



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Tuesday 21 April 2020

Session 5



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Pàrlamaid na h-Alba

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Tuesday 21 April 2020

CONTENTS

	Col.
TIME FOR REFLECTION	1
BUSINESS MOTION	3
<i>Motion moved—[Liz Smith]—and agreed to.</i>	
COVID-19 (HEALTH)	4
<i>Statement—[Jeane Freeman].</i>	
The Cabinet Secretary for Health and Sport (Jeane Freeman)	4
COVID-19 (JUSTICE)	17
<i>Statement—[Humza Yousaf].</i>	
The Cabinet Secretary for Justice (Humza Yousaf)	17
COVID-19 (ECONOMY)	33
<i>Statement—[Fiona Hyslop].</i>	
The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop)	33
TOPICAL QUESTION TIME	48
Schools (Reopening)	48
Schools (Equal Access to Learning)	51
Young People’s Mental Wellbeing	54
FIRST MINISTER’S QUESTION TIME	56
National Health Service (Non-Covid-19 Treatment)	56
Covid-19 (Personal Protective Equipment)	60
Covid-19 (Economic Recovery)	64
Covid-19	66
Covid-19 (Head Shield Production)	68
Covid-19 (Entrepreneurs)	68
Covid-19 (Personal Protective Equipment)	69
Covid-19 (Business Support)	70
Covid-19 (Support for Charities)	71
Covid-19 (Census)	71
Covid-19 (Oil and Gas Industry)	71
Covid-19 (Support for the Fishing Industry)	72
Covid-19 (Lockdown)	73
Covid-19 (Rent Support for Social Housing)	74
BUSINESS MOTION	75
<i>Motion moved—[Liz Smith]—and agreed to.</i>	
Rhoda Grant (Highlands and Islands) (Lab)	75
Liz Smith (Mid Scotland and Fife) (Con)	76
PARLIAMENTARY BUREAU MOTIONS	79
<i>Motions moved—[Liz Smith].</i>	
DECISION TIME	81

Scottish Parliament

Tuesday 21 April 2020

[The Presiding Officer opened the meeting at 14:00]

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon, colleagues. It is good to see you all back in person. Before we begin, I remind members that social distancing regulations are in place throughout the chamber and across the Holyrood campus. I ask that members take care to observe those measures over the course of the afternoon's business, in particular when we are entering and leaving the chamber.

The first item of business is time for reflection. Our time for reflection leader today is the Rev Louis Reddick, minister of Shettleston New Church of Scotland. He is joining us via a live audio link.

The Rev Louis Reddick (Shettleston New Church of Scotland): Good afternoon and welcome back. I thank you for the opportunity to address the Scottish Parliament today, even though I am still sitting in the east end of Glasgow.

Over the past couple of weeks, like many Christian ministers, I have been reflecting on the parallels between the Easter story and the current crisis, for in the Easter story we also see resolute courage and self-sacrifice on behalf of others, as well as loss, grief and a burial in difficult circumstances. There are even people coming out on to the streets to noisily express their support, albeit with hosannas and palm branches rather than applause and the banging of saucepans. There are also some very prophetic words from Jesus after a final dinner with his friends:

"A time is coming ... when you will be scattered, each to your own home."

But for the people who lived through the Easter story, who saw it up front and personal, it was utterly transformational as the darkness of Good Friday was replaced by the new dawn of Easter Sunday. That gives me hope as we face the future just now.

There are, though, some very big differences between the Easter story and the one that we are living through today. The first is that Christians believe the events of Easter bring a transformation that is even deeper and longer lasting than the changes to our society that will doubtless follow in the months and years ahead—namely, the offer of eternal life with Christ.

The second relates to power and influence. In the Easter story, those in positions of authority are among the chief villains of the piece, as their self-interest and lack of moral courage are exposed. By contrast, my message to you today is very much one of gratitude. Thank you for the leadership that you have shown in these challenging times; for the difficult decisions, with life-and-death consequences, that you need to take week by week, or even hour by hour; for the candour and humanity that you show at daily press conferences; for letting go of old rivalries to seek the common good; for highlighting where more needs to be done to help the most vulnerable; and for encouraging us all to play our part. From the bottom of my heart, I thank you.

In closing, I would like to assure you of the ongoing prayers of Christians across the country, asking God to grant you the wisdom that you need in these difficult days. May the Lord bless you, protect you and guide you as you continue to lead our nation. Amen.

Business Motion

14:05

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-21449, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out revisions to this week's business.

