and the apprentices. The scheme is an absolutely brilliant example of why talent without limits is possible in our country.

13:03

Maureen Watt (Aberdeen South and North Kincardine) (SNP): I, too, thank Jamie Halcro Johnston for bringing this subject to the chamber.

I will concentrate on foundation apprenticeships and share with members my wonderful day on Monday 2 March, when I went to Portlethen academy and followed what some of the young students there were doing. What they were doing is typical of what is happening in Aberdeenshire, with Aberdeenshire Council leading on foundation apprenticeships. I hope that the minister will be so impressed by what I say that he will visit and see for himself.

On arrival at Portlethen academy, we had a briefing from Andrew Ritchie and his senior management team from Aberdeenshire Council and the senior management team in the school on the objectives of the foundation apprenticeships. Through a work-based learning approach, they enable a broad range of young people to gain Scottish credit and qualifications framework-level qualifications and give them access to a range of positive post-school destinations and pathways to a future career.

We met the apprentices, who told us about the benefits of the apprenticeships. Those apprenticeships build their confidence and help them to engage with wider learning. The apprentices were learning new skills in areas of the economy in which there are skills shortages.

In Aberdeenshire, there are foundation apprenticeships in 12 subject areas: accountancy, business skills, civil engineering, creative and digital media, engineering, financial services, food and drink technologies, hardware and system support, software development, scientific technologies, social services for children and young people, and social services and healthcare. From speaking to the pupils, we learned how they are engaged in local nurseries, primary schools and old folks' homes. We followed some of the apprentices to Station House Media Unit—or SHMU—in Aberdeen, where we met apprentices from not only Portlethen academy but Peterhead academy and the Gordon schools in Huntly. The students, who were disengaged from school, were enthused by what they were learning in a new unit at SHMU, which has wonderful equipment for creative and digital media and computing skills. That day, we learned that, by doing those foundation apprenticeships, the young people learn how important the other subjects that they do in school are to their overall qualifications.

We then visited Aberdeen royal infirmary and saw apprentices working on the wards. A girl from Portlethen academy, who was from a minority ethnic community, was doing the healthcare foundation apprenticeship. As a result of her confidence in her social and soft skills, she had been offered places at three medical schools in Scotland. She put that down to the fact that she was doing that apprenticeship. She was learning soft skills, which employers often say that our pupils do not have. One employer said to me that pupils do only rote learning. It is important that employers realise that that approach is far from rote learning.

It is important to encourage parents to see the importance of foundation apprenticeships. One parent—a general practitioner whose daughter was disengaging—was so passionate about foundation apprenticeships that she said that everyone should do them. With graduate apprenticeships, they are instilling parity of esteem for all education.

13:08

Iain Gray (East Lothian) (Lab): As others have done, I extend my thanks to Jamie Halcro Johnston for bringing this members' business debate to the chamber.

As Jamie Halcro Johnston said, Scottish apprenticeship week has been organised for many years by Skills Development Scotland, which has undertaken great work in promoting work-based learning opportunities over that period. I am sure that members across the chamber look forward, as I do, to the annual invitation to meet apprentices in their local area and mark the week with a local visit.

A striking thing about those visits, which colleagues have already referred to, is the diversity of the modern apprenticeships that are now available. The old-fashioned idea of apprenticeships was that they were relevant only to traditional skills, such as bricklaying, joinery and electrical skills. They are different now, but modern apprenticeships still have employment-based learning at their core.

I have no interest in striking a sour note, but I want to strike a note of caution on foundation apprenticeships, because they are different. They are work-related and work-based learning, but they are not employment-based learning. They are extremely important and valuable, and I have seen great examples of how they work—in fact, I will refer to one of those examples later on—but there is a difference between work-based learning and employment-based learning, which modern apprenticeships and graduate apprenticeships involve. Indeed, the Scottish Government has always been very clear in pointing out that that is the difference between the modern apprenticeship programme in Scotland and the programme in the rest of the United Kingdom—that is, it is based in employment.

I had a look back through my diary at the various apprenticeship week themes and visits that I have been on in East Lothian. Those visits have included—this demonstrates the diversity of the modern apprenticeship programme—visits to the tarmac cement works outside Dunbar, Yester Farm Dairies near Gifford, and Had-Fab Ltd in Macmerry. All of them showcased the diverse range of opportunities, skills and work-based learning that are available to apprentices locally.

As we have heard, the theme for apprenticeship week this year is talent without limits. This year, I visited Oscars Childcare at the Haddington joint campus school to meet staff and discuss the importance of apprenticeships to the business. That is, of course, relevant to the debate that we had in the Parliament yesterday on how the expansion of funded hours in childcare will be delivered. I met Ciara Herkes, who is undertaking a modern apprenticeship. She spoke to me about her positive experience of undertaking that training in a childcare setting. I also heard from senior staff at Oscars Childcare about the opportunities that the apprenticeship path has afforded to other team

members and, indeed, about how it has provided the organisation with the chance to grow and expand, as its staff get the chance to upskill through working to achieve an industry-recognised qualification that is recognised and valued by the company's managers and by other potential employers in the sector. I place on record my thanks to SDS and Oscars Childcare for facilitating that visit.

It is not, of course, only the private sector that has a role in supporting apprenticeships; local authorities have also embraced the modern apprenticeship scheme. East Lothian Council has been a strong supporter of apprenticeships at all levels, including modern and graduate apprenticeships. The current opportunities at the council include blacksmith, painter, joiner, and electrician apprenticeships in the property maintenance team. It is also very involved in the foundation apprenticeship scheme as an entry-level scheme to the MA. This year, I was very pleased to hear about a Dunbar grammar school pupil—Annabel—who undertook a foundation apprenticeship in scientific technologies and now wants to pursue a career in science.

Those local examples clearly demonstrate how important the apprenticeship programme is. We need to work hard so that parents, carers and teachers are aware of just what possibilities can be opened up by apprenticeships. Apprenticeship week is, of course, a key contribution to achieving that purpose.

13:13

Emma Harper (South Scotland) (SNP): I welcome the opportunity to speak in this important debate to mark Scottish apprenticeship week, the theme of which this year is talent without limits. I thank Jamie Halcro Johnston for bringing forward the debate and affording us the opportunity to celebrate the fantastic organisations the length and breadth of Scotland that are training and educating innovative and passionate young people. It is great to hear about all the work that is happening to raise awareness of apprenticeship week in Parliament as well, including the events that Jamie Halcro Johnston talked about in his opening remarks.

I also thank Skills Development Scotland for its briefings ahead of the debate, which inform us about what is happening on the ground with apprentices and organisations across our regions and wider Scotland.

A modern apprenticeship is a great way for people to start or develop their career, allowing people to work, learn, train, and earn. We know that there are three types of apprenticeship across Scotland. We have foundation apprenticeships,

which provide work-based learning opportunities for secondary school pupils who are making their senior phase subject choices, which Iain Gray spoke about.

Modern apprenticeships provide individuals with the opportunity to secure industry-recognised qualifications while they are in employment and earning a wage. Graduate apprenticeships, which are industry-recognised, degree-level and work-based qualifications, are offered in key sectors where there is a need for skilled employees.

Across Dumfries and Galloway and the south of Scotland, we have many organisations that offer apprenticeships. Those include public sector organisations such as Dumfries and Galloway Council, NHS Dumfries and Galloway and Forestry and Land Scotland, as well as private sector companies such as Jas P Wilson and BSW Timber in Dalbeattie, DuPont Teijin Films in Dumfries and Gentex in Stranraer. All those organisations must be commended for offering young people across the region the opportunity of employment, education and skills to enhance their talents without limit.

In 2018, Dumfries and Galloway College secured a contract to deliver three foundation apprenticeships, in engineering; business skills; and social services, children and young people. Shortly after the award of the contract, the college received funding from the Scottish Government to build STEM—science, technology engineering and mathematics—and digital extensions at the Dumfries and Stranraer college campuses. Last month, I had the privilege of attending the official opening of the Dumfries college extension along with Deputy First Minister John Swinney, who was joined by Jamie Hepburn, the minister, via videolink with the Borders College. It was great to see how the new extension will allow the college not only to take students in renewable energy, social care and engineering but to employ modern and foundation apprentices through its new contract. That will allow Dumfries and Galloway to grow our own talent—our own engineers, carers, healthcare workers and scientists of the future.

In January, I had the opportunity to visit DuPont Teijin Films in Dumfries along with the minister. DuPont, which has received about £1 million in support from the Scottish Government, has several modern and graduate apprentices and opportunities for young people to take part in skills development. During the visit, the minister and I heard from David Hoyle and Alastair Hall, who described how they wanted to do something more hands on rather than go to university. They explained how their apprenticeships allowed them to work, gain a wage and develop their skills at the same time. David and Alastair are assets to the

company and a testament to the positivity of the apprenticeship programme.

Recently, I have been working closely with George Jamieson from NFU Scotland and Melanie McEwen from Dumfries and Galloway Council. Both have been working with Scotland's Rural College to create agriculture, forestry and rural apprenticeships in order to encourage young and new entrants into the rural sector. That work is great and I hope that it will be a catalyst for other local authorities to follow suit.

I wish all the young people across Scotland at any apprenticeship level every success for the future. I again welcome the debate and thank Jamie Halcro Johnston for bringing it to the chamber.

13:17

David Torrance (Kirkcaldy) (SNP): I, too, thank Jamie Halcro Johnston for securing the debate. Today, we celebrate Scottish apprentice week and everything that makes work-based learning such a great choice for individuals, employers and the economy. In particular, we spotlight the students who choose to take that career route and the employers who provide the space for them to do so.

This year's campaign theme is talent without limits, which celebrates the boundless opportunities for success through work-based learning. Over the years, apprentices as well as employers of every size and in every sector have generated positive effects on the economy, and that success has not gone unnoticed.

Given the increased competition in the job market, apprenticeships can equip young individuals with lifelong skills that will allow them to adapt to changes in employment. In collaboration, Fife Council and Fife College have offered one of the most ambitious programmes in Scotland. Their work-based learning pathway is a great opportunity for people to gain certificated work experience outside the classroom setting.

Apprentices and employers alike are enthusiastic about their achievements. In a survey that was conducted by Skills Development Scotland, apprentices reported high levels of satisfaction, happiness and feeling that their life is worth while, when compared with the general population. Additionally, it is reported that 96 per cent would recommend an apprenticeship to other people.

Last Friday, I had the pleasure of visiting the Ecology Centre in Kinghorn to meet its our bright future apprentice, Richard McLaughlin, who shared his personal story and spoke highly of his decision to pursue an apprenticeship. I was

delighted to see the projects that Richard has been able to organise while working at the Ecology Centre. In particular, he has helped to construct a new polytunnel in the community garden and the facility's new seedling greenhouse. He is not only learning on the go but building valuable leadership skills by taking on the role of volunteer co-ordinator to recruit, train and manage individuals.

The charity is heavily reliant on volunteer support, so Richard's interpersonal skills have been extremely valuable in organising volunteers from organisations such as the Department for Work and Pensions and Scottish Water. Together, they are working on the creation of a set of new paths for the centre. By collaborating with various companies and working with diverse groups of people, his apprenticeship has boosted his confidence and self-esteem. It was amazing to see the benefits that apprenticeships can bring first hand. Like many other employers, the Ecology Centre has given Richard responsibilities, freedom and a chance to learn from the tasks he is able to take part in and from the people he has been able to meet. Through Richard's experience, it is apparent that an apprenticeship can be the best route for young people who are working towards an industry-recognised qualification.

I am a firm believer in investing in the future of our youth. We need to support them and give them the best opportunity to succeed. To do that we also need to address the barriers that prevent people from choosing an apprenticeship because of their gender, physical health, financial background, or any disadvantage that they may face. Sadly, the Department for Education reported that only 9 per cent of STEM apprenticeships were taken up by women in 2019.

There is a lot of work to do. We need to create more avenues for women to find where their passions lie and, hopefully, to give future generations the inspiration to forge new untrodden paths. In that light, I encourage more employers to cultivate a progressive workplace that reflects the modern world. We have already seen positive changes happen. In 2019, SDS drew up a five-year plan to increase the number of young disabled people, minority ethnic groups, and LGBT+ apprentices. In the same year, SDS worked in partnership with Fife Council to deliver an employability programme to help young people with a disability or health condition to access apprenticeships and, ultimately, a paid job.

I commend all the organisations working together to offer support and opportunities for underrepresented groups. It is incredibly important that we emphasise inclusion in work-based learning opportunities to continue growth and meet future economic needs. During Scottish

apprenticeship week, I highly recommend everyone to get involved in activities and events in their local communities to see the contributions that apprentices and employers have made through work-based learning.

In conclusion, I emphasise the importance of this year's theme. I encourage any young person, regardless of their circumstances, to explore their passions, harness their skills and acquire endless amounts of knowledge, because their talent is without limits.

13:22

Maurice Golden (West Scotland) (Con): I thank Jamie Halcro Johnston for bringing the debate to Parliament. An apprenticeship can be the gateway to a great career, and it is absolutely right that we mark that opportunity with apprenticeship week each year. I have had the pleasure of meeting many apprentices and every time I have been impressed by their drive to succeed. They all recognised the opportunity that they had and were working hard to use it as a springboard to launch their careers.

A great example of that was a young woman I spoke to who was undertaking an accountancy apprenticeship at Campbell Dallas in Renfrewshire. Her sister was also training to be an accountant, but at university. They had two paths to the same goal, but it was the young woman on the apprenticeship who was already earning and gaining on-the-job experience, and who had secured a long-term position. That sort of success deserves more recognition—apprenticeships need that parity of esteem with other post-education destinations if they are to give young people and their families the confidence that they can deliver for them.

It is not just the apprentice who stands to gain—employers are crying out for skilled workers. Eighty per cent of business leaders are struggling to find staff with the required skills and Scotland's skills shortage doubled between 2011 and 2018. The Scottish Government's own performance indicator has shown a worrying uptick in the number of STEM employers with at least one skills shortage vacancy. Apprenticeships are an important means of addressing those shortages, especially in the case of STEM skills. I saw that for myself when I visited the Rolls Royce plant in the west of Scotland where production relies on highly skilled engineers and technicians. For such employers, apprenticeships are the future of their business.

With engineering traditionally a male-dominated profession, it was great to see the inclusion of young women in the apprentice team. Breaking down those barriers is vital if we are to see

genuine opportunity for all, and to ensure that businesses can tap into the full talent pool we have in Scotland. It is worrying, though, that Scotland is the only part of the United Kingdom where women's employment prospects are declining, according to the latest women in work index. Apprenticeships are an obvious means to help address that, but they must be signposted better throughout the education system and careers guidance, and they must have the parity of esteem that I described earlier. Alongside such measures, another obvious step would be to complete the roll-out of foundation apprenticeships, and all frameworks, across Scotland's schools. Scottish Conservatives have consistently called for that.

Beyond school, we must ensure that lifelong learning is also supported. In 2018-19, almost a third of apprentices were aged over 25. That is a clear demonstration of both the desire and the potential for retraining and upskilling. That represents an opportunity to create a flexible workforce that is able to respond to the rapidly changing working environments of the 21st century.

Whether it is building that resilience, breaking down barriers, or growing businesses, an apprenticeship is one of our most powerful tools. Our job is to ensure that everyone can benefit from it who wants to.

13:25

The Minister for Business, Fair Work and Skills (Jamie Hepburn): I join others in thanking Jamie Halcro Johnston for bringing the debate. I thank Skills Development Scotland for its significant work in supporting members in the variety of visits that they have undertaken during Scottish apprenticeship week, and for the work that it undertakes all year round on promoting apprenticeships.

At the parliamentary reception last week that Jamie Halcro Johnston very kindly sponsored, I was able to remark that although there are many things that Mr Halcro Johnston and I disagree on, we can agree on the importance of apprenticeships as life-changing experiences for the people who undertake them. I use the term "life-changing experience" in its truest sense. It is critical to ensure that apprentices are appropriately skilled to undertake the area of work that they are engaged in, but I was very much taken with, and agree with, the point that David Torrance made about the confidence that can be imbued by and the improvement in a person's interpersonal skills that can be derived from an apprenticeship. That is important not just in the world of work but in life generally.

One of my great joys and pleasures is the wide range of visits that I undertake the length and breadth of the country, to see the fantastic activity of apprentices. Emma Harper mentioned the visit that I undertook with her to Dupont Teijin Films UK Ltd near Dumfries, which is one such example. If any member wants to invite me to see activity in their constituency or region, I will be very happy to go along. In that regard, let me say, in case I forget, that I am happy to accept Maureen Watt's invitation to see what is happening at Portlethen academy.

Today we celebrate the 10th Scottish apprenticeship week: 10 years—a decade—of any event is worth remarking on, and that is particularly true of apprenticeship week. The week is an opportunity to celebrate the achievements of apprentices and employers. However, in some regards, it is even more important to promote the on-going and enduring benefits of apprenticeships to individuals and employers. We want to see many more people undertaking apprenticeships and we want many more employers to engage apprentices.

Scottish apprenticeship week 2020 included 24 ministerial engagements and another 70 engagements by MSPs. Jamie Halcro Johnston mentioned that he was able to visit Walker's in Aberlour. That is a visit that I would have been very interested in undertaking—not because of the shortbread, but because Nicky Walker, who is one of the senior directors at that firm, is the finest goalkeeper that I have ever seen playing for Partick Thistle during my time as a supporter. It is important to get that on the record. If ever there is a chance to visit Walker's, I would be delighted to do so.

The level of engagement that we have seen reflects the welcome and widespread cross-party support for the apprenticeship system—the apprentices, employers, training providers, universities, colleges, schools, Skills Development Scotland and all the other partners.

I had the pleasure of opening Scottish apprenticeship week by visiting Balfour Beatty apprentices who are working on the redevelopment programme at Queen Street station in Glasgow, which is a very visible backdrop to the excellence of our apprentices. I was delighted to welcome Balfour Beatty's commitment to the full range of apprenticeship provision. The apprentices include a foundation apprentice from Bannerman high school, modern apprentices and graduate apprentices, one of whom—Bethany Welsh—is in a graduate apprenticeship in civil engineering. It was encouraging to hear how our apprenticeship programme is seeking to challenge occupational segregation and to open up pathways to all.