Motion moved,

That the Parliament agrees the following revisions to the programme of business on:

(a) Tuesday 21 April 2020—

delete

2.00 pm Time for Reflection

followed by Scottish Government Business

followed by First Minister's Questions

followed by Topical Questions

5.00 pm Decision Time

insert

2.00 pm Time for Reflection

followed by Ministerial Statement: Health (COVID-19)

followed by Ministerial Statement: Coronavirus: Justice Sector response

followed by Ministerial Statement: Economy (COVID-19)

followed by Topical Questions (if selected)

4.15 pm First Minister's Questions

5.00 pm Decision Time

(b) Wednesday 22 April 2020—

delete

2.00 pm Parliamentary Bureau Motions

2.00 pm Stage 3 Proceedings: Consumer Scotland Bill

5.00 pm Decision Time—*[Liz Smith]*

Motion agreed to.

Covid-19 (Health)

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

14:06

The Cabinet Secretary for Health and Sport (Jeane Freeman): It is no exaggeration to say that the effort and sacrifice of the people of Scotland in complying with the restrictions that are in place has helped to save thousands of lives. I know that it has not been easy, but I cannot stress enough how much it matters and how much it is appreciated.

We want to be clear with the public on what the future might look like and the principles that will shape any future decisions on easing any of the restrictions that are currently in place. Later this week, we will set out the principles that will guide us, the evidence that we will use and the framework for our decision making. However, it will not—yet—be a hard and fast plan with dates, because it is simply too early to be able to set out that level of detail.

Once again, I thank the people of Scotland for complying with the rules and for their patience and continued support. Our aims now, and as we look to shape the steps that we need to take next in order to find different ways to live with this virus, are to minimise the impact of the virus, to continue to protect our national health service and social care services and to protect lives.

As at 9 o'clock this morning, 8,672 positive cases had been confirmed, which is an increase of 222 on the numbers reported yesterday. A total of 1,866 patients are in hospital with Covid-19, which is an increase of 57 from yesterday. Last night, a total of 166 people were in intensive care with confirmed or suspected Covid-19. That is a decrease of three since yesterday. However, in the past 24 hours, 70 more deaths have been registered of patients who have been confirmed as having Covid-19, which takes the total number of deaths in Scotland, under that measurement, to 985.

As always, we remember that behind those numbers are human beings—fathers, daughters, mothers, cousins, friends—who all meant so much to those they have left behind. Again, I extend my condolences to all those who have lost loved ones.

The work that our national health service has undertaken to treble intensive care unit capacity and to increase bed availability has ensured that

so far, we have kept the number of cases below our capacity to cope. To ensure that that capacity is in place, we completed the construction of the NHS Louisa Jordan hospital in Glasgow over the weekend. In just over three weeks, we have planned, developed and constructed a hospital that now stands ready for patients. We continue to hope that that temporary facility will not be needed, but its creation gives us greater certainty that our NHS will have the capacity that it needs in all circumstances.

The effort and support from the army initially and the significant efforts of front-line NHS staff, construction and support staff and SEC staff has been awe inspiring, and I am sure that everyone in the chamber shares my gratitude for their remarkable achievement, the pride with which they have worked and the continued effort that they make to be ready.

This virus is a particular and serious threat to the most vulnerable in our society. Among those are our oldest citizens and those with underlying conditions. That means that protecting the residents of care homes is vital—just as it is during flu season and when they experience outbreaks of norovirus.

Guidance on isolation in care homes has been established for some time and requires clear social distancing, active infection prevention and control and an end to communal activity. However, to provide clarity, today I am setting out a series of tailored additional steps that we are taking to support staff and residents.

I have required NHS directors of public health to take enhanced clinical leadership for care homes. For the first time, NHS directors will report on their initial assessment of how each home is faring in terms of infection control, staffing, training, social distancing and testing and on the actions that they intend to take to rectify—and rectify quickly—any deficits that they identify.

To supplement that new clinical oversight, we are establishing a national rapid action group, comprised of the key partners with operational responsibility in the area, recognising that care homes are primarily operated by independent providers. The group will receive daily updates and activate any local action that is needed to deal with issues as they emerge, as well as co-ordinate our wider package of support to the sector.

In addition, we are equipping the Care Inspectorate for an enhanced role of assurance across the country, including greater powers to require reporting.