That was reflected in all the visits that I undertook this week. At Dawnfresh Seafoods Ltd in Uddingston, I met the apprentice of the year, Jordan Fairlamb, who was mentioned by Jamie Halcro Johnston. I also met an apprentice who had been working for Dawnfresh for 28 years before he began his apprenticeship with the company, which underlines the point that Clare Adamson made about apprenticeships being relevant to all ages.

Emma Harper: The minister has noted a lot of visits that he and other members have made. I will mention another that he made. Will the minister acknowledge the excellent work that BSW Timber Ltd in Dalbeattie is doing on promoting women? It now has two fully qualified female saw doctors. That is good news.

Jamie Hepburn: I agree. Emma Harper is right that I visited that employer. I am delighted to see BSW Timber's commitment to widening the number of people and groups in apprenticeships that have not traditionally been viewed as a preserve of women. The company is expanding opportunity.

There is a similar approach at Love@care in Hamilton. It is offering apprenticeships to people who have experience of the care system and to veterans, who are two cohorts of the population that we know face disadvantage in the labour market.

I saw excellence across the land-based agriculture and aquaculture sector at the Lantra awards. My constituent Laura Graham won the equine learner of the year award. She has, at 21 years old, established her own business. That is extraordinary to see, and has come about because she did an apprenticeship.

I have almost run out of time. I hope that the visits that I have talked about and which I undertook as part of Scottish apprenticeship week, and those that other members have described, show that apprenticeships offer a life-changing experience and make a difference to the people who undertake them.

We will continue to expand the number of opportunities. I am confident that we will achieve the 29,000 starts that we seek to offer for modern apprentices and graduate apprentices this year. Next year, we will move towards 30,000. I hope everyone will agree that that is a clear demonstration of our commitment to continuing to offer opportunities to the people of Scotland. We will continue to do that for many years to come.

13:33

Meeting suspended.

14:30

On resuming—

Portfolio Question Time

The Presiding Officer (Ken Macintosh): Good afternoon, colleagues. Before we begin portfolio question time, I advise the chamber that I have accepted a request under rule 13.2.2 for an urgent ministerial statement to be made this afternoon on the novel coronavirus Covid-19. The statement will be made at around 4.45, so decision time will be moved to 5.15. I should add that the statement will be signed in British Sign Language for our audience.

Transport, Infrastructure and Connectivity

Covid-19 (Impact on Public Transport)

1. **Michelle Ballantyne (South Scotland) (Con):** To ask the Scottish Government what meetings it has held with stakeholders regarding the potential impact on public transport of the coronavirus Covid-19. (S5O-04252)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): We have well-established links and protocols for these situations and have been sharing guidance and advice from colleagues at Health Protection Scotland with our key stakeholders. Transport Scotland officials are in regular contact with transport operators such as ScotRail, bus operators and CalMac Ferries and with Traffic Scotland. They are also in regular contact with Scottish ports and airports to ensure that they receive consistent guidance and marketing material with the Health Protection Scotland message.

Michelle Ballantyne: The cabinet secretary will be aware that people who live in isolated communities often rely on public transport. Has he had any conversations regarding the provision of replacement drivers to ensure the continuation of those crucial services if we have a shortage of train and bus drivers?

Michael Matheson: The approach that we are taking is based on the clinical and scientific advice that is being provided through the chief medical officer and Health Protection Scotland clinicians. That information is updated regularly for our transport operators.

We have asked operators to consider the contingency planning arrangements that they have in place for dealing with any major incidents, and they are undertaking reviews to ensure that they have appropriate measures in place. We will

continue to provide them with the necessary information on the actions that they should be taking as we go forward in what is a very dynamic situation with Covid-19 coronavirus.

I assure the member that we continue to engage with transport operators and that we will provide them with the most up-to-date information as we go forward, to ensure that they are putting in place the appropriate contingency plans that they might require.

Stuart McMillan (Greenock and Inverclyde) (SNP): The cabinet secretary said that the Government is in touch with the port operators. He will be aware that cruise liners are a growing aspect of marine tourism in Scotland. Can he update us on what information has been issued to the port operators to ensure that when cruise ships come in and tourists come off them, all safety measures can be taken?

Michael Matheson: The Government recognises the importance of the tourism sector—particularly the growing market in cruise liner operators using Scottish ports.

We have an established protocol for when any vessel, including a cruise ship, docks at a port in Scotland. The existing arrangements allow the territorial health board for the area and the local authority, which is responsible for delivering port health matters, to take forward measures effectively, as they see appropriate, for a vessel entering dock or looking to disembark at a Scottish port.

The Scottish port sector has a well-rehearsed procedure for dealing with such issues and health-related matters. I assure the member that information and guidance are provided, via our health boards and local authorities, on how port health matters should be taken forward in relation to coronavirus, so that any incidents can be managed.

Colin Smyth (South Scotland) (Lab): One of the target areas on which our rail franchise holders often fail to deliver relates to station and train cleanliness. Will the cabinet secretary work with the rail operators so that there is a greater focus on those targets, and on appropriate cleaning in particular, especially on our trains, to ensure that they are delivering what will become, in the weeks ahead, an increasingly important obligation to keep our public transport running?

Michael Matheson: The member will be aware of the specific measures that ScotRail has taken in the past year to improve the cleanliness of trains within the franchise agreement.

We are providing ScotRail with the most up-to-date clinical guidance from Health Protection Scotland, which is managing that information for

the Scottish Government, and we expect all operators in the transport sector to act on the guidance that is being provided.

We are having to look at contingency arrangements, given the nature of the incident that we are dealing with. The situation will have an impact on our transport system, which is why we have asked all operators to consider what contingency arrangements they can put in place, and to make sure that they have appropriate continuity plans so that they can try to manage the situation as best they can.

I assure the member that we will continue to keep the Parliament and the public as up to date as possible, should there be any changes to the existing arrangements, to ensure that we can continue to provide as resilient a transport system as possible in what is a very challenging situation.

Gail Ross (Caithness, Sutherland and Ross) (SNP): On Monday, in response to a question on testing for the coronavirus at airports, the United Kingdom Government's Secretary of State for Health and Social Care, Matt Hancock, stated:

"the evidence from other countries that have tried temperature testing at airports shows that it is not effective and can actually be counterproductive to the effort because it leads to lots of false positives."—[*Official Report*, 9 March 2020; Vol 673, c 36.]

Does the Scottish Government's scientific advice concur with that view, and is the cabinet secretary content with the approach that is being taken by Scotland's airports?

Michael Matheson: The information that has been provided by the Scottish Government to our airports is consistent with the messaging and information that have been provided to all airports in the UK. Health Protection Scotland has approved the advice that has been issued to Scottish airports. We continue to update that advice, in line with the best scientific advice that we are provided with.

Transport Scotland officials are in regular contact with our airports and are ensuring that that information is appropriately displayed and provided in Scottish airports. Scottish airports are continuing to take forward appropriate measures to deal with anyone whom they might have concerns about, and to provide those people with medical support and advice at the airport.

I assure the member that we are using the most up-to-date scientific advice for our airports. However, given that the situation is fluid and fast moving, the advice is continually reviewed and will be updated as appropriate.

Transport Connectivity (Highlands and Islands)

2. Jamie Halcro Johnston (Highlands and Islands) (Con): To ask the Scottish Government what steps it is taking to improve travel connectivity to and within the Highlands and Islands. (S5O-04253)

The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse): The Scottish Government continues to invest in strategic transport connections to and within the Highlands and Islands. That investment supports communities and business across the region and includes more than £370 million for enhancing key rail routes, commitments to improve bus connections and investing more than £2 billion in lifeline ferry services since 2007.

We are also making good progress on our major road improvement commitments, including the A9, A96 and A82 strategic road connections, and we continue to support air services to Highland and Island airports.

Looking forward, the next strategic transport projects review is considering future investment priorities for the strategic transport network.

Jamie Halcro Johnston: In the budget statement, we heard much about proposals to investigate a free bus travel scheme for under-19s, if possible. Can the minister advise whether he has considered at any stage the impact of the policy on rural and island communities, where bus links are often in short supply? What consideration has been given to including inter-island ferries—which are often used by people in our island communities, even for short journeys—in such a scheme, to allow young people on our islands to be able to travel?

Paul Wheelhouse: The member raises two important areas. First, ensuring that we think about the needs of rural and island is at the heart of my colleague Michael Matheson's consideration of the development of the national transport strategy and the strategic transport projects review. I appreciate the point that the member has made. I know that bus services in particular directions or on particular routes are often lacking in rural areas. That limits choices for customers in relation to travel to work and travel for leisure. That is in the Government's mind as we look at how we can support rural authorities.

Secondly, we can look more closely at the internal ferries issue and work more closely with island authorities on trying to integrate transport modes, as we will be doing with the supported ferry networks, to ensure that we are making maximum use of bus and rail connections with our ferries. Similarly, we can work with the island authorities to see how we can make the most of

bus connections with internal ferries to support a more integrated transport model overall. I am certainly willing to discuss the issue with Jamie Halcro Johnston.

Queensferry Crossing

3. Jeremy Balfour (Lothian) (Con): To ask the Scottish Government what assessment it has made of the impact of the recent two-day closure of the Queensferry crossing. (S5O-04254)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): No assessment has been made of the closure, as its duration was for a short period.

Jeremy Balfour: The two-day closure of the Queensferry crossing had a massive economic impact on Lothian, Fife and the rest of Scotland. Despite warnings, the cabinet secretary previously said that the risk of ice forming was extremely rare, yet now we hear that sensors will be installed on that major transport link in the coming months. Is that acceptable?

Michael Matheson: Jeremy Balfour is somewhat misinformed about the risk of ice forming on the Queensferry crossing. As he would be aware if he had been able to attend the technical briefing that was provided by the bridge engineers, it was identified at the design stage that there was an extremely low risk of ice forming on the bridge, and it was decided that that should be managed on an operational basis, as it is at the present time. However, the incident that occurred last year led to significant investigations into appropriate measures to manage the issue, and the outcome has been progressed and taken forward since October. Jeremy Balfour will be aware of the work that is being undertaken on that.

Although I recognise and very much regret the disruption that was caused by the closure of the bridge, such an incident is not common in cable-stayed bridges. In the United Kingdom overall, there have been incidents down south when bridges have been closed as a result of ice forming, but it is not a common occurrence in our climate. However, we will continue to consider what further measures can be taken to address the risk, and whether there are means by which it can be mitigated.

Since the Queensferry crossing opened, there have been 55 occasions on which the Forth road bridge would have been restricted for high-sided vehicles, yet the Queensferry crossing has had no restrictions in place. I am sure that Jeremy Balfour, as a fair-minded individual, recognises that the Queensferry crossing is delivering a much more resilient crossing than the Forth bridge did during its time. We should welcome that, notwithstanding the unfortunate incident that

occurred a few months ago. It is important to remember the context and recognise that the Queensferry crossing is proving to be a more resilient bridge and is ensuring that we continue to have the important link between Edinburgh and Fife.

Rail Halts

4. Rona Mackay (Strathkelvin and Bearsden) (SNP): To ask the Scottish Government whether it plans to further develop rail halts in areas where there is an identified need. (S5O-04255)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): Recent Scottish Government investment has delivered a new station at Robroyston, which is acting as an enabler for social and economic growth. Construction is under way for a new station at Kintore, which is on schedule to be completed in May this year. We are also committed to delivering new stations at Reston and East Linton, and the Levenmouth project will deliver new, fully accessible stations in Leven and Cameron Bridge.

Looking ahead, the second strategic transport projects review is currently under way to identify our strategic transport investment priorities, including any new railway stations, for the next 20 years.

Rona Mackay: The Westerhill area of Bishopbriggs, in my constituency, is earmarked for development under the Glasgow city deal programme. A rail halt to service the many surrounding industries and housing developments would be an enormous benefit to the area. Will the cabinet secretary confirm whether part of the £5 million in the budget to expand future rail options could be considered to fund a feasibility study in Westerhill?

Michael Matheson: Future rail interventions, such as a new station at Westerhill, require a positive transport appraisal to be undertaken to take account of the potential impact on the wider rail network. Responsibility for appraisals and progressing any proposals lies with the relevant sponsoring promoter, which could be a developer, one of the regional transport partners or the local authority. Therefore, if there is a view in the community in Rona Mackay's constituency that a rail halt would be worth considering, it could be taken forward through existing arrangements. I encourage Rona Mackay to engage with that and seek to discuss whether a proposal could be brought forward.

Mark Ruskell (Mid Scotland and Fife) (Green): I am delighted that Transport Scotland approved last week the "Case for Change" report for the Newburgh rail halt. Can the minister

confirm that the £5 million for rail development already mentioned will include an open application process to allow projects to continue through their development pipeline over the coming year?

Michael Matheson: We have set out £5 million for looking at improving Scotland's railways and the potential for new stations. We will set out in detail in the coming weeks exactly how that scheme will operate and be taken forward.

The Presiding Officer: Question 5 has been withdrawn.

Decommissioning (Port of Dundee)

6. Bill Bowman (North East Scotland) (Con): To ask the Scottish Government what measures it is taking to ensure that the port of Dundee is properly equipped to handle decommissioning work. (S5O-04257)

The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse): The Scottish Government supports Dundee's ambitions as a location for decommissioning, and Dundee is well placed to compete for that work. The Scottish Government has provided support to projects in Dundee through the decommissioning challenge fund, including an investment of over £500,000 in a permanently fixed heavy-lift crane to facilitate the transfer of material to the quayside, generating cost and time efficiencies. The DCF's fourth round launched in July 2019, and a number of applications were received from Dundee-based organisations. The results from that round will be announced shortly.

Bill Bowman: As the minister will be aware, it was reported in the media recently that the contractor that was cleaning Shell's Curlew floating production, storage and offloading vessel at the port of Dundee was unable to finish the job. It turns out that parts of the FPSO vessel could not be cleaned without it first being dismantled, but Dundee does not have the necessary facilities, which is disappointing news. Is the minister aware that Dundee does not have such facilities and that therefore Shell had to terminate the decommissioning work in Dundee, with the work now having to be completed elsewhere? Can he give some assurances that that will not happen again?

Paul Wheelhouse: Yes, we are aware of the issue in relation to Dundee. As I explained in my original answer, we are very supportive of Dundee's ambitions and we have provided funding to successful decommissioning projects at the port of Dundee and in the Tay area more generally. We are committed to ensuring that decommissioning in Scotland is executed in a safe, environmentally sound and cost-effective manner. It is not possible, unfortunately, for the Scottish

Government to dictate on business decisions made by companies about how best to utilise their resources.

We are aware of the particular technical reason why the vessel in question is being taken away from Dundee for splitting into compartments and then being cleaned elsewhere. However, the Scottish Government has no say on the day-to-day running of any commercial company such as Port of Dundee Ltd. The port sector in Scotland is market driven and port authorities are responsible for determining what facilities they choose to invest in and what level of infrastructure to install to meet demand from the market. However, I hope that we have shown, in terms of the investment in the crange at Dundee, that where a good case is made, we have supported it through the DCF. As I said, decisions are yet to be taken on the forthcoming round of the DCF, but I hope that that will not take long.

Safety Improvements (A90)

7. Liam Kerr (North East Scotland) (Con): To ask the Scottish Government what plans it has for more investment in safety improvements for the A90 and whether those will include additional funding to improve the effectiveness of average-speed cameras. (S5O-04258).

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): Transport Scotland is working with road safety partners to investigate a number of locations on the A90 that have been identified through the annual road safety screening process and engagement with local communities and elected members. That builds on programmed road safety plans, which include the grade separation project at Laurencekirk. In addition, throughout 2020-21, this Government will invest £4.65 million in targeted safety camera activity as we strive to deliver Scotland's road safety vision of a future where no one is killed on the road and the injury rate is much reduced.

Liam Kerr: Perhaps unexpectedly, according to Police Scotland, the number of crashes and resulting deaths have actually increased since the cameras were installed. Anyone familiar with the A90 will know that the main issues are particularly at junctions and crossovers. Other than at Laurencekirk, what new measures, specifically at such junctions, is the Scottish Government proposing to reduce those figures?

Michael Matheson: I provide a note of caution for the member, because the statistics on an issue like this should be looked at over a three-year period and we have not completed that three-year period. Therefore, it would be misguided—and potentially misleading—to jump to that conclusion about the impact of the average-speed cameras.

We have only to look at our experience with average-speed cameras on our major trunk road network to see that they have had a significantly positive impact. There is no reason why that should be any different for the A90. Given that, I think that it is appropriate to caution the member against rushing to judgment on those matters.

That said, a range of investigation works are under way, including on the A90, and some actions will potentially be programmed for later this year. In some of the current investigations, consideration is being given to whether the interventions are appropriate; in others, consideration is being given to whether additional assessment is required in order to determine whether more interventions are needed.

This Government has a very strong record of investing in road infrastructure in the north-east of Scotland and of making sure that we continue to drive down the number of deaths and serious accidents that occur on our trunk road network. I assure the member that we will continue to look at what measures are appropriate not only on the A90, but across our trunk road network in order to drive improvement and road safety.

The Presiding Officer: I apologise to Tom Mason, as we do not have enough time to get to question 8 on the Aberdeen western peripheral route. He will have to be content with a written answer to his very good question.

Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill: Stage 1

The Presiding Officer (Ken Macintosh): The next item of business is a stage 1 debate on motion S5M-21200, in the name of Mairi Gougeon, on the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill.

14:51

The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon): I am delighted to present the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill to the chamber and to introduce these important proposals for the stage 1 parliamentary debate.

If the bill is passed, it will modernise and strengthen the implementation of existing legislation impacting on animal welfare, assisting enforcement authorities to ensure that Scotland's domestic animals and wildlife benefit from the best possible protection.

Bearing in mind the increasingly busy parliamentary schedule, the bill is tightly focused to deliver the changes that are most sought after by front-line enforcement staff and that require amendments to existing primary legislation. The aim is that the changes will come into force this year.

The bill addresses specific priorities, many of which have been highlighted during discussions as part of the close working relationship between officials and key stakeholders—particularly those with practical experience of working with the existing legislation, who recognise that the proposals will make significant improvements to the protection of our animals. Those include Police Scotland, the Scottish SPCA, local authorities and the Animal and Plant Health Agency. All the priorities in the bill received strong support from respondents to the Scottish Government's consultation.

In short, the bill increases the maximum available penalties for animal cruelty and wildlife crime and removes the six-month time bar for many offences; it introduces a new power to put in place fixed-penalty notice regimes; it improves the procedures for rehoming and makes other arrangements for animals that have been taken into possession by enforcement authorities to protect their welfare; and it improves protections for police dogs and horses by introducing Finn's law in Scotland, recognising their indispensable role in our society.

Thankfully, the most extreme animal cruelty and animal fighting offences in Scotland, which result

in a custodial sentence, are rare. There have been 41 custodial sentences in the past 10 years, and there have been only three custodial sentences longer than 300 days in that time. However, although the most extreme cases are rare, as a society and as a Government, we need to send the strong message that any animal cruelty or wildlife crime shall not be tolerated. I hope that the publicity around the bill will start the necessary behaviour changes to banish that cruelty from our society.

These often traumatic and sadistic offences rightly attract considerable public concern. We are also concerned about links to serious organised crime in some other cases, particularly those to do with the illegal trade in puppies.

We consider—and others agree—that the current maximum penalties are simply not high enough to allow the courts to deal appropriately with such cases.

The bill will also standardise wildlife crime penalties and bring the penalties for 22 of the most serious offences, which involve the illegal killing or injuring of wild birds and animals, into line with the new maximum penalties for animal welfare offences. That recognises that wild animals should be given protection equivalent to that which is given to domestic and farm animals from the worst types of deliberate harm.

Emma Harper (South Scotland) (SNP): I welcome the bill and the Scottish Government's action to give enhanced protection from harm to animals and wildlife.

The minister mentioned farm animals. Does she share my concern that incidents of livestock worrying are on the increase in Scotland? She will be aware of my proposed protection of livestock (Scotland) bill. Will she agree to meet me to discuss the bill? We are almost at stage 1.

Mairi Gougeon: I thank Emma Harper for her intervention and congratulate her on all the work that she has done on tackling that important issue. I am happy to commit to meeting her to discuss the matter further. It is a vital issue, and it is important that we work together to make sure that we are successful in addressing it.

The penalties for 36 other offences, including those that deal with the disturbance of wild animals and their habitats, will be standardised and increased in line with the recommendations of the Poustie report.

An issue that is related to the higher maximum penalties is the availability of trial by indictment, which will directly benefit enforcement agencies such as Police Scotland, the Scottish SPCA and local authorities, as well as the Crown Office and Procurator Fiscal Service, by removing the current

statutory six-month time limit for commencing criminal proceedings. That will give authorities additional time to gather all the appropriate evidence and to draft complete and considered reports on increasingly complicated cases that often involve serious organised crime elements.

One of the aims of the bill is to emphasise that animal cruelty and wildlife crime will not be tolerated in Scotland, so it will provide courts with the flexibility that is needed to impose sentences that are appropriate for a wide range of offending behaviour. The new maximum penalties will allow courts the flexibility to issue the most appropriate sentence for the worst cases, while the introduction of a new power to develop new fixed-penalty notices will provide an additional enforcement tool for more technical offences.

The bill will also introduce overarching powers that will allow the future introduction of fixed-penalty notice regimes through regulations for animal health and welfare and wildlife crime offences, which will enable bespoke FPN regimes to be designed to deal with a wide range of offences in a proportionate and timely manner. For example, FPNs could be used to deal more effectively with breaches of movement restrictions during an animal disease outbreak or failure to comply with movement and traceability regulations. Although those technical breaches might not impact negatively on individual animals, they can be detrimental to the health and welfare of wider animal populations. It is important to deal with all breaches of our animal regulations effectively in order to improve compliance overall, and I hope that the proposed focused changes to the penalty regime will lead to behaviour change across our communities, reflecting the public concern for animals in Scotland.

The bill also proposes a new and innovative approach to dealing with animals that have been taken into possession in emergency situations to protect their welfare. The new process will allow enforcement authorities to make appropriate permanent arrangements for such animals without the need to apply for a court order. That streamlined process, which is independent of any potential prosecution, will result in significant savings in staff time and resources for all parties, including the courts, and it should speed up the process of resolving often traumatic animal welfare situations.

We know that the neglect and subsequent suffering of animals is often a symptom of another problem, such as financial difficulties, bereavement, mental health issues or other illness. Enforcement authorities are acutely aware of that, and there are already processes in place for referrals to other agencies such as social work, where that is required. The new powers have been

specifically designed to balance the property rights of the individual with the need to protect the welfare of animals. The bill recognises that, although animals have a legal status as someone's property and the owner, too, might be suffering, those animals are sentient beings whose welfare needs must be met.

As the new robust and streamlined process will be implemented by enforcement authorities without any need to go to court, the necessary safeguards to protect human rights have been provided for at the same time as a focus on the welfare of the animals.

I am proud that the bill introduces Finn's law in Scotland. I have met Finn and his handler, Dave, as well as colleagues in Police Scotland, and I have heard at first hand about the importance of the role of police dogs and horses. I have been touched by Police Scotland's support for the proposals, which are, along with other elements of the bill, simply the right thing to do. They also keep pace with action that is being taken by other United Kingdom Administrations.

The bill will provide police animals with the same level of protection as other animals that are not routinely used in situations in which attackers could claim to have been acting to defend themselves. The provision will exist alongside the increase in the maximum penalties that are available for crimes against all animals, meaning that all of Scotland's animals, be they guide dogs, police dogs or police horses, will benefit equally from the bill.

The bill is being delivered alongside a number of other initiatives to improve the welfare of our animals and wildlife that do not require changes to primary legislation. In relation to animal welfare, they include the creation of a modern and flexible licensing framework for pet breeding, animal sanctuaries, rehoming activities and pet sales—proposals that we will bring forward later this year.

Mark Ruskell (Mid Scotland and Fife (Green)): Will the Government introduce regulations on performance animals in the current session of Parliament?

Mairi Gougeon: I will look at that specific issue and will get back to the member on it.

We also intend the new regulations to give effect to Lucy's law—a measure to prevent the third-party sale of cats and dogs under six months old as pets—as well as addressing the proposals that Jeremy Balfour has made on modernising the licensing of pet shop sales. The overall aim is to regulate to protect animal welfare in a way that is not unduly burdensome for those who are doing a good job, while being effective in dealing with cases in which welfare is not being sufficiently protected.

Officials are also working to introduce compulsory closed circuit television in abattoirs, and they are undertaking reviews of the use of electronic training collars for dogs as well as gathering evidence on the incidence of dog attacks on livestock. We look forward to Emma Harper's member's bill on that subject being introduced in the near future.

On the illegal trade in puppies, we delivered two very successful public awareness campaigns in 2018 and 2019 to encourage responsible dog ownership and help to alert pet buyers to the dangers of buying from illegal puppy dealers posing as home breeders.

Regarding wildlife, we are working on responses to the recommendations that were made by both the grouse moor review group and the deer management review group. We will publish a strategic approach to wildlife management that puts animal welfare at the centre while protecting public health and economic and conservation considerations.

We have established Scotland's first animal welfare commission, which comprises 12 experts from different disciplines in the field of animal welfare and is chaired by Professor Cathy Dwyer of Scotland's Rural College and the University of Edinburgh. The commission, which will have its first meeting this month, will provide an independent expert forum to consider how the welfare needs of sentient animals are being met, examine the possible legislative and non-legislative routes to further protect their welfare and identify any research that is required for an evidence base for future policy development. I am confident that that new advisory body will have a real impact in prioritising the action that is required to tackle the wide range of issues regarding all sentient animals in Scotland.

I hope that members appreciate that that package of complementary measures, together with the provisions in the bill, will address a wide range of stakeholder concerns about Scotland's animals.

There is widespread and strong support for the proposals in the bill, particularly among those with practical involvement in the current legislation, including veterinary staff and the police. I am honoured to be responsible for introducing the refinements that are proposed in the bill, which will make an immediate impact in assisting with enforcement and further protect Scotland's animals.

I look forward to this afternoon's debate and to working with parliamentary colleagues to ensure that the important improvements in the bill can be introduced as quickly as possible, without unnecessary delay.

I am proud to move,

That the Parliament agrees to the general principles of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill.

The Presiding Officer: I invite Gillian Martin to speak on behalf of the Environment, Climate Change and Land Reform Committee.

15:03

Gillian Martin (Aberdeenshire East) (SNP): On behalf of my colleagues on the Environment, Climate Change and Land Reform Committee, I open by saying that we welcome the bill and support its aim to increase the penalties for crimes of animal harm. We took evidence from many experienced and expert stakeholders, and we published our report in February. I thank the minister for her recent letter to the committee, and for early notice of the matters on which she intends to lodge amendments at stage 2.

The committee particularly welcomes the establishment of the animal welfare commission. We were encouraged to see its very experienced members being announced recently, and we look forward to working with them.

I turn to the bill and the committee's consideration of it. It has been said that

"The greatness of a nation and its moral progress can be judged by the way its animals are treated."

I certainly agree with that sentiment, and I know that my committee colleagues feel as strongly as I do about it. Disregarding the health and welfare of animals can make it easier for us to disregard the health and welfare of our fellow humans. It can limit our capacity for empathy, and there are often links between animal abuse and other crimes.

It is right that the Government is seeking to increase penalties in line with the grave nature of many of the crimes that are committed against animals, and to give the courts greater flexibility to penalise appropriately. We welcome the proposals to increase the maximum sentences for the most serious offences, and to introduce fixed penalty notices that would allow a sanction short of prosecution.

Given this nation's affection for animals, it is surprising that we currently have among the lowest penalties in Europe for animal welfare and cruelty offences: a sentence of 12 months for the worst act of animal cruelty compares badly with sentences of five years for crimes such as fly tipping or theft. Many of us here will have seen distressing animal cruelty crimes that warrant much harsher penalties and giving the courts greater flexibility to impose sentences that are more in line with the amount of serious harm that

has been done. That view is reflected in public opinion.

As I said, animal cruelty is often a flag for other offences; there is a substantial body of evidence that says that animal cruelty offenders also commit other crimes, including domestic abuse and other violent offences.

Much animal cruelty is about individuals or groups wanting to make money from the sale of animals. Stakeholders expressed concerns about organised crime including illegal puppy farming and dog fighting, in which offenders are often driven by profit and for which current penalties do not provide a sufficient deterrent.

It is also important to say that the committee heard that not all cases of animal suffering are caused by deliberate cruelty. Neglect of animals can happen for various reasons, including an owner being unable to cope because of physical or mental illness. We welcome the flexibility in relation to fixed-penalty notices and appeals procedures to reflect that, so that we do not unnecessarily criminalise people who are in complex situations that might require the involvement of social services and animal welfare services.

The committee understands that there are tiers of penalties for wildlife crimes, which brings me on to one of our key recommendations, which we believe will strengthen the bill and make an even bigger impact on wild animal welfare. We heard evidence about the effects of destruction of habitats. Destroying an animal's habitat can be as fatal as directly harming or killing an animal. For example, the destruction of badger setts could lead to the destruction of a colony and the deaths of some or all of the animals, particularly during breeding. We believe that wilful destruction of a habitat is as much abuse of an animal as direct abuse is.

The committee is therefore recommending that the Scottish Government reconsider its approach in order to ensure that enhanced protections are extended to resting places and breeding sites, so that sentencing can reflect crimes having equivalent outcomes in terms of harm to the animal. We believe that such an extension will act as a deterrent to the wilful destruction of animal habitats and will strengthen the bill.

I note the minister's recent assurances in her letter that the penalties in the bill that apply to different types of offences are coherent, proportionate and appropriate, and that they fit the circumstances of each individual case. I invite the minister, in summing up the debate, to reflect further on the committee's recommendation about habitats. We took strong evidence on that from a range of expert stakeholders.

I want to talk about the proposal for regulations to be made to create a fixed-penalty notice regime. The committee has already flagged up that it is seeking assurances that FPNs will not be used when the severity of the crime is such that prosecution would be the more appropriate action, and we welcome the update from the Scottish Government on the timing of the outcomes of the consultation on FPNs for animal health offences. I note that the minister will seek to amend the bill at stage 2 to allow fixed-penalty notice regulations, and we look forward to receiving more information about the nature and detail of those ahead of stage 2.

I also note the minister's intention to consider whether it is appropriate to lodge a stage 2 amendment to introduce a power in the bill for Scottish ministers to make provision in future regulations for use of fixed-penalty notice regimes for certain wildlife offences, and we will consider that if we are presented with such an amendment.

The committee made a strong recommendation on impact statements in our report. When we were considering wildlife crime, we heard from experts that impact statements are very helpful for coming to conclusions on the penalty that is required. In the report, we mention our support for the recommendation of the Poustie review to put impact statements on a legislative footing. Stakeholders told the committee that sheriffs and procurators fiscal having impact statements available to them before sentencing is extremely helpful because they provide background information. The committee was convinced that that was an important point and has therefore recommended that it be required by law that impact statements be made available to the court for offences of this nature.

We note the minister's recent comment that the current system is "working well". However, the committee has asked

"the Scottish Government why it considers putting impact statements on a legislative footing, as recommended by Professor Poustie, is unnecessary."

Perhaps the minister can answer that question in her closing statement.

I will move on to what the committee believes to be one of the most significant procedural changes that is presented by the bill. The bill proposes a power to rehome or sell off animals without first obtaining a court order. The committee heard compelling evidence to support the introduction of such a power and is fully supportive of the change. The move will protect the welfare of affected animals by allowing domestic animals to be rehomed quickly, rather than being in limbo in kennels, and by allowing livestock to be quickly sold to new owners. The proposal also means that animal charities or local authorities will not have to

provide resources for and bear the enormous cost of caring for animals long term. The committee is supportive of that change, which we consider to be an important step forward in animal welfare.

We also heard about the need to provide additional protection for service animals by way of a Scottish Finn's law. Thankfully, there have been very few attacks on service animals in Scotland, but it is only right that animals that work to keep us safe should be given the fullest possible protection in return, so the committee fully supports the additional protections in the bill.

I will end by discussing the importance of information sharing. The committee heard that there is no centralised registration system for current penalties such as disqualification orders. We believe that there is a need for relevant agencies to share information on criminal animal cruelty. The committee welcomes the recent confirmation from the minister that Police Scotland is currently discussing a joint working protocol with the Scottish SPCA, and would welcome further information on that collaboration.

I thank the many expert stakeholders who gave such compelling and important evidence, which we hope will strengthen an already very strong bill that will act as a deterrent to people who wish to cause harm to animals. On behalf of all the committee's members, I thank the committee clerks for all their hard work and assistance.

The committee recognises that the bill is not the end of the work that we have to do to protect Scotland's animals and its wildlife. However, it is a very positive step, and some elements of it have been described as "groundbreaking". The committee is therefore pleased to support the general principles of the bill.

15:14

Finlay Carson (Galloway and West Dumfries) (Con): I am pleased to lead the debate for the Scottish Conservatives, given that I am a member of the Environment, Climate Change and Land Reform Committee, which is overseeing the bill.

The Scottish Conservatives are supportive of the general principles of the bill. Indeed, three years ago, I had preliminary talks with officials about whether there was an opportunity to address many of the shortcomings that the bill will now address, including: increasing penalties for animal and wildlife crime; introducing new fixed-penalty notices; extending the time allowed for prosecution; giving more powers to authorities when animals are taken into possession to alleviate their suffering; and the very welcome move of increasing the protection of service animals through our own Scottish Finn's law, which my colleague Liam Kerr has championed.

Liam Kerr (North East Scotland) (Con): As the member said, that is an excellent provision, which follows a huge campaign led by PC Wardell and so many others, with more than 56,000 signatures on my petition. However, this is only stage 1 of the bill. Principle and execution are not the same thing and it is crucial that the principles of Finn's law are fully enshrined in statute through precise amendments.

Therefore, does the member agree that service animals must be given proper protection, to reflect the respect that we have for them, that attackers must be punished appropriately and that we must all work at stage 2 to make sure that the execution matches the principle?

Finlay Carson: I thank the member for that intervention. I agree, and we look forward to stage 2, when we will make sure that the bill fulfils everybody's expectations of protecting service dogs.

We must also make it clear that, rightly or wrongly, the bill does not cover many outstanding issues: for example, issues related to the recent Bonomy review, dog control and the licensing of animal breeding, pet sales and animal sanctuaries. We should have undertaken a review of the entire Animal Health and Welfare (Scotland) Act 2006 to include some of those issues, but we are where we are.

Although the bill strengthens sentencing for animal cruelty offences and tackles the subject of animal welfare, I refer members to the contribution that I made at the Public Audit and Post-legislative Scrutiny Committee at this time last year, on the review of the Control of Dogs (Scotland) Act 2010, which was introduced a decade ago. I put forward the case that a host of members' bills relate to the subject of animals and there is still the potential for all those separate pieces of legislation to become complicated, particularly in how they interact. Rather than there being a lengthy process for multiple members' bills, the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill could have gone further and been an overarching piece of legislation on animal cruelty.

It is 14 years since this Parliament passed the previous major piece of legislation on animal welfare and cruelty in 2006. This bill is long overdue, and we need to introduce new penalties for those who continue to cause pain and suffering to animals and wildlife. That is backed up by the fact that 99.4 per cent of respondents to the consultation agreed with the proposals to introduce tougher sentencing.