Testing for staff and residents is being expanded, including testing of all symptomatic residents of care homes. Covid-19 patients who are discharged from hospital to a care home

should have given two negative tests before discharge. I now expect other new admissions to care homes to be tested and isolated for 14 days, in addition to the clear social distancing measures that the guidance sets out.

I make clear that testing is not an alternative to following the guidance on social distancing, ending communal activities and enhancing infection prevention and control. However, it can and does provide necessary assurance to the families of people who are in or being admitted to care homes, which is important. Of course, it also provides assurance to staff.

We are working to get students and social care retirees and returners into the system as quickly as possible and we are supporting care homes to recruit additional staff. Employers now have direct access to the Scottish Social Services Council recruitment portal, to enable the quick and effective redeployment of care workers. More than 80 staff have already been matched for work in care homes or care at home under the new portal; more will join them in the coming weeks.

I have spoken to a number of stakeholders in recent days and I thank them for their support. In particular, I am pleased that Scottish Care, which represents the majority of care homes in Scotland, agrees that this strategy and approach is the right one.

We owe enormous gratitude to workers who are safeguarding our most vulnerable loved ones in care homes and at home.

To ensure that staff have the personal protective equipment that they need, we are increasing care homes' access to NHS PPE. Although care homes have their own PPE supply route, as before, we have undertaken to supplement that, recognising the additional demand on care homes at this time.

More than 16 million items of PPE have been distributed to social care since we launched the triage helpline for the sector on 19 March. This week, we began delivery of a week's supply of aprons, gloves and fluid-resistant surgical masks direct to every single care home, prioritising those with known outbreaks; delivery of all that will be complete by the end of this week.

The demand for PPE is a huge global challenge, but we are doing all that we can to ensure continued supply and distribution. On top of the supply of NHS PPE to care homes, we have delivered more than 80 million items to Scottish hospitals and provided eight weeks' supply to general practitioners and primary care in Scotland.

Global demand as a result of the pandemic is huge and we continue to run what is now a 24/7 operation to procure the supplies that we need for Scotland. In addition, we are working on a four-

nation basis with our colleagues in the rest of the United Kingdom.

We are continuously updating our guidance in line with the science, as our understanding develops, so that workers have clarity on the type of PPE that they should wear and in which setting or scenario.

However, I should be clear that the guidance that Public Health England issued last week on actions to undertake in the event of shortages did not apply to Scotland. We continue to have sufficient stocks of PPE. However, we continue to have to work hard, every single day, to ensure that orders arrive on time, that delivery volumes are as ordered, and that we source new suppliers into the market. As always, if staff have concerns, we need to hear about them. They can contact us through the direct dedicated PPE email address, which I will give again: covid-19-health-PPE@gov.scot.

Work has also been continuing on increasing our NHS testing capacity, and we are on track to meet our target of 3,500 by the end of this month. By that time, every health board will have local testing capacity, and we are working across academia and the independent sector to increase that capacity further. In addition to our own efforts to increase testing, we—again—work on a four-nation basis to increase testing capacity in Scotland as part of the UK effort.

Increasing our polymerase chain reaction testing capacity and looking forward to other emerging forms of testing—if they are validated—will be essential to plans for the future. Our work on testing now matters now, but we are also building the testing infrastructure that we will need as we move to the next phase. Our capacity to test, trace and isolate will be critical to controlling the virus.

We are witnessing the most significant transformation of health and social care in a generation. Tripling our intensive care unit capacity, massively scaling up and extending our procurement service, creating a new hospital in three weeks, protecting hundreds of thousands of our most vulnerable, and welcoming thousands of NHS and social care returners, student nurses, midwives, allied health professionals and medics to support our communities and our NHS are just some examples of what has been undertaken.

All that is testament to the professionalism, dedication and sheer hard work of those who work in, and lead, our NHS and social care. In addition, the people of Scotland have stuck by the rules and stayed at home, maintained social distance, and sacrificed the contact with family and friends that means so much and the pleasures that they otherwise enjoy.

That transformation and those sacrifices are impressive beyond words. However, alongside that, our NHS remains open. Services from GPs to accident and emergency and urgent care are all open and ready to care for those who need it. I say to everyone: please do not hesitate to come forward if your condition, or that of your child or family member, concerns you. If you have symptoms, seek help by contacting your GP, calling NHS24, or by attending A and E for urgent symptoms. The NHS is ready to cope—and is coping—with Covid-19, and it remains open for all those other important and urgent health issues, in relation to which it cares for people so well. The NHS and our social care services continue to scale up and to work to protect the health of people in Scotland, and we continue to do all that we can to support them.

The Presiding Officer: As the cabinet secretary will imagine, a large number of members wish to ask a question. I hope that we will have relatively concise questions and similarly concise answers.

Miles Briggs (Lothian) (Con): I thank the cabinet secretary for advance sight of her statement.

Ministers have stated that delayed discharges will be reduced by a further 500 this month. How many of those patients are still in hospital today? In addition to that, given the concerns that have been raised regarding current staffing levels in care homes across the country, how many of those patients is it envisaged will be moved to care homes?

Jeane Freeman: From memory—if I am wrong, I will correct this later—delayed discharges have reduced by 62 per cent since 4 March, and just over 600 individuals who clinically no longer need to be in hospital are still there. Regarding those who have been discharged, I do not have with me the number of individuals who have gone to care homes or into care at home over that period. However, we will get those figures from health and social care partnerships as best we can, and we will ensure that Miles Briggs and other members have them.

I should also make the point that, as we work hard in relation to delayed discharge—in which there has been significant achievement—it is being revealed that there are particular issues around the support that is needed for adults with incapacity, and with significant mental health or behavioural issues. We are working to introduce what is needed in that respect not only for this time, in relation to the pandemic, but for the longer term, so that we can continue to deliver to those individuals the care and support that they need.

Monica Lennon (Central Scotland) (Lab): The latest data says that around one in four Covid-19

deaths has happened in a care home, and there is persistent evidence that care workers are working in a precarious environment without the basic equipment—masks, gloves and so on—that they need.

The cabinet secretary mentioned the email address that the Government uses. How many people have emailed that account about PPE? Although I welcome the creation of the national rapid action group, I recall that the cabinet secretary put the NHS on an emergency footing on 17 March. Is the care sector now on an emergency footing? If not, why not?

Jeane Freeman: Let me take those questions—I think that there were three—in turn.

Since 1 April, when the email address was initiated, we have received 1,636 emails. Emails that are considered to be urgent are turned around and dealt with within 12 hours. Next are emails that are dealt with within two to three days. Others take longer, as we try to work through exactly what needs to happen and check the question against the information that we get back from health boards on social care, or on particular care homes.

I am currently considering whether we need to increase staffing for that. It needs to be an around-the-clock—although not necessarily overnight—operation, because of how people email in their concerns. As I said, as those concerns come in, there is ministerial engagement, and some of the concerns are acted on quickly. Boards now have single points of contact for PPE. Those individuals meet virtually at least once a week, and the minister concerned joins the meeting as often as possible in order to try to understand exactly where there might be particular issues.

As Monica Lennon will know, the majority of our care homes are private enterprises: from memory, I think that about 20 per cent are run by local authorities, so there is a mix of public and private sector provision. The Government's oversight of social care is not as direct and clear as it is for our national health service. However, I have outlined a significant increase in clinical intervention and oversight. I said in my statement that I had worked with partners—importantly, including Scottish Care—to secure their agreement, so that we have much greater direct intervention in, control over and support for individual care homes.

The guidance that went out in the second or third week of March was specifically established in order to break possible transmission of the virus. It was harsh guidance about residents having to stay in their own rooms and all communal activity ending, and it covered infection prevention and control support for staff, PPE and training, and staff confidence in that. If all that had been put in

place and was active, we should not have seen the level of transmission that we have seen in care homes.

We now need to increase our clinical oversight and the Care Inspectorate's inspection of care homes, and we need to ensure, through direct delivery of PPE and other measures, that we are offering to care homes the maximum support that we can offer. Members should bear it in mind that, for the most part, care homes are private enterprises, so we need to agree levels of intervention and support with them, notwithstanding the standards that they are required to meet for their Care Inspectorate registration.

Alison Johnstone (Lothian) (Green): I have spoken with scientists, including Professor Debby Bogaert, who is an expert in infectious disease who strongly advocates a test, trace and isolate strategy—the response that has been urged by the World Health Organization. Will the cabinet secretary explain why our testing capacity in Scotland continues to be underused? Indeed, we are close to the bottom of the European Union testing table.

The cabinet secretary will be aware that, as well as testing, we need capacity to trace. What action is under way in that regard?

Jeane Freeman: I am sure that Alison Johnstone will remember that, at the very start of this period, when we were in what we described as the containment phase, we undertook the strategy of testing, tracing and isolating cases. At that time, generally the process was carried out in people's own homes. The NHS in Scotland at that time had two labs that were capable of undertaking a total of 350 tests per day. However, that capacity has been increased significantly; all boards now have access to laboratory facilities. As Alison Johnstone said, our testing capacity has increased to the current level. I emphasise that it will increase further to meet the target of 3,500 tests per day because of the additional capacity that I spoke about in my statement.