However, it is important to note that the legislation before us does not create any new offences. The overarching positive of the new legislation is that it allows greater flexibility in

punishing offenders, whether that is through lengthier jail sentences or unlimited fines. The fact that the current legislation allows for maximum punishments of only 12 months has done little to deter or adequately punish the offenders who carry out these crimes.

Battersea Dogs and Cats Home's welcome briefing ahead of today's debate highlights that, between 2011 and 2016, 522 people were convicted of animal cruelty offences, yet only 45 per cent of those convicted received sentences of more than six months.

The committee raised the issue of sentencing guidelines for wildlife crime. Battersea and the Law Society of Scotland point out that, following the passing of this legislation, it would be helpful if the sentencing guidelines were also updated. That would strengthen our courts systems and enable them to have a uniform approach when it comes to dealing with animal welfare and wildlife crimes.

The Law Society also pointed out that sentencing for wildlife crimes can be different from other crimes when it comes to assessing culpability, harm and other public policy guidelines; again, that strengthens the need to update sentencing guidelines. We need clarity on the way that certain wildlife crimes are viewed. As Gillian Martin mentioned, the likes of destroying a single badger sett needs to be considered in light of the long-term impact on the colony.

The independent Scottish Sentencing Council—and rightly, not politicians—has the responsibility for developing sentencing guidelines but, during the progression of the bill, we welcome further discussions with the Scottish Government on what would be the best way to update those guidelines.

The Scottish Conservatives are also supportive of the principle of fixed-penalty notices, which are outlined in the bill as a further deterrent. As the ECCLR Committee noted, that would give authorities a greater degree of flexibility in determining proportionate penalties. However, those notices should be delivered only for minor and technical offences where no harm has come to animals. I would welcome a commitment from the minister to bring more clarity around the notices and details of the stage 2 amendments that she intends to introduce.

The Scottish Government's consultation on fixed-penalty notices received a positive response; 61.4 per cent of respondents agreed that they should be brought in, and the 32 local authorities were in unanimous agreement. However, we need to ensure that people face the consequences of their criminality, and I would like the Government to reflect on how many of these notices it estimates will be served and how many will, potentially, go unpaid.

On notices, I would like to raise concerns about how the information will be held and shared between relevant authorities. Currently, there is no one central register in which to hold the information, and the committee recognises that there needs to be more joined-up thinking when it comes to intelligence sharing. That information sharing would help to track patterns of animal abuse. As a member for a rural constituency—Galloway and West Dumfries—it is clear to me that animal welfare and wildlife crimes are linked to other crimes, including domestic abuse and other criminal activity. That strengthens the need for sophisticated intelligence gathering.

I agree with Battersea's position on the issue. Information on convictions, sentences, disqualifications and so on should be held in a database and shared with the relevant authorities. We will seek to strengthen the bill with amendments at stage 2 to give clarity and reassurance around who is party to that sensitive information. Having access to information in order to identify convicted offenders is a vital part of the bill, but it must be done in the right way.

Although there has been some increase in police resources, I still have concerns because in order to ensure that the increased penalties act as a deterrent, we must also ensure that the chances of being caught and convicted are increased. We can do that by giving more resources and support to wildlife crime officers to catch those offenders. I am open to the SSPCA's suggestion that a taskforce should be set up to review the extension of wildlife powers and overall enforcement when it comes to tackling wildlife crime in Scotland. I would also welcome further discussions with the Scottish Government in order to increase the resources that are available to those who support the tackling of wildlife crime.

In England and Wales, we have already seen the welcome introduction of Finn's law to protect police dogs and horses who serve alongside our officers. As we heard earlier, my colleague Liam Kerr has done a tremendous amount of work to ensure that that law will be extended to Scotland by its becoming part of the bill. I pay tribute to his efforts alongside those of many other campaigning groups and individuals, such as PC Dave Wardell.

The bill is long overdue. It will ensure that those who continue to commit painful and cruel crimes against animals know that they will be dealt with by the full force of the law. It is welcome to see the Scottish Government deliver on its commitment to that, ensuring that all parts of the United Kingdom have legislation that cracks down on wildlife crime. Although there is scope to bring forward amendments to the bill at stage 2, in principle, the Scottish Conservatives welcome the legislation.

15:22

Claudia Beamish (South Scotland) (Lab): Scottish Labour robustly welcomes heavier sentences—of up to five years in prison and unlimited fines—for serious animal and wildlife crimes. We are supportive of all the recommendations of the ECCLR Committee, of which I am a member. I note for the record that its report was agreed unanimously. We agree with the general principles of the bill, and Scottish Labour recognises animal sentience.

As our convener, Gillian Martin, highlighted, there is strong public interest in ensuring the protection of animals and wildlife. I thank the minister for her response to the committee's recommendations, which was received in reasonable time to consider—which was most welcome.

Although we recognise the complexities of some of the issues, my colleague Colin Smyth and I will today highlight parts of the bill on which it is our view that the Scottish Government's response is somewhat disappointing.

As our convener has already outlined, in relation to the destruction of habitats:

"The Committee recommends that the Scottish Government reconsiders its approach to ensure enhanced protections are extended to resting places and breeding sites therefore sentencing can reflect where crimes in effect have equivalent outcomes i.e. in terms of harm to the animal."

In that respect, the minister's response is disappointing in relation to badger setts and other habitats, and I would ask her to reconsider it before stage 2. As I understand it, that relates to the law—to legislation—and not to sentencing guidelines. The use of illegal pesticides also does not seem to carry a sentence, although it is likely that would act as a deterrent. The minister's response to the committee on that is also disappointing.

My colleague Colin Smyth will cover other offences that we agree should be considered as serious crimes.

In January, I attended a meeting organised by Fisheries Management Scotland and Scottish Land & Estates at which there was wide recognition that Atlantic salmon are reaching crisis point and that salmon conservation should become a national priority. Fisheries Management Scotland has indicated its concern that some of the offences in the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 are not included in the bill, despite fish crime being included in the wildlife crime penalties review group, which was led by Professor Poustie and which reported in November 2015. I ask the minister to confirm what action the Scottish

Government intends to take to ensure that our iconic salmon and freshwater fish are better protected and that penalties are commensurate with the potential for damage to those species and to the habitats on which they depend.

Sadly, there have been few prosecutions and convictions for vicarious liability. Some would argue that the introduction of vicarious liability has raised awareness of owner responsibility higher up the agendas of owners. However, the committee has called for

"increased transparency around Crown Office decision-making",

which in our view is in the public interest. In response to our recommendation that

"the Committee would welcome the concept of vicarious liability being extended to further wildlife offences",

the minister is interested in hearing what other crimes could be considered. I welcome that, and I therefore ask that the crimes listed could be the same as those that any alleged perpetrator has committed, on the basis of evidence.

I turn to the detection of wildlife crime. The committee argued that we should

"enhance detection and prosecution by expanding the powers of the SSPCA ... as an approach to better resourcing wildlife crime enforcement."

We are all keenly aware that such crimes happen in remote and hard-to-reach areas of the country and we know only too well that resources are stretched. The combination of poor weather and delayed forensic examination at potential crime sites can compromise prosecution. The Scottish Government argues that the bill should not be delayed to enable further consultation on the extension of those powers.

I recognise that there are complex issues to clarify, but I understand that the SSPCA is working with ministers, officials and Police Scotland to find a suitable solution away from the bill. As Finlay Carson highlighted, the SSPCA has said:

"Now is the right time to establish a taskforce to review enforcement when it comes to tackling wildlife crime in Scotland and allow for the potential of extension of wildlife powers to be discussed in more detail. We believe this group could be established within the next three months."

The issue was live in the previous session of Parliament, and Scottish Labour asks for a resolution in the current one.

Colin Smyth (South Scotland) (Lab): On the issue of enforcement, the bill proposes allowing animals to be rehomed without a court order, but does Claudia Beamish agree that one positive measure that a number of animal welfare charities are proposing is that there should be a time limit for dealing with appeals so that animals are not

held for protracted periods while the court makes a decision on the appeal?

Claudia Beamish: I absolutely agree. The SSPCA has highlighted that animals can have to wait for a decision on their fate for weeks, months or sometimes years, so that is of fundamental importance.

In recommendation 51, the committee raised the issue of video surveillance relating to wildlife crime. That is a valuable detection tool and evidence opportunity, although it has long thrown up challenges. Following the recognition that such crimes are serious, I expect that Police Scotland will be able to make use of that method more widely, and I hope that that will be the case. The principles governing the admissibility of evidence are not specific to video or closed-circuit television evidence, which is often used in criminal trials in Scotland, so I hope that that will be a possibility.

As I will make further remarks in my closing speech, I will leave it at that for the moment.

15:29

Mark Ruskell (Mid Scotland and Fife) (Green): I welcome the introduction of the bill to Parliament. The Greens will of course back its general principles at stage 1. As the convener of the Environment, Climate Change and Land Reform Committee has pointed out, the way in which we as a society treat animals is a true measure of our wider values. Those who abuse and cause suffering to animals often go on to direct their sadism towards vulnerable people. By protecting animals, we protect everyone in society.

The bill introduces welcome and urgently needed increases to penalties, including for wildlife crime, but alone those are not enough. Much more needs to be done to address the wider barriers to successful convictions. As the 2015 wildlife penalties review group concluded, raising penalties is just part of the package that is needed to address wildlife crime and animal cruelty. There have been only two successful convictions under the vicarious liability provision in the Wildlife and Natural Environment (Scotland) Act 2011 since it was introduced seven years ago. In one high-profile case this year, a gamekeeper was convicted of multiple accounts of wildlife crime, including killing protected birds of prey, but the Crown Office did not proceed with a vicarious liability prosecution. There is still time for the bill to introduce wider reforms, including extending vicarious liability to cover crimes against mammals and ensuring that it can be applied to all forms of landowners.

As I am sure the minister knows, wildlife crime is prolific in areas such as the Angus glens. I had hoped that the Government's special constable

pilot in the Cairngorms would have proved to be the model for enhancing the detection of wildlife crime, but it has proved to be largely ineffective and has not resulted in any successful prosecutions whatsoever. Meanwhile, the Parliament has been incredibly patient while the Government has pondered extending the role of the SSPCA, so that its powers can cover wildlife crime. That was first proposed more than a decade ago by Peter Peacock MSP and since then the SSPCA has repeatedly offered to extend its role. In the intervening years, while we have been waiting, we have seen sustained persecution of birds of prey; every year we celebrate as fledgling sea eagles, golden eagles or hen harriers are tracked leaving their nests, but every year the same birds are found dead, poisoned and shot. That is Scotland's national shame and we need to take decisive action. As part of the approach, we need a force with eyes and ears on the ground assisting the police. The SSPCA would be able to bring its professionalism and know-how to investigating and protecting wildlife crime evidence.

Why is it that an SSPCA officer can visit an illegal trap with a live animal caught in it, but a trap a few metres away with a dead animal is beyond its legal responsibility? Why is it that someone beating a dog at home is a matter for its investigation but someone beating a wild animal on the other side of the garden fence is not? The Scottish Government has the chance with this bill to do what it should have done years ago and make a logical extension to SSPCA powers while the statute book is still open.

On other aspects of the bill, the introduction of fixed-penalty notices is a welcome addition to tackle the most minor of offences in a speedy fashion. I am sure that there will also be further debate on extending maximum sentences to more welfare offences and on automatic bans on owning animals.

In a modern justice system, rehabilitation and restorative programmes as well as criminal sentencing, are vital. We discussed empathy training in the committee—indeed, it was a recommendation of the Poustie review that there should be such an option available at sentencing. We are, however, currently stuck in a chicken-and-egg scenario, where the lack of availability of appropriate empathy courses means that judges are unable to choose that route for an offender.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): What evidence did the committee see that empathy training has any impact? The evidence seemed to be ambiguous.

Mark Ruskell: That is the nature of the chicken-and-egg scenario that we are in. We have been

unable to roll out empathy training in relation to animal cruelty despite the fact that judges have wanted to use it as a route. The restorative and rehabilitative approach works with other areas of criminality. There is good evidence from other countries on how the approach is starting to be used with wildlife crime and other forms of animal cruelty. It is an area that the minister is interested in and I ask her whether a reasoned amendment to the bill would help move us on at stage 2.

I warmly welcome Finn's law in relation to service animals, which removes the defence that some may use to excuse violence against them. I ask the Government to review whether that provision could be broadened further.

The Animal Health and Welfare (Scotland) Act 2006 was a landmark piece of legislation. It was broad in scope, and I remember that the committee at the time had to work hard to scrutinise a wide range of issues, from the definition of an animal through to tail docking. With our exit from the European Union, the fresh bill could have been the opportunity to fully update the 2006 act, including consideration of more fundamental issues such as how the sentencing of animals should be embedded across Government policy.

I recognise that a range of secondary legislation is in preparation for dealing with animal sanctuaries, breeding and sales, but there are still significant reforms that will now be delayed until the next session of Parliament, including—I am guessing, on the basis of the minister's answer to my question earlier—the regulation of performance animals.

I hope that the minister can see that further opportunities still exist in the bill for the Government to take a progressive lead in the UK on animal welfare issues, and I hope that at stage 2 she will remain open to changes coming from Opposition parties as well as from the Government.

14:35

Liam McArthur (Orkney Islands) (LD): I am pleased to take part in this debate on the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill on behalf of the Scottish Liberal Democrats. I start by commending Gillian Martin and colleagues on the ECCLR Committee for their scrutiny work, and I thank all those who have supported their efforts, particularly those who have provided written and oral evidence at stage 1.

The Scottish Liberal Democrats strongly back the principles of the bill, and many of the measures that it proposes, not least the introduction of what has become known as Finn's law.

As Battersea Dogs & Cats Home and others have reminded us, Scotland has one of the lowest tariffs of sentence in Europe for animal cruelty. Twelve months in prison, plus a fine and a ban on keeping animals, for the worst act of animal cruelty compares badly with five years for crimes such as fly-tipping. The comparison does not reflect well on our justice system, nor does it reflect public attitudes towards crimes of animal and wildlife cruelty. The case for reform is therefore compelling. The bill seeks to bring in such reform by increasing the maximum available penalties for cruelty and causing unnecessary suffering to wild or domestic animals.

As OneKind has pointed out, establishing the principle of penalising wildlife offences at the same level as offences against domestic animals is both significant and very welcome. So too, I think, is the point that has been made by OneKind about the need to make a distinction between those acting perhaps out of ignorance, or a lack of capacity, and those who, as OneKind suggests, should know better. It is not unreasonable for courts to take a particularly dim view of individuals who perpetrate acts of cruelty or cause unnecessary suffering of animals in the course of their employment or business. Breeders, farmers, and gamekeepers can rarely argue with any credibility that they are somehow ignorant of the law.

In supporting an increase to up to five years' imprisonment for the most serious cases of cruelty and abuse, the Law Society of Scotland helpfully clarified that the benefit is in the extent to which that broadens the range of prosecutorial options. That will allow certain offences to be tried on indictment, where circumstances merit it, and will potentially also increase police powers in the detection of certain more serious crimes.

As well as allowing for more appropriate sentencing in some instances, I hope and expect that the measures in the bill will act as a more effective deterrent. Obviously, the ambition is to see a reduction in cases overall, including a reduction in the number of individuals who reoffend. In that context, I was particularly struck by OneKind's comments about the potential for alternative approaches. At a time when our prisons are full to bursting, when all the evidence tells us that short prison sentences are less effective in reducing rates of reoffending than community-based measures, this area seems ripe for making use of alternative and more effective approaches.

Community payback orders are already used widely to deal with animal welfare cases, but perhaps not enough attention is given to using them to deliver lasting behavioural change. That is in line with the Poustie review, which recommended

"That wildlife crime offenders should be required to attend retraining courses, including courses on empathy where appropriate".

However, Poustie went on to warn that

"This would require establishing that such courses are available and raising awareness of such courses amongst the judiciary."

As the Justice Committee has heard repeatedly over recent years, that is a common refrain when it comes to community-based measures.

The investment that is needed to increase capacity and raise awareness is far less costly than continuing with custodial sentences and high rates of reoffending. I hope the ECCLR Committee will look at how the bill might be amended at stage 2 to broaden sentencing options further, including, for the reasons that Mark Ruskell laid out, by using restorative justice.

I note the committee's support for an extension of vicarious liability provisions. I was a member of the committee that considered the Wildlife and Natural Environment (Scotland) Bill, which first brought in vicarious liability provisions. The previous convener of that committee swung effortlessly into the role of minister before bringing forward the proposals that the committee was scrutinising. Those proposals were intended to respond to the persistent and egregious persecution of raptors and birds of prey.

Notwithstanding Mark Ruskell's concerns about the lack of prosecutions, I believe that the measure has had some success as a deterrent. However, the painful truth is that the illegal poisoning and persecution of many of our iconic species continues at shameful levels. That helps to explain the conclusions that Professor Werritty reached in his report on the case for licensing. I think there is an argument for looking at how vicarious liability might sensibly be extended to other types of wildlife crime.

I am not yet persuaded on the argument for extending the powers of the SSPCA. That was another debate that we had at the time of the WANE bill's passage through Parliament. I was sympathetic to the frustrations and difficulties in gathering evidence, and indeed about the capacity of police officers to cover the ground in a timely fashion. I also recognise the apparent anomalies in the powers that SSPCA officers have in responding to complaints of cruelty towards domestic animals compared to reports of wildlife crime incidents.

Nevertheless, I remain uneasy about an extension of SSPCA powers. My mind is not closed to the idea, but the implications—and knock-on consequences—of going down that route need very careful consideration. I believe a

task force would be well placed to give that consideration.

Claudia Beamish: Will the member accept an intervention?

Liam McArthur: Do I have time to take an intervention?

The Deputy Presiding Officer: Oh, why not?

Claudia Beamish: Could the member explain why he is uneasy about the alteration of powers, especially in view of what Mark Ruskell said and of the fact that the SSPCA has said that it already has powers in relation to animals?