We set out that we would in this phase, as we significantly increased capacity over a very short time, use testing for patients in hospital, for surveillance purposes and to help critical key workers to return to work. Such workers are not only in the health and social care sectors, but extend to prison, police, ambulance and fire and rescue services. However, we have seen low uptake of testing among them. Members will recall the three categories of key workers that we published; we are now looking at extending availability of testing to workers in other key areas.

The point of the significant increase in testing to the target of 3,500 tests per day and beyond is in

order for us to be as ready as possible to carry out the strategy of testing, tracing and isolating cases as we move, in any respect, from the current severe restriction measures to easing of them, depending on where the evidence takes us and when the decisions that I mentioned at the start of my statement are made. Whatever we do at any point, the test, trace and isolate strategy will be critical to ensuring that we retain control of the virus's spread, and that we continue to keep case numbers within the NHS's capacity to cope with them.

That will all become clearer as we increase testing capacity—on which we will update Parliament as we do so—and as we increase the capacity of our local health protection teams, which lead the tracing process and provide advice on isolating.

The Presiding Officer: Thirteen members still wish to ask questions, so I urge the cabinet secretary to be slightly more concise in answering, if possible. I know, however, that these are difficult matters that involve a lot of detail.

Alex Cole-Hamilton (Edinburgh Western) (LD): I welcome the announcement on testing in care homes. Willie Rennie and the Lib Dems have been asking for that for several weeks. That shift in policy will keep people safer.

This week, Colin Millar voiced his anger at the Scottish Government's failure to end continued exposure of personal assistants to the risk of infection transmission. He said that the telephone support line refuses calls from social care workers because they are not registered with the Care Inspectorate. Those who deliver care in people's homes, as personal assistants, are in as much danger as care home staff. Will the cabinet secretary intervene to ensure that they are no longer stonewalled by the PPE helpline?

Jeane Freeman: Yes, I will. Before I do, however, I say here—and I will later write to the Scottish Personal Assistant Employers Network, SPAEN, to say this—that I apologise for the fact that we have not resolved that issue before now. Social care workers are a very important group, as are the people for whom they care. At this point, there is no good reason for their being unable to access PPE.

With that apology, I also offer my assurance that, before I leave Parliament to go home tonight we will have resolved that issue. There is no reason why it should not be resolved. Alex Cole-Hamilton and, more important, the personal assistants whom he mentioned, have my personal assurance that we will resolve the issue by the end of the day.

Annabelle Ewing (Cowdenbeath) (SNP): As the member for Cowdenbeath, I take this

opportunity to thank all NHS Fife staff and care sector workers in Fife for their unstinting dedication.

Over the past few weeks, we have witnessed unimaginable, yet hugely commendable, community buy-in to lockdown. How does the cabinet secretary plan to build on that in planning for the next steps, while recognising at all times the hugely different circumstances that pertain in communities in villages, towns and cities across Scotland?

Jeane Freeman: The answer to that is, in part, what the First Minister set out only a few days ago. We plan to publish a document later this week that will set out the approach that we intend to take to making such decisions. The document will set out not what the decisions will be, but the criteria and the evidence that we will use, and how we will make all that as transparent and as public as possible. The document attempts to engage us in hearing what communities want to say to us about the approach that they want us to take, and about easing of various measures that might be possible while we control spread of the virus.

It is important to remember in all this that we are looking—from a situation in which there are severe restrictions on people's everyday lives in order to control the virus—to identify in what way any of those restrictions can be eased while we continue to live with the virus. It is not going away; it is still with us and we need to continue to manage the virus as best we can. That is why test, trace and isolate is so important, but we will set out the other steps, the balance of evidence that we will consider and the decisions that we will reach as clearly as possible, because that is the best way for people to understand the rationale for anything that we decide to do, and for us to secure their support and commitment to continuing to work with us as we try to manage the virus and minimise loss of life.

Brian Whittle (South Scotland) (Con): Last Friday, I asked the cabinet secretary about the procurement process for Scottish companies that have offered to manufacture or supply PPE. I recognise the need for due diligence, as the cabinet secretary indicated in her answer on Friday, but, on behalf of companies that are in that situation, I ask why is it taking so long for the initial engagement with them—sometimes as long as three weeks—and whether there is a way for that delay to be tackled.