Liam McArthur: Claudia Beamish raises a legitimate question. I sympathise with some of the anomalies that Mark Ruskell has outlined, but I recall from the debates that we had about the WANE bill that the consequences of extending the SSPCA's powers, as has been suggested, are not without challenges. The task force seems to be a suitable framework for further consideration before we bring forward any proposals about that.

That is just one of the issues that I am sure that ECCLR Committee members will wrestle with during stage 2. Another is the question of whether the Finn's law provisions should be extended to cover other working animals, including assistance animals. I look forward to seeing how the debate on that and many other issues unfolds at stage 2.

Meantime, I welcome the bill and the additional protection that it will provide to animals and wildlife in Scotland. As the minister reminded us, its provisions enjoy overwhelming public support and Scottish Liberal Democrats will be happy to vote in favour of the principles of the bill at decision time.

The Deputy Presiding Officer: We move to the open debate. Please keep speeches to six minutes. I have a tiny bit of time in hand, but do not go overboard.

15:43

Kenneth Gibson (Cunninghame North) (SNP): I am pleased that the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill has been brought to the chamber. I thank OneKind, Battersea Dogs & Cats Home, Dogs Trust and a range of other animal charities for the briefings that they have provided.

The bill is another step in the Scottish Government's strategy of improving animal welfare across Scotland. In 2016 the SNP Government improved responsible dog ownership through compulsory microchipping, which helps make it easier for dogs to be recognised and reunited with their owners if lost or stolen.

In February, the SNP Government appointed members of the Scottish animal welfare commission to advise on the welfare of sentient animals, in line with the 2019-20 programme for government. The Government has also consulted on introducing compulsory video recordings of slaughter in abattoirs to make sure that that is carried out humanely, and will bring forward secondary legislation on that next year. In that regard, the Government supports industry introduction of closed-circuit television in abattoirs before it becomes compulsory and is committed to exploring the potential for new systems of calf rearing in the dairy sector.

Animals are defenceless and might need human help when it comes to their safety, wellbeing and protection—particularly when they are threatened by other humans. Legislation provides a framework for that, and we should pay tribute to those who work, often as volunteers, on the front line.

In my constituency of Cunninghame North, such work is done at Hessilhead Wildlife Rescue near Beith. Dedicated staff who are mostly volunteers do all that they can on a daily basis to rescue animals, treat them and nurse them back to health. Once rehabilitated, the animals are released back into the wild when it is deemed safe. Facilities at Hessilhead include an intensive care unit, a swan and seal hospital with indoor pool, a hedgehog unit, a surgery with X-ray equipment and more than 60 outdoor aviaries, enclosures and release pens. Hessilhead is a busy rescue centre, known for carrying out its work with the utmost care and to the highest standards.

Sadly, not all rescue centres live up to that and there are still upsetting cases in which those we entrust with responsibility for our pets and other animals turn out to be the worst perpetrators. Colleagues may remember the 2017 case of the Ayrshire ark, a rescue home in Patna that was exposed for the mistreatment and neglect of animals after a police raid resulted in the discovery of the emaciated and mutilated corpses of 15 dogs and one cat. The photos of the frozen remains of once-loved pets paint terrible pictures of the suffering inflicted on them that stay with anyone who sees them.

The perpetrator received a pitiful seven-month jail sentence for causing the animals unnecessary suffering, with a concurrent four-month sentence for failing to ensure their welfare and a lifelong ban on owning or keeping animals. That was after the offender had pled guilty to nine charges, including causing unnecessary suffering, exposing dogs to unsatisfactory conditions and failure to provide the necessary nutrition and veterinary treatment.

Dee McIntosh, who was then the communications director of Battersea Dogs & Cats Home, said:

“Had this woman been convicted of fly tipping”—

which is another issue that members have raised today—

“she could have been jailed for up to five years. Instead, she escaped with just a few months.”

Increasing penalties, including a maximum custodial sentence of five years for animal cruelty, and introducing fixed penalties are, in my view, most welcome. However, as other members have pointed out, more needs to be done to secure successful prosecution; Mark Ruskell’s comments in that regard were particularly compelling. Such penalties are particularly important for wildlife crimes, which are just as serious as domestic animal crime. Cruelty is cruelty, and it should be treated as such by the authorities.

I pay tribute to the brave dogs and horses working for Police Scotland. I am not on Twitter, I am pleased to say, but I am told that I am truly missing out on the Scottish police dogs and Scottish police horses accounts. I understand that day in, day out the dogs and horses display the greatest valour and sometimes suffer vicious attacks in the line of duty, occasionally resulting in injury or death. That is why section 3 of the bill, which seeks to improve the protection of such service animals, is most welcome. Police dogs and horses are an extension of their handlers and when an alleged perpetrator attacks them it is an attack on the police. There should be no mitigating circumstances for that, and I agree that the self-defence argument should be removed.

I believe that to achieve maximum protection, the terminology that is used in section 3 could be reconsidered to clarify what a “service animal” is. I would not necessarily look for a definition along the lines of animal species, as limiting it to species that are currently in harness may not be enough in the future. It would be better to define more clearly which services the animals are involved in. It would also be good to clarify whether the definition includes guide dogs, which even more than rescue and armed forces service animals are an extension of the person who handles them. I am sure that such matters can be thrashed out as the bill is considered at stage 2.

I am delighted to support the principles of the bill and I look forward to it soon becoming law.

15:48

Maurice Golden (West Scotland) (Con): I have spent several years campaigning to improve animal welfare in Scotland, and there is much to welcome in the Animals and Wildlife (Penalties,

Protections and Powers) (Scotland) Bill, not the least of which is toughening up punishments for animal cruelty.

The Scottish Conservatives are clear on this: those who inflict pain and suffering on animals should always feel the full force of the law. However, that has not been the case. In almost 800 animal cruelty convictions over the past decade, most perpetrators avoided prison. Only 41 custodial sentences were handed out. The public will understandably be outraged by that lack of justice. We saw that in the bill consultation, to which 99.4 per cent of respondents agreed that punishments should be strengthened. It is right that the bill should increase the maximum sentence for animal cruelty offences to five years or an unlimited fine. However, we should go further by introducing measures such as automatic bans on keeping animals for those who are convicted of the worst animal cruelty offences, and life bans for the worst offenders. That position is supported by a number of welfare organisations, including the Dogs Trust and the SSPCA.

I welcome the introduction of fixed-penalty notices for the most minor offences, which will give local authorities more flexibility to deal with more minor cases and help free up courts to deal with the more serious ones. Given the support for that across the Parliament, I hope that we can correct an omission from the bill: the lack of provision for a central register to track those fixed penalties, or animal cruelty cases in general. Such a register would help to make investigations more efficient, monitor risk factors and spot when low-level incidents might escalate. The Scottish Conservatives believe that that is too important an advantage to throw away, and we will look to amend the bill at stage 2 to make better provision for data sharing. I look forward to working with the minister where there is common agreement.

I am also pleased to see that the bill will introduce Finn's law; Liam Kerr has already had an outing today. Service animals risk their lives to protect us, so it is only right that we give them protection in return. That is long overdue. PC Dave Wardell, along with the aforementioned Liam Kerr, has fought hard to introduce that.

On the other hand, I was disappointed to see the bill do nothing to address electric shock collars. I campaigned for an end to those cruel devices and over 20,000 people signed my petition in agreement. A prompt and effective ban was promised, but ineffective guidance was delivered. That is not good enough, and the welfare organisations agree. The Kennel Club and the Dogs Trust have said that they were disappointed. The Edinburgh Dog and Cat Home has called for an outright ban, and that was echoed by OneKind, which says that the Scottish

Government should follow the Welsh example with a real ban. The minister should listen to the experts. The current guidance does not protect dogs. It is time to ban the use of electric shock collars in Scotland—once and for all.

Long overdue, too, is making pet theft a specific offence. As the law currently stands, pets are classified as objects. Stealing a dog is treated the same way as stealing a phone. Anyone who has a pet knows that they are not objects; they are part of the family and they deserve better protection in law.

In tandem, there is a need to improve how pet theft and animal cruelty incidents are recorded by the police. The Dogs Trust and SSPCA are actively looking at that. With five pet thefts each day across the UK, we need action. In Scotland, residents in Fife worry that gangs target specific homes, and, in one terrifying incident, an Arbroath lady was held at knife-point while trying to rescue her dog.

There is good will across the Parliament to see the bill succeed, and we should use that good will to ensure that Scotland has the highest animal welfare standards. I stand ready to work with the minister and with members across the Parliament to deliver the bill.

The Deputy Presiding Officer: I have a wee bit more time in hand now. If any members would like to offer or take interventions, I can allow time for that.

15:53

Colin Smyth (South Scotland) (Lab): I declare an interest, as I am a member of the League Against Cruel Sports, the deputy convener of the cross-party group on animal welfare and Scottish Environment LINK's member of the Scottish Parliament species champion for badgers.

Mahatma Gandhi once said:

"The greatness of a nation and its moral progress can be judged by the way its animals are treated."

From baiting and fighting to mass puppy farming and the illegal shooting of birds of prey, there is nothing great about the heartbreaking stories of cruelty that we hear of taking place in Scotland every day. This Parliament has a moral duty to ensure that our laws help tackle that cruelty and deliver the highest standards of welfare for every animal in Scotland.

It is clear that the current sentencing options for animal welfare and wildlife crimes do not reflect the severity of the crimes that we hear about, so I welcome the decision to correct that in the bill and I congratulate all the campaigners who have fought so hard for that change in the law.

The penalties that are proposed in the bill for animal welfare and wildlife crime will act as a stronger deterrent and will give courts the flexibility that they need to deliver fairer sentences. In particular, the decision to set the maximum sentence for the most serious wildlife crimes at the same level as that for domestic animal welfare crimes at long last reflects the sentence of wild animals.

However, as well as increasing the penalties for those crimes, we need to look at whether the law's coverage of crimes and animals is adequate. In their joint briefing on the bill, Blue Cross, Cats Protection, the Edinburgh Dog and Cat Home, PDSA and the Dogs Trust highlighted the significant number of animal offences that are not covered by legislation. Offences such as mutilation, cruel operations, poisons, failure-to-ensure-welfare offences, licensing activities involving animals and abandonment are not covered by the changes to be made by the bill, despite the serious harm that such crimes can clearly cause. As it stands, any such offences would be punishable only by a maximum of six months' imprisonment or a £5,000 fine. If the aim of the bill is to properly punish, act as a deterrent and give the courts more flexibility to deal with animal welfare crimes, it does not go far enough and there is a clear case for expanding the number of offences that are covered by increased sentences.

Likewise, the Environment, Climate Change and Land Reform Committee's positive report, on which I congratulate the committee, highlights problems with how wildlife crimes are categorised. The committee calls for

"a consistency of approach for categorising and prosecuting different types of wildlife offence."

In their evidence to the committee, Scottish Badgers and Scottish Environment LINK specifically highlighted the need for stronger protection for habitats and badger setts, which was reflected in the committee's conclusion that

"the destruction of a habitat could be as fatal as directly harming or killing an animal."

The committee rightly recommends that the Government

"reconsiders its approach to ensure enhanced protections are extended to resting places and breeding sites".

I was deeply disappointed that the Scottish Government dismissed that suggestion and I urge it to reconsider.

Scottish Badgers has suggested that a minimum fine is introduced for the most serious wildlife crimes, as recommended in the Poustie review. I hope that the Scottish Government will also give due consideration to that suggestion.

We need to review which animals are covered under the Animal Health and Welfare (Scotland) Act 2006. It is becoming increasingly clear that cephalopods and decapod crustaceans should be protected animals, as more and more evidence points to the fact that they are intelligent, sentient animals that are capable of experiencing pain.

Although the longer custodial sentences and higher fines that are proposed in the bill are welcome, they must not be the only action that is available. In its evidence to the Environment, Climate Change and Land Reform Committee, OneKind highlighted the need for alternative solutions

"to help an individual develop empathy and regard for animals and learn to treat them humanely",

and suggested that community payback orders can be better utilised

"to effect behavioural change and provide long term protection for animals."

It is vital that our response to such crimes is constructive and not purely punitive. Although non-custodial interventions, such as restorative justice processes and rehabilitation programmes, are not currently prohibited, there is no dedicated option for animal welfare, and little clarity on how and when such an approach should be taken. The bill is an opportunity to address that, so I am disappointed that the Government's response to the committee fails to acknowledge the value that such a scheme could have, dismissing it as not "proportionate or cost effective".

The introduction of fixed-penalty notices is a useful proposal, but it must be limited to minor offences, and I urge that consideration be given to Scottish Badgers' suggestion that where FPNs are issued, they should be combined with behaviour orders specifying restrictions or goals for future behaviour.

We should also use the bill as an opportunity to discuss the possibility of automatic bans on owning animals for those who are convicted of serious animal cruelty offences.

On the subject of enforcement, although the strengthened penalties are welcome, they are meaningless if we do not improve the detection and prosecution of such crimes. That means backing up the bill with properly resourced specialist enforcement. I echo the committee's recommendation that

"the Scottish Government explores in detail the options to enhance detection and prosecution by expanding the powers of the SSPCA".

I hope that we do not look back on the bill as a missed opportunity to do so, given the SSPCA's significant expertise and skills in this area. We

should make the most of such skills in our fight against animal cruelty.

15:59

Stuart McMillan (Greenock and Inverclyde) (SNP): I welcome the bill and the stage 1 report by our colleagues in the Environment, Climate Change and Land Reform Committee. I thought that the report was extremely helpful for someone who is not a member of the committee and that it set out a lot of the issues in the bill. I recommend that anyone outside the Parliament who is interested in the bill and the subject that it deals with look at the report. I also thank the minister for our dialogue last year, when we had a meeting regarding a particular local issue that I will come to in a few moments.

I will focus my comments on that local issue, but I will first touch on a couple of issues in the bill and the stage 1 report. I thank my committee colleagues for their report and their clear analysis of the bill. The graphic information on page 2 of the report sets out clearly what the bill will do. It is important that people recognise that the bill

"Increases penalties for animal and wildlife crime ... Introduces fixed penalty notices ... Extends the time allowed for prosecution ... Increases the protection for service animals ... Gives new powers to 'authorised persons'".

Those are extremely important provisions. I welcome the recommendations on page 5 of the report to increase "maximum penalties" to "five years in prison" and that "further discussion" take place with the Scottish Government on the issue of "sentencing guidelines".

Page 7 highlights the issue of "empathy training". I welcome such training, but I believe that some individuals have no empathy whatsoever and that any empathy training would be totally wasted on them. Sadly, that is just a fact of life in society.

I welcome the recommendations on page 8 regarding the sharing of information, and I note the reply from the Government on that matter. For me, the issue here is that it does not matter where some individuals live, because the issue of local authority boundaries will make absolutely no difference to them. It is therefore important that we get it right on the issue of information sharing.

I turn now to the local issue that I referred to, which I have spoken to the minister about previously and raised in the previous parliamentary session as well. There was an incident in Gourrock in 2011 at the Pets Corner animal shelter in Darroch Park. It was reported in the local newspaper, the *Greenock Telegraph*, that someone had entered the park and killed a number of the animals in the shelter. It was

thought that the animals were killed by a golf club and by a dog. The article in the newspaper stated:

"The animal attackers went on a sickening rampage at the popular family attraction which left six animals dead, 12 missing and another two needing urgent treatment at a vet surgery. It's thought a golf club and a large dog were used as lethal weapons in the frenzy."

Local vet, Neil McIntosh, of the Abbey Group, who was involved in the treatment of the animals, said:

"The four guinea pigs were gripped and killed by the dog, and the rabbit had a badly broken jaw, probably caused by the golf club that was left lying at the scene."

That crime shocked the whole community, and the local newspaper undertook a justice for pets campaign. The campaign received over 5,400 signatures for its petition, which was handed to the then cabinet secretary, Richard Lochhead, at a meeting. The ex-MSP Duncan McNeil and I attended that meeting and we were fully supportive of the *Greenock Telegraph's* campaign. The campaign's two asks were increased sentencing and removal of the time bar for prosecutions. The latter ask is important, because the crime took place in 2011 and local police found DNA evidence in 2013—two years later—that directly linked an individual to the offence. The police therefore arrested him. Sadly, as the arrest happened after the six-month period that was allowed at that point for arrests after an offence, the individual went free.

The bill seeks to safeguard domestic, farm and wild animals, and the various penalties highlighted are very welcome. Each of the penalties will involve trials under either solemn or summary procedure, and time bars for bringing prosecutions will not apply after the bill has been enacted. I would be grateful if the minister could clarify whether the bill achieves the goal set out in the *Greenock Telegraph's* campaign. If there are any issues in that area, I will continue to have dialogue with the minister.

The minister wrote to me in March 2019 about the campaign. She said that the Scottish Government

"intends that the most serious animal welfare offences could, in future, be prosecuted under solemn procedure, removing the statutory time limits for prosecution. Those proposed changes would appear to meet the concerns of those supporting the *Greenock Telegraph's* petition."

However, I am very much aware that section 10 of the bill says:

"But no such proceedings may be brought more than 3 years"

after in certain cases. I would be grateful for a wee bit of clarification on that aspect.

I am genuinely delighted that this long-overdue bill has been introduced to Parliament. I thank the minister for her hard work on, and her

determination in progressing, the bill. I know that animals across Scotland will be a lot safer as a consequence of the bill, and I am quite sure that many of my constituents will be delighted with it.

16:05

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I thank the Environment, Climate Change and Land Reform Committee and its convener for all their hard work in putting together the recommendations that are set out in its report.

The bill will amend the Animal Health and Welfare (Scotland) Act 2006, several pieces of wildlife legislation and the Animal Health Act 1981 for the purposes of further protecting the health and welfare of animals and wildlife in Scotland.

It is important to remember that the bill does not create offences; rather, it is concerned with increasing the range of sentencing options for existing animal and wildlife offences.

Individuals who cause pain and suffering to animals should be met with the full force of the law. The Scottish Conservatives welcome this long-overdue bill, which will toughen sentences for animal cruelty.