Jeane Freeman: As I said to Mr Whittle on Friday, much of that work is a collaboration between me and Mr McKee and the group that he leads with Scottish Enterprise and others. I do not have a direct answer to Mr Whittle's question now, but he has my commitment that I will work with Mr McKee to look at all the companies that have

come forward, what has happened with them, what the process is and whether there is room to speed it up. I will return to the member in the next few days with that answer.

Kenneth Gibson (Cunninghame North) (SNP): According to National Records of Scotland, in 2018, 3,400 people died from contagious diseases in Scotland, including 364 from influenza and 1,670 from pneumonia. Does the Scottish Government have any information yet on the lockdown's positive impact on reducing the number of deaths from infectious diseases other than Covid-19, such as pneumonia and influenza?

Jeane Freeman: No, we do not have detailed information on that yet, although it will be an interesting piece of information. We have an indication that some of the infections that generally arise because we do not wash our hands well enough are declining. That should be a spur to us all to continue to pay attention to the important public health message about washing our hands.

Jackie Baillie (Dumbarton) (Lab): I welcome the cabinet secretary's additional measures for care homes. The 15 deaths at Crosslet house care home have now become 16, following the death of a resident yesterday. As late as yesterday, senior managers were claiming that the home is Covid-19 free. That is despite at least two local GPs diagnosing residents with Covid-19, five staff testing positive and one member of staff now in hospital.

In a shameful piece of spin that, frankly, would make most politicians blush, West Dunbartonshire Council claims that it is following guidelines and is giving the impression to families that it is testing residents, but it has not tested a single resident—not one. The council is not even being accountable to its local councillors, who are being refused information. Will the cabinet secretary instruct an urgent investigation and tell West Dunbartonshire Council that it must test its care home residents and not allow older people to be treated as second-class citizens?

Jeane Freeman: The situation that Ms Baillie has just outlined is utterly shameful and completely unacceptable. This afternoon, I will ask the relevant director of public health to immediately take steps to look at what is happening in that care home, to ensure that residents who are symptomatic are tested and to advise me on what additional steps should be taken with that particular care home, as we are now asking all directors of public health to do with every care home across Scotland.

Shona Robison (Dundee City East) (SNP): The cabinet secretary will be aware of concerns raised by essential workers, including those caring for the most vulnerable in our communities, such

as care workers, who have previously been told that they will be entitled only to statutory sick pay should they self-isolate rather than the 80 per cent of salary that has been offered to non-essential workers. Can the cabinet secretary provide more detail on the funding agreement that was reached between the Scottish Government and the Convention of Scottish Local Authorities for sick pay in cases where care workers are ill or self-isolating?

Jeane Freeman: The funding agreement was that we would meet any additional costs required by local authorities or others to ensure that the sick pay of care workers who are off sick or isolating because of Covid-19, or who are at home looking after someone else for whom they have caring responsibilities, is met in full.

Bill Bowman (North East Scotland) (Con): Macmillan Cancer Support is concerned about the lack of clarity around the guidance on visiting someone at the end of life who is dying at home. Macmillan says that leaving the house for such visits is not listed in the Government guidelines as an exemption. Will the cabinet secretary set out guidance on that with regard to all settings, including home and non-home settings, so that people can say goodbye to their loved ones safely, regardless of where that might be?

Jeane Freeman: It may be sensible to repeat that, in the guidance that we set out on the various media platforms that we use, in which we said that visiting people in care homes, hospitals and other settings would end, there were a number of exemptions, one of which was to be with a loved one at the end of their life. Another exemption is birthing partners—when someone is a partner for someone giving birth. A third exemption is when a loved one suffers from dementia and it would increase their anxiety and distress not to have someone visit. There is a fourth one—forgive me, but I cannot remember it. I will make sure that members are informed of all four exemptions, and we will look again at whether we need to make those more public so that people are clear that, at end of life and in the other situations that I have described, there are exemptions to the current ban on visiting.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Several weeks ago, it emerged that 17.5 million or so antibody tests bought by the UK Government were found to be unreliable by scientists at the University of Oxford. I am aware that work is on-going to identify reliable testing kits. Can the cabinet secretary update us in relation to the Scottish Government's work on sourcing such tests? Does she continue to believe that antibody testing will be a useful tool in helping to beat the virus and ease the lockdown?