Some 99.4 per cent of respondents to the Scottish Government's consultation agreed that penalties are too low and that increasing the maximum penalties would increase sentencing options, which would ultimately act as a deterrent.

We have all heard about many shocking animal cruelty cases in which the maximum sentence available to the court was not sufficient. The bill amends the 2006 act to increase the maximum available penalties for causing unnecessary suffering, and it increases the penalty for animal fighting offences from the current 12 months' imprisonment and/or a £25,000 fine to five years' imprisonment and/or an unlimited fine.

Battersea Dogs & Cats Home has said that there needs to be a change because, no matter the circumstances in which an animal has suffered, the courts in Scotland can punish only the most serious acts of animal cruelty with up to 12 months in prison, a fine of up to £20,000 and a ban on keeping animals. The British Association for Shooting and Conservation submitted that

"BASC fully accept and recognise that the current penalties for animal welfare offences do not reflect the seriousness of the crimes in question."

The proposed penalties of up to a five-year custodial sentence and/or an unlimited fine reflect the abhorrent nature of the offences, as detailed in sections 19 and 23 of the Animal Health and Welfare (Scotland) Act 2006. The severity of the sentences will likely be a strong deterrent factor,

which will effectively reduce the prevalence of animal welfare offences across Scotland.

I turn to some of the changes that the bill will bring. The bill introduces powers to enable the Scottish ministers to make regulations for the issuing of fixed-penalty notices in respect of certain animal health and welfare offences. There is broad cross-party support for providing authorities with flexibility to determine the appropriate means for the range of enforcement tools that are needed to provide a deterrent for minor offences. It would be useful to hear the results of the consultation and how the Government intends to introduce fixed-penalty notices.

The Law Society of Scotland is concerned that the operation of fixed-penalty notices lacks detail, and it would have expected consultations to have been concluded before the introduction of the bill. For example, we do not know how the Scottish Government will ensure that fines do not go unpaid. The Scottish Conservatives hope to have the details about that ironed out as the bill progresses.

The Scottish Conservatives have vigorously campaigned to increase the protection for service animals. We consider that increasing such protection for police dogs and horses makes it easier to convict people of causing unnecessary suffering, and the bill will include the Scottish version of Finn's law. Currently, when determining whether a person has committed such an offence, the court must have regard to whether the conduct was for

"the purpose of protecting a person, property or another animal".

The bill will require a court to disregard that defence when the offence is committed against a service animal in the course of its duty.

Giving new powers to authorised persons is important, and the bill amends the 2006 act to introduce a new procedure to allow enforcement agencies to transfer, treat or destroy animals that are taken into their possession for welfare reasons without needing to obtain a court order. At the moment, enforcement agencies must obtain a court order to take such action. The new procedure will surely help in those circumstances.

With regard to wildlife crimes, the committee wants a consistent approach to be taken to the categorisation and prosecution of different types of wildlife offence, and it has asked the Scottish Government to consider taking such an approach. The committee understands that there are different tiers of penalties and is unclear about the logic for those differences. The effect of the destruction of a habitat could be as fatal as directly harming or killing an animal. For example, as we

have heard, the destruction of setts could lead to the destruction of a colony and the deaths of the animals.

Given that Police Scotland played a full part in the wildlife crimes penalty review group, which was chaired by Professor Poustie, the organisation's views were considered as part of his final report. As that appears to form the basis of a significant part of the bill, Police Scotland supports the bill in principle, as it will give the organisation additional options for investigating wildlife crime offences, such as the use of covert surveillance. However, it should be reiterated that the utilisation of such police tactics will always be considered on a case-by-case basis.

We support tougher sentencing for animal cruelty. It is long overdue for the most serious cases of animal cruelty to be dealt with much more severely by our courts. We campaigned for Finn's law, and we thank PC Dave Wardell and Liam Kerr for their hard work in that regard. We believe that service animals such as police dogs play a vital role in the detection and prevention of crime, but, at the moment, the criminals who harm them are let off the hook. Anyone who causes pain and suffering to animals should be met with the full force of the law, and we support harsher sentences for animal cruelty.

Ruth Maguire (Cunninghame South) (SNP): Would Ms Hamilton support legislation to tackle the cruelty of foxes being ripped apart by dogs?

Rachael Hamilton: As I have said numerous times, I think that it is important that anyone who inflicts cruelty on animals is punished in accordance with the law. I agree with many of the recommendations from the Bonomy review, including those on the code of practice and the monitoring.

The Environment, Climate Change and Land Reform Committee—of which I am no longer a member, as I have moved to the Rural Economy and Connectivity Committee—will strengthen the bill through amendments to ensure that agencies can share information on animal cruelty, which will make it easier to investigate abusers.

I would have liked to talk about the impact statements, which I think will be extremely important, and the committee's recommendation to the Scottish Government about an amnesty on pesticides, but I must stop there.

16:13

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I declare an interest as convener of the cross-party group on animal welfare and as a member of the SSPCA and RSPB Scotland. I congratulate the ECCLR

Committee on its report. I almost—only almost—miss being on a committee. I thank the organisations that sent briefings in time for the debate.

Because I am speaking at the tail end of the debate—not that I mind being at the tail end—I will retread some of what has been said, starting with the purpose of the bill, which will amend the Animal Health and Welfare (Scotland) Act 2006. In particular, it will increase the maximum penalties for cruelty, introduce powers for the Scottish ministers to issue fixed-penalty notices, increase protection for service animals and provide for a new procedure to allow agents including the SSPCA to transfer, treat or destroy animals that are taken into their possession for welfare reasons without first having to obtain a court order.

On the number of animals that we know are in need, the SSPCA has told us that there were 82,000 reports in 2019, the majority of which related to injured wildlife. As we know, that is probably just the tip of the iceberg, because tracking and tracing animal welfare and wildlife crime is extremely difficult. It is difficult to locate it in the first place, and thereafter it is difficult to identify the culprits and to get sufficient evidence to pursue a prosecution. Such events, by their nature, take place covertly—one might say that they are perpetrated in a cowardly manner—and often in remote and rural areas.

As others do, I deplore every instance of animal cruelty, whether it is domestic or involves wildlife. To be frank, although I welcome the proposed increase in the penalties, I could support the maximum being raised even further.

I note that, according to the Scottish Government, there are more than 200 wildlife offences scattered across many pieces of legislation. I think that what Finlay Carson is calling for is a consolidation act. For the public, let alone for people who practice law, it is not handy to have 200 offences across many pieces of legislation: it would be handy to have them all in one place. That said, I welcome the proposed increase in the maximum penalty for offences from one year to five years, and I particularly welcome the removal of the time bar. With a time bar, if we do not prosecute soon enough, we cannot prosecute at all.

Fixed-penalty notices, which are a work in progress, are a good idea for minor and technical offences. I am not, however, so convinced about so-called empathy training, which I raised with Mark Ruskell. The Scottish Government said in its reply to the committee:

"There have been a number of recent studies on the efficacy of rehabilitation/empathy training on sexual/violent offenders, with mixed results being reported ... While it is possible that empathy training might benefit some

offenders, it would be very difficult to come up with training that would effectively prevent/reduce re-offending in all offenders."

I am not saying that such training is a bad thing; I just think that the jury is out.

Rachael Hamilton: When we discussed empathy training in the committee, concern was expressed that there would be issues related to resources and time.

Christine Grahame: We should investigate whether it is worth putting resources into things before we put resources into them—that is my point. The jury is out on whether empathy training is working where it is used at present.

The ability for agencies such as the SSPCA to rehome animals without the need to apply for a court order is long overdue. There is a cost to animals' wellbeing. The average period for which animals are kept in custody, as it were, is currently 203 days, which is usually because they are being used in evidence in a case. Between 2016 and 2018, that cost the SSPCA some £1.5 million, which could perfectly well have been used for other things.

While I am talking about the SSPCA, I note that increased powers of investigation—which Mark Ruskell mentioned in passing—and even of enforcement are a really good idea. We are stretched in terms of policing wildlife crime. I note that special constables are being trialled—I think, in parts of the Cairngorms. That is a good idea. The more boots on the ground for finding out where wildlife crime is taking place, and for gathering evidence at the right time, the better.

Mark Ruskell: Does Christine Grahame agree that one of the issues is confusion about the powers of the RSPCA and SSPCA? The RSCPA can pursue its own prosecutions, whereas the SSPCA does more evidence-gathering work that supplements and supports the work of the police. That is the extension of powers that we want to focus on, rather than necessarily giving the SSPCA the full powers to prosecute that the RSPCA has in England.

Christine Grahame: When I mentioned enforcement, I did not mean prosecution. I agree that the problem of the distinction between the RSPCA and the SSPCA is long standing. People leave money in their wills to the wrong animal welfare organisation by mistake.

On the idea of a central register, it would be hugely difficult to get on one register all the information about written warnings, animal welfare cruelty and wildlife cruelty, but it is worth pursuing. I will plug my member's bill—if Emma Harper can do it, I can do it. I have proposed the responsible breeding and ownership of dogs (Scotland) bill, which would provide for a central register of all

puppies that are born in Scotland, to match the fact that all licensed breeders must register puppies. That is so that we would know who has dogs and where they have come from. That is nothing to do with the debate, but I mention it anyway.

The one recommendation that I could not quite follow is on absolute removal of the defence of self-defence in relation to attacks on service animals. I do not want anybody to get me wrong; I deplore attacks on service animals. However, if someone who is in charge of a horse or a dog weaponises it, or if an animal is out of control when it should be under its handler's control, and someone—the victim—has to respond by inflicting a physical injury on the animal in order to protect themselves, that would be self-defence. In those examples, the handler would be using their animal almost as a weapon, either accidentally or deliberately.

When the committee asked the Government whether it was aware of any cases in which a working animal had been attacked and the attacker successfully used the defence of self-defence under the relevant section 19, the Government replied that it had no examples whatsoever. I do not see why we are taking away a defence that is so rarely used—even in the criminal courts when a person is attacked by another person. There might well be examples when it is perfectly legitimate for a person to say that they responded to the actions of an animal as an act of self-defence. I will leave that there for consideration. Other than that, I fully support the bill.

16:21

Claudia Beamish: In closing for Scottish Labour, I will highlight more committee and party issues, and respond to some of the comments that have been made during the debate.

I start with the impact statement and the value in sentencing, which was compellingly argued for and was highlighted by the committee's convener today. I would value a response from the minister on that.

Members have talked about empathy training in some detail. It is disappointing that the Scottish Government response rules out taking responsibility for its development. I appreciate that it would have costs, but the minister's response states:

"Those animal welfare offences most likely to involve a significant lack of empathy and that result in custodial sentences are those involving deliberate abuse. Given that there are so few custodial sentences, it does not seem proportionate or cost effective to develop and deliver bespoke training for them."

Some animal charities, including OneKind, with which my colleague Colin Smyth and I have had careful discussions, and which has experience and good judgment, have supported the proposal for empathy training. OneKind stated that the bill should be amended

“to require the courts to consider restorative justice processes and rehabilitation programmes for all people convicted of offences against animals, where these are available.”

I echo that. There should be funding for that crucial part of the range of sentencing opportunities.

I will therefore consider lodging an amendment to require the Scottish Government to develop a bespoke animal welfare empathy training programme to be delivered as part of community payback orders, where appropriate, and to set out guidance clarifying how and when that should be used in sentencing, as has been called for by some charities. As Colin Smyth said, it is important to be constructive and not only punitive.

I welcome the minister's commitment to look at the detail of fixed-penalty notices before stage 2. In view of her comments about their use and the fees, I hope that it might be possible for local authorities to be responsible for them, and for them to use the fee money appropriately and relevantly. The minister's letter to the committee today spoke about the FPN consultation process and highlighted a positive response.

The Environment, Climate Change and Land Reform Committee recommended robust information sharing. I hope that the minister will consider, in addition to the arrangements that she talked about, the committee's suggestion about sharing information with social work departments, as appropriate, as is done in some countries. There is evidence of a link between a range of challenging crimes, some against animals, and others—equally sadly and worryingly—against humans.

I welcome the complementary measures in the bill, which were also highlighted by the minister. When I was a deputy convener of the animal welfare cross-party group, with Christine Grahame, closed-circuit television in abattoirs was explored in some detail. Will the minister say whether there will be support for smaller abattoirs if the proposal goes forward, because they might be challenged by installation costs?

Because they are connected with the bill, I feel an obligation to highlight the challenges that are faced in relation to some driven grouse moors and wildlife crime. Scottish Labour is clear that the Scottish Government should move urgently to introduce licensing of driven grouse moors, and with robust criteria. It is not acceptable to wait out

the five-year pause that was recommended in the Werritty report on a range of issues that have gone on for far too many years.

Committee questions on suspension of general licences and appeal arrangements received a detailed response from the minister. The civil balance of probabilities test on whether wildlife crime has been committed

“can be an effective enforcement tool”,

but, of course, it in no way implies that criminal prosecution is not possible, or that criminal prosecution as a separate process should be delayed.

Finally, I commend all those who have supported the development of this vital bill, and I look forward to working with colleagues on the ECCLR Committee and with the minister and stakeholders as we progress to stage 2.

16:26

Annie Wells (Glasgow) (Con): I welcome the chance to speak about this long-overdue bill. One of the biggest perks of my new role as environment spokesperson is the chance to speak about animals and to ensure that they get the protection that they deserve.

I thank the Environment, Climate Change and Land Reform Committee for all the work that it has done so far. I welcome Gillian Martin's contribution on behalf of the committee, and I look forward to working with her and fellow committee members throughout the progress of the bill.

As the owner of two dogs, Albert and Faith, I know how I would feel if they came to any harm, so it is right that we take the steps to make sure that sentences are appropriate and that justice is done. As Claudia Beamish said,

“there is strong public interest in ensuring the protection of animals”.

I totally agree with that. We can all readily agree that individuals who cause pain and suffering to animals should meet the full force of the law.

It is right that we increase the maximum penalties and make sure that there is an appropriate deterrent. Twelve months for animal cruelty, in the most severe cases, is just not enough. The justice system needs the flexibility to treat the most shocking acts more seriously than it does at the moment. Maurice Golden made a good point regarding a lifelong ban for those who commit the most serious of crimes, and I look forward to seeing amendments at stage 2 in that regard.

As Liam McArthur reminded us, Scotland has one of the lowest rates of sentencing in Europe, with only 41 custodial sentences in the past 10

years. The increase to a maximum of five years will bring us into line with the current penalties elsewhere, and there was unanimous agreement on those measures in the Scottish Government consultation. As we have heard, 99 per cent of respondents were in agreement; I do not think that I can remember that happening in any other consultation.

The Scottish SPCA's briefing summed it up well when it said:

"Everything proposed in the Bill will make Scotland a better place for animals."

I know that that is what we all want.

Blue Cross also made an interesting point in its briefing for today's debate when it highlighted that it is not only the animal that suffers horribly from cruelty, because there is a huge amount of emotional and mental distress for the staff who have to deal with the aftermath. There is more that we can do to help those workers to get the support that they need. The bill is probably not the place for doing so, but I would like us to explore how we can better help those workers deal with trauma. Specific training for workers could perhaps be provided in the meantime.

Of all the measures in the bill, I am especially delighted to welcome the inclusion of Finn's law. Last year, the UK Government passed its own bill, which is known as Finn's law. As we know, my colleague Liam Kerr has fought hard to ensure that we get the right level of legal protection for service animals such as Finn. Some people do not realise how hard Liam has fought for the bill. He visited a police dog training centre, where he was fitted with protective gear, and a dog was encouraged to bite his arm. Needless to say, the dog went for it. Some of the photos did not see the light of day but the look on Liam's face was something to behold. He has gone above and beyond to make sure that Finn's law happens in Scotland, as it has in the rest of the UK. Therefore, I am glad to see recognition today for my colleague and everyone who has campaigned for Finn's law.

On the suggestion that the provisions of Finn's law should be extended to other working animals, it is important that we do not unnecessarily dilute that part of the bill. The committee found no firm evidence to support the idea that existing legislation cannot protect working animals. Attacks against other types of animal can be prosecuted under existing offences in the 2006 act, such as causing "unnecessary suffering". I note the committee's point that, regardless of the type of animal involved, the bill will increase the maximum penalties for those offences.

As far as improvements are concerned, the bill could be made better in two areas. First, the Law

Society of Scotland made a worthwhile point when it suggested that there is a need for guidelines to help inform, guide and ensure consistency of sentencing. Anecdotally, I accept the Law Society's point that we could have more firm evidence on that. The sentencing of people who have committed horrific acts on animals can be inconsistent. In her response to the committee, the minister raised the fact that the Scottish Sentencing Council has responsibility for guidelines. In May 2019, it said that it would defer the creation of those guidelines so that it could focus on sexual offences. Although I support that decision and the independence of the Sentencing Council, there is a need for guidelines to be introduced as soon as is practically possible. The minister said that she would write to the Sentencing Council to draw attention to those discussions; I hope that that happens and that the Sentencing Council receives the support that it needs to draw up those guidelines imminently.

Secondly, and as my colleague Finlay Carson set out in his speech, there appears to be a desire to share information between authorities but the committee heard that that does not happen in practice. That can act as a significant barrier to animal protection and can make investigations inefficient.

The committee took evidence and realised that sharing information about disqualification orders and fixed-penalty notices might help to track patterns of offending, such as domestic abuse and criminal activity. Given that the committee convener and members have raised that point today, I hope that we can strengthen the bill with amendments on information sharing. The minister's response to the committee on that point was welcome; she said that the Government is open to considering

"how we can support any possible improvements to information sharing and databases".

The Scottish Conservatives look forward to working with other parties to make sure that that happens and that the necessary improvements are made, so that the bill is as strong as possible.

As the minister stated in her opening remarks, any animal cruelty or wildlife crime will not be tolerated.

The Deputy Presiding Officer: I call Mairi Gougeon to wind up the debate. Minister, I would be obliged if you could take us up to 4.45 pm.

16:34

The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon): I have about a million pages here, so I will happily oblige you with that. I have been frantically taking notes

throughout the debate, because a lot of points have been raised today.

As we have heard, we all take animal welfare and wildlife crime seriously in Scotland and across the chamber. People are rightly passionate about the subject, so I am proud to introduce this important bill to strengthen and modernise the enforcement of our world-leading legislation, because we have some of the best animal welfare standards in the world. This important and focused bill will have real impact on the ground, as soon as it comes into force later this year. It will send a strong message that animal cruelty and wildlife crime of any kind will not be tolerated.

Kenny Gibson best highlighted the contrast that we currently have when he pointed out that, right now, someone can receive a harsher penalty for fly-tipping than for some of the most unthinkable acts that are carried out against animals, which he outlined in his speech.

Finlay Carson: Given the restricted nature of what we are dealing with in this bill and the long list of other bills, including members' bills, that are coming forward, does the minister agree that a fuller review of the 2006 act should have been considered? Does she agree that, as Christine Grahame mentioned, there was the potential to consolidate the legislation to make it slightly simpler to navigate?

Mairi Gougeon: I know that Finlay Carson raised that point in his contribution earlier. However, I hope that I outlined in my opening speech all the other complementary measures that we need to take. The measures that we are introducing today require primary legislation; others require secondary legislation. A number of different areas need to be looked at, but we are doing this in the most streamlined and consistent way we can.

We heard from Stuart McMillan about the truly horrific crimes that have taken place, which emphasises again why these proposals are so important and why the penalties need to better reflect the seriousness of the crimes. I am happy to reiterate what I stated in my letter to him, which is that, because the crimes will be considered to be serious, the time bar will not apply. That is a vital measure that we are introducing.

The bill will reduce the burden on the court system, enforcement officials and the police. However, more importantly, it will better protect the vulnerable people and animals that are involved in these often troubling animal welfare situations. The bill is welcomed by stakeholders and has strong support from the public, and I hope that its provisions will lead to behaviour changes that further reduce the incidence of animal cruelty and wildlife crime.

Members highlighted a number of issues in relation to the bill. In closing, I will try to cover them, as well as some of the issues that came out of the stage 1 report, as best I can. I will start by picking up on a few of the points that Gillian Martin raised on behalf of the Environment, Climate Change and Land Reform Committee. She highlighted the penalties that we have outlined for wildlife crimes, as did Claudia Beamish, Colin Smyth and a few others in the chamber. I will explain a bit more about the rationale for the position that we reached in determining the penalties for wildlife offences.

There are more than 200 wildlife offences across many pieces of legislation. The approach to increasing penalties for this area of crime was to offer a proportionate maximum level for crimes that involve direct unnecessary suffering, which would be similar to offences under sections 19 and 23 of the Animal Health and Welfare (Scotland) Act 2006. The penalties for the offences that we identified as having the most severe welfare impact, such as the killing or harming of a wild animal, have been increased to a maximum of five years' imprisonment, or an unlimited fine, or both, under solemn conviction, as recommended by Professor Poustie in his review of wildlife crime.

We then considered a range of offences that may indirectly cause harm to a wild animal, such as the disturbance of, or damage to, habitats. For those offences, we have proposed that the maximum penalty be raised to 12 months' imprisonment, or a £40,000 fine, or both, under summary conviction. When it comes to those kinds of offences, it is also important to remember that, if a person commits an offence in respect of more than one animal, egg and/or nest, there is currently provision in the Wildlife and Countryside Act 1981 for the court to consider each animal, egg, or nest separately when sentencing. It would therefore be possible for a fine to be imposed up to the new maximum of £40,000 in respect of each animal, egg and/or nest.

What we have proposed is proportionate, it is similar to some of the higher penalties that are found elsewhere in the world and it is in line with what was recommended as part of the Poustie review. If members have particular proposals that they want to raise with me, I am more than happy to discuss those with them. As I said, I know that the issue was highlighted by a few members around the chamber today.

Claudia Beamish: The minister may well be going to touch on this, but is she able to respond to Fisheries Management Scotland's concerns about the iconic salmon species, either today or in the near future before stage 2?

Mairi Gougeon: That issue is covered in my copious notes, and I will give a direct response to Claudia Beamish on it, should I have time.

Rachael Hamilton, Christine Grahame and others touched on fixed-penalty notices. I assure members that those valuable additional and proportionate enforcement tools will be used for technical and minor offences only. The bill limits their use to offences with a maximum penalty of six months' imprisonment, so they will not be used for the more serious animal welfare and wildlife offences that attract higher maximum penalties. I emphasise that we are not creating those fixed-penalty notice regimes as part of the bill. The bill will establish the powers to create those regimes but, as they progress, they will be subject to parliamentary scrutiny through the affirmative process. When I attended the committee, I stated that I will work with it on developing the regulations, and I remain more than happy to do that, because I want us to work together and get them right.

Finlay Carson and a few other members raised the issue of Scottish sentencing guidelines. As Mr Carson mentioned, the sentencing guidelines are, rightly, the responsibility of the Scottish Sentencing Council. Annie Wells touched on the fact that, in May 2019, the SSC announced that guidelines on wildlife and environmental crimes were being deferred to allow the council to deal with sexual offences. The council also highlighted that a delay would be needed anyway, because guidelines cannot be prepared while penalties are being changed. I am happy to reiterate what I said in response to the committee's report. I will write to the SSC to draw its attention to the discussion that we have had today, which will help to inform its considerations of its future work programme.

On vicarious liability, after careful consideration and discussions with stakeholders, my officials and I have not been able to identify any further offences to which we think it would be useful or appropriate to extend the offence of vicarious liability. However, as I said, I would welcome suggestions on other particular offences that warrant that, and I will happily consider the matter further. Claudia Beamish might have made a suggestion earlier—[*Interruption.*]

The Deputy Presiding Officer: Excuse me, minister, but there is a terribly irritating low murmur going round the chamber. The minister has only a couple of minutes left in responding to the debate, so I ask members to listen to her, please.

Mairi Gougeon: Rachael Hamilton mentioned the potential for a pesticide amnesty, which I believe is an issue that she raised in the committee. There have been two previous pesticide amnesties in Scotland, so we think that it is unlikely that a further scheme would be

effective, because those who wished to dispose of their stock have had ample opportunity to do so. We have sought the views of Science and Advice for Scottish Agriculture, the rural payments and inspections division, Police Scotland and the Crown Office and Procurator Fiscal Service on the need for and effectiveness of undertaking another disposal scheme, and it was felt that there would be little merit in that. A point was raised about considering increasing the penalties for holding illegal pesticides. Again, I am open to having a conversation on that with members.

Christine Grahame: Will the minister take an intervention?

Mairi Gougeon: I am sorry, but I do not have enough time.

Almost every member who spoke raised the issue of additional powers for the SSPCA relating to wildlife crime. To consider that as part of the bill would mean pausing the process to investigate the issues fully and gather more evidence before coming back to Parliament. It is not simply a case of granting more powers. Doing so could mean changes to the SSPCA as an organisation, which obviously needs to have the time to consider that. Given the amount of work that has to be done, my fear is that that approach could significantly delay the bill to the extent that there might not be sufficient time to complete its passage in the current parliamentary session. I want to ensure that the issue gets the time and detailed consideration that it deserves, so I have already given a commitment, which I am happy to reiterate today, that it will be investigated. I hope that members will be content with that assurance.

I hoped to be able to touch on a number of other points, one of which was the point that Claudia Beamish raised about wild salmon. I will respond to her about that.

One important final point that I want to touch on is the issue that Colin Smyth raised in an intervention on Claudia Beamish about the appeal process when animals are seized. It is important to highlight that the decision to appeal will have to be made within three weeks, and that the onus will lie with the owner to make the appeal and to pay the court fee for lodging it. That is a complete change from the current process. Also, the decision on the appeal will be final, and there will be no further appeal beyond that. Therefore, the process will be much more expedited—indefinitely more so than it is at the moment. Further, compensation will be considered entirely separately, so that will not hold up any proceedings.

I thank all members for their contributions. The strength of feeling on the issue is clear, as is the passion that we all have for the welfare of animals and wildlife in Scotland. I am pleased that the bill

has attracted wide support from stakeholders and from members. I emphasise that, although I could not get through all the points that I wanted to, my door is always open. I am happy to meet members to discuss potential amendments prior to stage 2 to consider how we can improve the bill. That offer stands for those who raised issues that I did not get the chance to cover and which they wish to discuss further.

I hope that members will join me in supporting the general principles of the bill.

The Deputy Presiding Officer: That concludes the stage 1 debate on the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill.

Covid-19 (Update)

16:45

The Presiding Officer (Ken Macintosh): The next item of business is an urgent statement from the Cabinet Secretary for Health and Sport, Jeane Freeman, on novel coronavirus Covid-19. The cabinet secretary will take questions at the end of the statement.

I know that there is a lot of interest among members about their access to the building, visitors' access and the behaviour of staff at their local offices. The Scottish Parliamentary Corporate Body met earlier, and I will make a very short statement on its response to the issue following questions to the cabinet secretary.

16:46

The Cabinet Secretary for Health and Sport (Jeane Freeman): Thank you for the opportunity to make this short statement. It will be brief—I hope that colleagues will forgive me for that and for the fact that, for obvious reasons, they do not have copies of the statement. As the First Minister said at First Minister's question time, I intend to return, with the Parliament's agreement, at the start of business next week, on Tuesday, to make a statement and update members further.

As members will be aware, I have returned from a COBRA meeting, which was chaired by the Prime Minister and attended by the First Minister, myself, our chief medical officer, and the Minister for Public Health, Sport and Wellbeing Joe FitzPatrick. I will update you on the actions that resulted from that meeting.

As members will be aware, today at 2 pm, our normal time, we updated the number of cases of coronavirus in Scotland. There are now 60 cases, with evidence of a further two cases arising from community transmission. Members will be aware that we are seeing a sharp spike in the number of cases and the emergence of community transmission, as identified through our community surveillance measures. That tells us that, here and across the United Kingdom, we have now moved from the containment phase to the delay phase. In the delay phase, our initial objectives and the steps that we will take are threefold. First, we will aim to slow down the spread of the virus. Secondly, we will aim to reduce the number of cases at the peak—as we spoke about last week—to flatten the peak, which means prolonging the length of time for which the virus is with us. Thirdly, we will protect groups who, early data tells us, are most at risk of developing a serious illness—those in our elderly population

and those with particular underlying health conditions.

It is important that members understand—and that I repeat—that, for the vast majority of us who become infected by the virus, our symptoms will be mild and we will recover fully and quickly. However, some in our society—particularly those groups that we have the most responsibility to protect—are at risk of developing a serious illness. The steps that I am about to outline are the first set of measures that we will introduce in the delay phase. As the phase progresses, other measures will be considered and determined. We will, of course, ensure that members are given full advice and information as those decisions are taken.

The advice has changed as follows. From tomorrow, those individuals who have symptoms indicative of coronavirus will be asked to stay at home for a period of seven days. That is the advice from our chief medical officers, based on the scientific advice, and it coincides with the advice from the World Health Organisation. If you are in that category—the symptoms are a persistent dry cough and a fever—we ask you to stay at home for seven days. You do not have to call NHS 111 or your general practitioner. You should not routinely call them at that point unless your symptoms worsen or your condition changes for any reason—in which case, of course, you should seek additional clinical and medical advice.

In this phase, we will not be routinely testing, but we will continue our surveillance testing and sample testing. I remind members that routine surveillance testing involves a sentinel group of GP practices and testing of patients who are currently in intensive care units or who are in hospital as a consequence of a respiratory illness.

Local authorities and schools will be advised against overseas school trips. The Foreign and Commonwealth Office's travel advice will align accordingly. At this point, we are not advising school closure, but that position will be kept under review. There are a couple of main reasons why we are not advising school closure at this point.

First, the fact of the matter is that, if we closed schools, pupils would have to be somewhere else: either at home, which may result in a significant impact on our public services if their parents or others were looking after them, or in other local authority provision, which—without meaning any disrespect—may not carry the same level of persistent hand hygiene and other hygiene as we see in our schools.

However—and perhaps more important—if and when we get to a stage at which we require school closures, those would last not for one or two weeks, but for a number of weeks, which would take us through to the summer. That would have a

significant impact on those who were affected. The science advises us very clearly not to take such steps earlier than is required, for the simple reason that, if we took them too early, that would reduce the impact on spread.

That is why, at this point, the question of school closures remains under review and they are not advised at this point.

The Scottish Government's position on mass gatherings is that, from Monday, we are advising the cancellation of events with over 500 people, because of the potential impact of such events on our emergency services. It is not the case that the science says that closing or stopping mass gatherings has a particular impact on reducing spread—it does not have no impact, but it does not, in itself, have a significant impact. We have said previously in the chamber that we will be guided by the science and the clinical advice but that our responsibility is then to apply judgment, and our judgment on the matter is that there are two reasons why such mass gatherings should not take place. The principal reason is that those mass gatherings require the presence of, or have an impact on, the emergency services, and we require the emergency services to be focused on helping us to contain the spread and treat those who are ill.

The second reason is that we need consistency in the public message. We need to be clear with the population of Scotland that this is not business as usual. If we are saying to people who have symptoms that they should stay at home for seven days, that is not business as usual.

We need to be consistent in the steps that we take as a Government, for those we are asking to work with us and comply with these steps for their own health and the health of those around them—and for the health of all of us. I know that there will be questions on the application of that guidance about mass gatherings. Over the weekend, we will produce detailed advice that will be available to organisers before we get to Monday.

Before I take questions, I will repeat something that we have said, which bears repeating many times. There are no steps that we have taken or that we will take that will make this virus go away. What we are trying to do is delay the spread, spread it out over longer, bring the peak down so that we minimise the impact on our national health service and take steps to protect those who are most vulnerable to serious illness as a consequence of the virus. In addition to being led by science and clinical advice and applying our judgment in making some difficult decisions—both those that have been made and those that are yet to come—our guiding principles are to delay, reduce and protect.

I will say one final thing before I take questions. Although we have moved out of the containment phase and into delay, the public health messages about persistent hand washing, using hand gel if you cannot access hot water and soap, and taking care to use tissues to catch sneezes and coughs remain as important through the next phase as they were at the outset. I encourage everyone to continue to apply those measures.

We will continue to keep the chamber updated, and, with the Parliament's permission, I will return on Tuesday.

The Presiding Officer: Thank you very much, cabinet secretary. The cabinet secretary will now take questions.

Miles Briggs (Lothian) (Con): It is clear from the statement that we have just heard that our health and social care services will come under significant and sustained pressure in the coming days, weeks and months. Further to a question that I asked last week, and regarding the most vulnerable patients who will need support, how many additional intensive care beds have been commissioned in our NHS?

Jeane Freeman: Miles Briggs is right: we have all said from the outset that the virus will pose significant challenges for our NHS and our social care services. That is why the approach is as I have outlined. I will be able to provide more detail when I return to Parliament on Tuesday, but I can tell Mr Briggs that all our planning is based on increasing capacity in hospital settings and in social care, and on doubling the number of intensive care beds that we have.

Monica Lennon (Central Scotland) (Lab): The cabinet secretary is right about the importance of hand hygiene. I have been very concerned to hear recently that home carers who work for Cordia in Glasgow and people who work in general practices and other front-line services have run out of hand gel, wipes and other basic equipment including gloves. What is the Government doing to respond to that—it has been raised by other members, too—and how quickly can people expect to get supplies?

Regarding social distancing, I note that large events will be ended from Monday. Many of us are acutely aware that a big football match is happening in Glasgow at the weekend. People are quite nervous about that. Why Monday and not sooner?

Jeane Freeman: I will start with the question about social distancing. Our current advice is that we are asking anyone who has any of the indicative symptoms—a persistent dry cough or a fever—to stay at home. That is one aspect of social distancing, which is to prevent spread of the disease. People who have a dry cough or a fever

should not go to any mass event this weekend, or at any time, if they are to help us and work with us to manage the impact of the virus. That must be the really clear message.

On why large events will be ended on Monday and not now, there are two main reasons for that. First, people need particular guidance—which, as I have said, we will work on over the weekend—about what mass gatherings of over 500 means, what that applies to and how it will be applied. Secondly, the events at the weekend have already been planned for. In terms of the resilience of the emergency services, their arrangements are already in place, and stopping the events at this point would not significantly increase capacity in our health service, given the number of cases. What we are doing is planning ahead because we expect the number of cases to increase.

On the question about supplies—not just of hand gel—members and others have raised directly with me the matter of personal protection equipment in our primary care and social care settings. We have very directly asked all our health boards exactly whom they have supplied, what they have supplied them with, whether they have made sure that they have the right clinical guidance about what equipment is and is not needed in each setting, and when they intend to put out the next supply. Once we have that detailed information—we will have it this week—we will know where there have been gaps in provision. We will take steps to fill those gaps and we will make sure that resupply happens very quickly.

We are actively engaged in primary care directly with health boards, and through our work with local authorities and local resilience partnerships. That work is on the resilience measures that they are taking and what they require from us by way of access to supplies. It is in order to find out whether they are satisfied that they have sufficient supplies or require additional supplies from us, through our national procurement service. That work is under way and will continue over the weekend.

Alison Johnstone (Lothian) (Green): I thank the cabinet secretary for her statement. The last thing that people need to be worrying about right now is the security of the roof over their heads, and I am sure that the Scottish Government appreciates that it needs to do everything that it can to help to support low-income households through the crisis. Will the cabinet secretary encourage councils to offer flexibility on council tax? Can she outline what action will be taken to protect all tenants—in the private sector and in the social rented sector—who find themselves under financial pressure as a result of Covid-19, in order to ensure that no one is evicted as a result of this health crisis?

Jeane Freeman: I am grateful to Alison Johnstone for that very important question on something that I know will be a matter that worries many people because of their incomes, the nature of their employment contracts and so on. Some of that can be and is being addressed by the UK Government, through measures such as access to statutory sick pay, which was agreed from day 1. I also understand—we do not have the detail on this, but we will have it shortly—that the DWP intends to apply flexibility to applications for universal credit, for example, and other relevant benefits. The Scottish Government—as I think Alison Johnstone knows, and as the First Minister said at First Minister's question time today—is giving active consideration to what more we can do within our devolved responsibilities and powers to ensure that there is additional support for individuals in such circumstances.