Jeane Freeman: So far, a successful antibody test has not been developed. The evidence is not clear on the degree to which someone who has Covid-19 develops antibodies and immunity, or, if they develop immunity, for how long that lasts. All those factors make the development of a test more complicated. A great deal of work is going on, a lot of which involves researchers and others from Scotland, as part of a UK and European exercise and, in some instances, a global exercise. However, although work goes on to try to develop a successful and clinically robust antibody test, at this point none exists.

Sarah Boyack (Lothian) (Lab): What are the cabinet secretary's plans for opening the new department of clinical neuroscience facility at Little France in Edinburgh in May, in light of the concerns of senior medical staff that that could be a dangerous distraction at a time of our greatest need and their view that the DCN move should be delayed until the pandemic is over, when it can be carried out in a safe, orderly and sensible manner?

Jeane Freeman: It is a positive that the DCN part of the new site is ready and on track, as we had hoped it would be. However, some of the senior clinicians that Ms Boyack refers to wrote to me to express those concerns and since then there have been a number of discussions between them and others with the medical director for NHS Lothian on whether any level of service can safely be moved to the new site without compromising the work of staff who are currently dedicated to addressing the Covid-19 pandemic. I believe that they have reached a view on out-patient services, but that is still to be finalised and those discussions continue.

The clinicians are right to prioritise what needs to be done now, but it is important that, if there is any level of service that can be moved that does not compromise those efforts, steps are taken to do that. Any such move would need to minimise disruption to the work that those clinical teams are undertaking now.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): Today's *Evening Times* raised concerns about agency staff in care homes being moved across the care home estate, potentially increasing the risk of infection. I am also aware of staff being deployed across various units within the same care home setting due to significant staff shortages as employees have to self-isolate. Will the new national rapid action group review and clarify guidance in that area and ensure that it is rigorously enforced in case it could save lives? Does the cabinet secretary agree that, once testing of symptomatic staff is routinely conducted, staff absences will be reduced, fewer

will need to be redeployed and fewer agency staff will be required?

Jeane Freeman: Staff should not move from one part of a care home or one care home that has Covid-19 positive patients to another that does not—that is basic infection prevention and control. Directors of public health will be looking to ensure that, if that is happening, it stops. It should not be happening in any circumstances and certainly not in the current circumstances. Increasing the availability of testing for social care staff or their family members if they are engaged in household isolating may help.

Some parts of Scotland have been successful in ensuring that numbers go through at pace. There should be no need for agency staff to be used, given that we have 20,920 individuals in total who are returning to the health and social care workforce and that NHS Education for Scotland, NHS Greater Glasgow and Clyde, NHS Lothian and the SSSC portal are working at pace to deploy them. As I said in my statement, 81 staff have been deployed, another 126 are ready and available for social care services and more will be coming forward, including 1,854 student nurses who have been placed in community settings. We need to ensure that care home owners and managers understand how to access those skilled clinical workers with experience and commitment to make up any shortfall that they have in their permanent staffing numbers.

The Presiding Officer: I apologise to Anas Sarwar, Andy Wightman and Neil Findlay, but I am afraid that we have to move on to the next item of business. I remind members to be careful about social distancing measures when leaving or entering the chamber.

Covid-19 (Justice)

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a statement by the Cabinet Secretary for Justice, Humza Yousaf, on coronavirus: justice sector response. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

14:44

The Cabinet Secretary for Justice (Humza Yousaf): First and foremost, I express my gratitude to justice agencies and front-line professionals across the country for their response to the Covid-19 outbreak.

Scotland's justice system is responding well. In the context of Covid-19, justice agencies face significant challenges in adapting how they work, maintaining where at all possible access to justice and continuing to protect our communities, vulnerable individuals and people in our care, while also ensuring compliance with essential public health advice and regulations.

In these unprecedented times, Administrations across the United Kingdom and internationally are having to take very difficult actions to boost and strengthen the justice response to help to combat, curtail and control the spread of the virus. I will set out briefly the Scottish Government's justice response.

Police officers and staff are on the front line of our response to this public health crisis. I pay tribute to the crucial job that they are doing to protect the national health service and other services and to keep us safe. The approach that has been taken by Police Scotland when interacting with the public is very welcome. It makes sense to engage, educate and encourage, and then, only as a last resort, to use enforcement action where necessary. That is in line with our valued traditions of policing with the consent of the public. Only a fraction of those interactions have led to warnings or fines. Compliance with the regulations remains very high. I thank the people of Scotland for their common sense and recognition of our shared responsibility during the crisis.