I am sure that in their discussions with the Convention of Scottish Local Authorities, my colleague Kevin Stewart and cabinet secretaries Shirley-Anne Somerville and Aileen Campbell will be actively working on flexibility on council tax, payment of rent and how local authorities respond. It is worth my while to say that I have very particular discussions directly with COSLA on social care and health, and my colleagues regularly discuss with it matters in relation to schools and so on.

Alex Cole-Hamilton (Edinburgh Western) (LD): Many thousands of our constituents require daily support from care workers. They provide personal and social care at home for those very vulnerable people, many of whom will be severely at risk from the emerging threat. Can the cabinet secretary tell the chamber what advice is being given to social care workers about the continuity of care on which those vulnerable people sincerely depend?

Jeane Freeman: I am grateful to Alex Cole-Hamilton for that question on a very important issue. This is not only about social care, but about carers themselves, who provide care to family members and others. As the member will know, that work is undertaken in partnership with the Convention of Scottish Local Authorities.

We are actively looking at two questions. The first is what can be done to ensure that the care workforce is as high in number as we need it to be—bearing in mind that members of the social care workforce will also become infected with the virus, and that there will be a higher than normal absence rate. That is part of the work that is under way on redeployment of public sector workers. I have spoken previously about other measures related to how we can bring people into that workforce.

Secondly, we are in discussion with local government partners about providing additional support not only through supplies including personal protective equipment, but through training, when it is needed, if for no reason other than to give care workers confidence that they know how to manage situations when they are caring for more than one individual. That work is under way—NHS Education for Scotland and Health Improvement Scotland are gearing themselves up to provide very specific bespoke infection prevention and control training to care workers as soon as they can. I hope when I return to Parliament on Tuesday to be able to give members more detail about that. I also hope to give more detail to party spokespeople and leaders in a briefing that we could, perhaps, have next week—as we have done before.

Ruth Maguire (Cunninghame South) (SNP): Can the cabinet secretary advise when social distancing measures should be followed, and confirm that people who have symptoms that are in keeping with Covid-19 should stay at home and self-isolate?

Jeane Freeman: There are a number of steps to social distancing. The first of those we have taken: that is the advice to individuals who have those symptoms that are indicative of the virus—a persistent dry cough and fever—to stay at home for seven days. Other measures will include the steps that we need to take for the two vulnerable groups that I mentioned—those who have underlying health conditions and our elderly population. We will provide more advice, in detail, to both of those groups in the coming days.

It is important for me to say that this will affect all of us. Most of us will have mild symptoms, but all of us will have a different way of conducting our daily business from what we are used to now. Life will change for all of us. For some of us, that change will be more dramatic than for others. Therefore, all of us have a responsibility to help each other get through this situation. Compliance with the measures that we are setting out today, and those that will come in the days ahead, is important. It is important that the Scottish public trust the advice that we are giving, and that it is based on the science and the clinical advice. Where we exercise judgment over that, we will make clear what the judgment is and why it has led us to take specific measures in addition to what the science and the clinical advice have told us.

The social distancing measures that we will bring forward over the coming days and weeks will be clearly assessed as having the maximum impact to delay the spread of the disease, reduce the peak of cases at any one time and protect those who are most vulnerable.

Brian Whittle (South Scotland) (Con): The cabinet secretary will remember that I raised on Tuesday the question of the escalating cost of pharmacies replenishing their stock.

Last night when I was at a pharmacy event, it was raised with me that doctors are now, understandably, double-prescribing. That in itself will exacerbate the problem of access to medicine. What can we do to ensure that essential medicines remain available?

What advice has been issued to dentists and opticians—specifically around PPE—and what priority is being given to providing access to masks and equipment for those healthcare professionals?

Jeane Freeman: On the first part of Brian Whittle's question, we are following up on the issue with the particular pharmacy that he mentioned to ensure that we know whether that was a one-off or whether other pharmacies are involved in such practice. It is, in essence, price hiking—exploiting the situation in order to hike prices—and it is a completely unacceptable practice.

As the Scottish Government, we will take what steps we can to prevent that from happening and, in partnership with our colleagues in the UK, Welsh and Northern Ireland Administrations, we will take whatever necessary steps we can to prevent price hiking in that or any other area, where possible.

For front-line staff, which includes primary care staff, pharmacy staff, key personnel in hospital settings and, as Brian Whittle said, dentists and optometrists, advice and guidance is available. More advice will be given, particularly to primary care practitioners, about the pathways for patients who are in contact with them, how the staff can access the additional support that they might need and what we are asking them to do and not do.

We have been in touch with the British Medical Association's GP team and the Royal College of General Practitioners to secure their support and advice on what more we need to do. One of the measures that will be taken to create capacity in the hospital setting—we will give more detail on this later—requires moving more of that care into the community setting, and we need to ensure that our primary care service in particular is confident, equipped and ready to manage that.

The Presiding Officer: There are nine more members who wish to ask questions.

Iain Gray (East Lothian) (Lab): The GMB union, which organises many local authority workers, today expressed concern about the consistency of response and planning across local authorities. For example, can we be assured that

any decision to close schools will be taken on a Scotland-wide basis and that it will not be left to the 32 local authorities to take such a difficult decision?

Jeane Freeman: I hope that we can be assured of that, but we cannot instruct local authorities on how they should respond, as they are autonomous bodies. However, COSLA is now a member of the Scottish Government's resilience operation at the highest level, so it will be party to the decisions that are taken across Government and local government on the future steps that we might take and the resources that we will need to ensure that we manage the situation as best we can.

In addition, the Deputy First Minister and other Cabinet colleagues are in direct discussions with organisations through COSLA and other bodies to ensure that we know what issues they are raising and what concerns they are expressing to guide us in the advice that we provide and the decisions that we take.

Emma Harper (South Scotland) (SNP): I understand that no Government in the UK is currently considering introducing school closures. If such measures were to be introduced, what is the scientific advice on the necessary length of school closures to ensure that that approach is effective?

Jeane Freeman: The current scientific advice is that, should we take measures such as school closures—there are others that we might introduce—the length of time for which they should extend is between 13 and 16 weeks to ensure that we gain maximum impact on the objectives, which are to delay the spread, reduce the peak and protect those who are most vulnerable.

That is one of the significant pieces of advice that we need to take into account. We also need to take into account the clinical advice about how the virus is impacting different age groups, from the data that we have from elsewhere in the world, and balance that against, as we have said previously, the impact overall on individuals, our public services and, of course, our economy.

My primary responsibility is the health of the people of Scotland and my job is to take whatever steps I think are necessary to protect them. There are other factors to be taken account of and that is why we need to continue those discussions, keep the matter under review and ensure, as Mr Gray has highlighted, that we are listening to local authorities and taking account of any specific issues that they raise with us.

Jeremy Balfour (Lothian) (Con): Although assistance for business is very welcome, has the Scottish Government considered how to support the third sector during this period? As the cabinet secretary is aware, the third sector offers services

to disabled and elderly people. Will the Government look at how it can assist those services either financially or in other ways to ensure that they can continue over the next few months?

Jeane Freeman: Our third sector has always been a very important part of the services that we offer to the population on Scotland. In the coming weeks, the third sector will play an even more important part, as we need to manage the increased levels of social care that will be required and support those who are the most vulnerable. I am sure that my colleague Ms Campbell has discussions under way on those issues and will hear from the third sector all that it can offer in that regard and what it might need to help it to do that. We will, accordingly, take those steps, which will be dependent on the advice that Ms Campbell brings forward.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Further to a question that was asked on Tuesday, do we intend to require that all those on flights arriving at Scotland's airports are swab tested for the virus and advised to self-isolate until the results are confirmed one way or the other, in order to help slow the spread of the virus?

Jeane Freeman: That is not currently the scientific or clinical advice to us, but I am very happy to get more detail on that and ensure that it is provided to Mr Coffey and to other members, if they wish it.

Daniel Johnson (Edinburgh Southern) (Lab): I was contacted earlier this week by a constituent who relatively recently suffered from bilateral pneumonia, which included having a period of time in intensive care. He is naturally keen to understand what advice and procedures will be in place for people such as him. When I contacted the health board, it pointed me to the Health Protection Scotland website, but its advice appears to be for those who have already been admitted to hospital. There is a general point here about sources of advice, but for those in risk groups, particularly those with a history of respiratory illness, has specific guidance been drawn up? How will it be disseminated? Importantly, in terms of diagnostic and treatment pathways, will there be prioritisation or triage for those with a history of respiratory illness?

Jeane Freeman: On the latter part of Mr Johnson's question, how triaging is done and where priority is given are clinical decisions that depend on how an individual patient presents themselves. It would be wrong for me to take a blanket position on what are clinically driven decisions that should be made by experienced and professional clinicians.

The wider question was about advice for those with underlying health conditions. I am conscious that a number of individuals have such conditions and that some people are undergoing cancer treatment or have recently been transplant patients. Those who have a high immunosuppressed condition, such as cancer patients, will already have had guidance in the normal course from their clinicians on the particular protective steps that they should take to prevent infection and so on. They should continue to follow the advice that they have been given in that regard.

Our clinicians, led by our chief medical officer and others, are working through detailed guidance for a range of conditions that cover those who are the most immunosuppressed through to others who have an underlying health condition that may trigger an additional risk to them. The guidance will be produced and disseminated in the coming days. That will be done through our clinical networks.

In the cases of some individuals with particular conditions, there are already registers of who they are and we will use those registers to contact them directly.

Gil Paterson (Clydebank and Milngavie) (SNP): Can the cabinet secretary advise whether moving to the delay phase will mean that there is no longer surveillance testing for Covid-19?

Jeane Freeman: No, surveillance testing will continue in the three ways that I mentioned earlier. First, through our sentinel group of GP practices, of which there are 41 in Scotland; secondly, through the swabbing of individuals currently in our intensive care units; and thirdly, through testing those individuals who are admitted to hospital for a respiratory condition.

Jamie Greene (West Scotland) (Con): There has been a big shift in the advice being given to the public. Previously, if people thought that they had Covid-19, the advice was to phone 111 and to seek help, with a view to being tested. We have now moved to a position whereby people should stay at home and seek advice only if they have severe symptoms, or their symptoms are worsening. That is a marked shift in the advice to the public. How will you ensure that that message is properly communicated, so that we do not overload the 111 system? How will you ensure that, if people still want the comfort of being tested, the options to do that are there for them?

Jeane Freeman: I am grateful to Mr Greene for that important question. Essentially, we are introducing the first of the measures that would otherwise be described as social distancing. We are doing that because the indications are now clear that the virus is being transmitted through

community contact and not solely because of a person's travel history or through a person's contact with someone who has a travel history.

Transmission through community contact was always going to be the trigger that meant that we moved from the containment to the delay phase. Continuing community surveillance remains important, because that gives us an indication of the level of spread.

The member is right to say that the advice has changed significantly. We are now saying to people that if they have symptoms that are indicative of coronavirus—that is, a persistent dry cough, or fever—we want them to stay at home for seven days. They do not need to—and we do not want them to—phone 111 or contact their GP, unless their condition worsens, or they become ill in another way, in which case they would contact and seek that additional clinical advice, as they would in normal circumstances.

Obviously, we will use our traditional broadcast and print media to communicate that message. There is an advertising campaign using both those outlets and social media. There is a UK-wide campaign on that messaging.

There are a number of us in the chamber, all of whom have our own contacts and networks and we all have responsibilities to our constituents. Communicating that message through the channels that we would otherwise use to be in touch with our constituents would be an exceptionally helpful thing for us all to do.

John Mason (Glasgow Shettleston) (SNP): The cabinet secretary mentioned school trips. Will she clarify whether that refers only to school trips abroad? What about residential trips in Scotland or day trips to the swimming pool?

Jeane Freeman: I was referring only to school trips abroad. The Foreign and Commonwealth Office's travel advice will align with that advice. People should remember that, if they have a child who is experiencing the symptoms indicative of coronavirus—a persistent dry cough or a fever—that child should not be on that school trip, whatever kind of trip it is, irrespective of whether it is to a swimming pool or to another part of the UK. That measure, which is the most important shift in the advice that we are issuing today, applies to us all. Otherwise, school trips within the UK or to a swimming pool or wherever can continue. The only school trips that we are giving strong advice should be stopped are overseas trips.

Anas Sarwar (Glasgow) (Lab): During my point of order at the end of First Minister's question time, I raised a concern that had been brought to my attention by GPs in Glasgow, Renfrewshire and Lanarkshire. I thank the cabinet secretary for taking immediate action on that. This

afternoon, every GP practice in the NHS Greater Glasgow and Clyde area received a communication from the health board saying that the Government had taken measures to make sure that extra supplies would be available, including fluid-resistant surgical masks, disposable gloves, disposable plastic aprons and eye protection. Do we have adequate supplies of all those things right across the country? How quickly can they be distributed to every GP practice across the country? Will that provision be uniform across the country?

Jeane Freeman: It certainly should be uniform. I am glad to hear confirmation from Mr Sarwar that what we asked to be done has been done. We asked that of all our boards, so I would expect it to have applied across all our boards. We will continue to check that what we asked to be done is done, because those front-line staff are critical in our response to the situation. We need to do everything that we can to protect them so that they can care for and protect others.

As to how confident we are about supplies, our national procurement service is well versed in looking at how to ensure that there are forward supplies. It has been doing that from the moment we were first aware of the virus, before we considered any of the steps that I have outlined, and it continues to do that. It is linked into the UK-wide supply service, for example in relation to kit such as ventilators. Although we are looking at a UK-wide supply, there are particular steps that can be taken in Scotland for Scotland, as there are in England for England.

We continuously check with NHS National Services Scotland, which would undoubtedly flag up any difficulties directly but, at this stage, we can have confidence that there are supplies available and that steps are being taken to ensure continuity of those supplies.

The Presiding Officer: I thank the cabinet secretary for taking the time to come back to Parliament to update us following developments on Covid-19 coronavirus.

I am aware that members are anxious to find out what arrangements Parliament is making and what advice we have for members about arrangements for them to make in their offices, and I would like to take the opportunity to update members.

The Scottish Parliamentary Corporate Body met today to hear from the chief medical officer for Scotland and to consider the Parliament's response as the UK moves into the delay phase of its response to Covid-19 coronavirus. I say at the outset that the corporate body takes very seriously indeed its responsibility to keep safe those who work in Holyrood and in our local offices and all

those who visit those locations, and that will continue to be at the forefront of our mind.

At present—this is consistent with the public health advice—there is no change to the arrangements for public access to the Parliament. That is very much in line with the advice that schools, colleges and other public institutions should remain open, and it is consistent with the public health message across Scotland.

However, we repeat the advice that those with symptoms of the virus should stay away from Parliament, stay at home and self-isolate. This is, of course, a rapidly developing situation, and the corporate body, with officials, will monitor developments closely on a daily basis.

Today, we have considered carefully some of the practical steps that we can put in place to best support those who work in Holyrood and in the local offices. We are making changes to the members' expenses scheme to provide flexibility for members to access temporary staff provision, and we are advising members to follow the Parliament's special leave policy for staff absences as a result of self-isolation and virus-related illness. Detailed information on the measures that we are putting in place and where to go for the latest health advice will shortly be issued to members and to all passholders.

We are also creating a dedicated phone line and will be adding a frequently asked questions section to the Parliament's website. Officials are, of course, very happy to answer any questions that you may have.

We recognise that this is an unsettling and, for some, deeply concerning time, and I hope that I can assure you that, as the situation evolves, we will do everything necessary to review our services in order to ensure that we sustain business safely at Holyrood and provide everyone who works in and around this building or in our local offices with the best advice possible.

Bruce Crawford: On a point of order, Presiding Officer. I am sorry to hold the Parliament up, because I know that people will have appointments that they want to get to. I am grateful for the statement that you have, quite rightly, provided us with. I know that we are going to see the advice later, but I wonder whether, as well as advising us in relation to our constituency staff, which would be valuable, it will advise us on how we should go about holding things such as constituency surgeries in future. Will we be provided with an opportunity at some stage to put questions either to you or to parliamentary officials, as we have put questions to Jeane Freeman, on how the Parliament will operate, particularly in relation to things such as cross-party

groups? I think that we all need to hear a bit more about that.

The Presiding Officer: Indeed. I thank Mr Crawford for those questions. Those are very much the issues that we discussed at the short-notice meeting of the corporate body that we held at lunch time today, and they are issues that we will return to with both officials and the corporate body.

The advice at the moment is to continue business in our local offices. However, it is important that members listen to the public health advice that the cabinet secretary has just outlined and that is available on the health websites. The Parliament will make sure that members are fully aware of any change to that advice—and it is a rapidly developing situation, so I give the member that assurance.

We will also look at any opportunities that are required, for example if we need to return to a question-and-answer session in the chamber. At the moment, we would encourage you to direct your questions to officials, who will make themselves available to answer the very questions that you have put.

I hope that that reassures the member.

Business Motion

17:32

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-21237, in the name of Graeme Dey, on behalf of the Parliamentary Bureau.

Motion moved,

That the Parliament agrees the following revisions to the programme of business on Tuesday 17 March 2020—

after

followed by Topical Questions

insert

followed by Ministerial Statement: Novel coronavirus COVID-19 update

delete

5.00 pm Decision Time

and insert

5.45 pm Decision Time—[*Graeme Dey*]

Motion agreed to.

The Presiding Officer: I emphasise that the business motion adds a statement on coronavirus and moves decision time to 5.45 on Tuesday in order to allow questions on the subject once more.

Decision Time

17:32

The Presiding Officer (Ken Macintosh): There is just one question to be put as a result of today's business. The question is, that motion S5M-21200, in the name of Mairi Gougeon, on the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill.

Meeting closed at 17:32.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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