I welcome the chief constable's decision to invite John Scott QC to review Police Scotland's use of the new emergency powers. An independent review by a highly regarded expert in human rights is a welcome check and balance, complementing the role of Her Majesty's Inspectorate of Constabulary in Scotland.

Quite rightly, we have heard a lot about the need for the police, as for many of our key front-

line workers, to have access to personal protective equipment. I take the issue very seriously. The level of PPE that police officers and police staff must use is, of course, a matter for Police Scotland's chief constable, given his statutory responsibility for the health and safety of his officers and staff.

PPE is not needed for routine policing activities where there are no suspected or confirmed cases of Covid-19. However, if police support is required at an incident involving suspected or confirmed Covid-19, trained officers in full PPE would be asked to attend. Police Scotland's guidance on the use of PPE is proportionate and based on risk assessments for those circumstances, and follows advice and guidance from Health Protection Scotland. Training for officers has now been increased across the country, with specific roles being prioritised. By Friday last week, around 5,000 front-line police officers had been trained in the use of PPE and had a mask fitted. More than 7,000 kits had been issued.

The Scottish Fire and Rescue Service, which works closely with other first responders across our communities, is also doing a fantastic job. I urge the public, who have increased time at home, to be mindful of fire safety in their homes and to follow SFRS guidance.

During this time, we have all been asked to stay at home but, unfortunately, home is not a safe haven for many people; those who suffer domestic abuse, including coercive and controlling behaviours, can feel isolated and vulnerable, unheard and unseen. Support is available 24/7 on Scotland's domestic abuse helpline on 0800 027 1234. In addition, Childline is available to support children and young people.

Police Scotland's response to domestic abuse remains unchanged. Officers will continue to respond to reports and endeavour to prevent harm. The Lord Advocate has confirmed that domestic abuse cases will continue to be prosecuted rigorously and fairly, and bail conditions and non-harassment orders continue to be enforced.

We have developed a Covid-19 domestic abuse emergency response to maintain the delivery of vital services. We have provided support to third sector organisations, including an additional £1.5 million to Scottish Women's Aid and Rape Crisis Scotland. We have increased the victim's fund to £100,000, which is available through Victim Support Scotland to help to meet the immediate needs of victims. We have relaunched Scotland's domestic abuse campaign, which makes clear that, if a person is experiencing domestic abuse, help is available and they are not alone.

The courts' spotlight has recently shone on how criminal business is handled, but I recognise that courts deal with an extensive range of civil business, much of which is rightly regarded as essential—a wide range of family law cases, guardianship orders and commissary business, to give but three examples. Maintaining the safety of litigants, the judiciary, court staff and, indeed, the wider public must always be the absolute priority.

The emergency legislation that was passed by the Parliament to facilitate court business has been of great assistance to the courts in progressing business safely. However, it is inevitable that many aspects of court business will be disrupted. I am grateful for the way in which the courts are engaging with the legal profession and others to identify and prioritise areas of work that can continue.

Difficult decisions have also had to be taken in the management of criminal business. That includes the decision by the Lord President and the Scottish Courts and Tribunals Service, in the light of the social distancing advice, to suspend all jury trials in the immediate term. Let me be clear: the Scottish Government is absolutely committed to the principle of trial by jury. Last week, we published a discussion paper setting out a number of potential options, and we confirmed that judge-only trials are not the Government's favoured option.

I was very pleased that a number of MSPs were able to join the first virtual round table to discuss the issues that our system is facing and the best way forward. I hosted sectoral discussions with, among others, the legal sector, the third sector and human rights organisations. The chief executive of the Scottish Courts and Tribunals Service and the Crown Agent have shared the latest data on the numbers of cases that we are facing that cannot progress, and the likely backlog. In our paper, the Scottish Courts and Tribunals Service estimates a potential backlog of 1,600 serious cases awaiting trial by August. We must not lose sight of the impact that backlogs and delays will have on real people, including victims, vulnerable witnesses and, indeed, those accused of crime who are held on remand.

I turn to the options in the paper. Based on the discussions so far, we will focus on a number of the options, including the potential for smaller numbers of jurors; social distancing measures within existing court facilities; measures to enable faster progression of jury trials to address the backlog following the easing of public health restrictions; and potentially adjusting the sentencing powers of sheriff courts.

I am aware that not everyone will be supportive of all those options. Representatives from the third sector spoke powerfully of concerns about any

options that still require juries, due to the possibility that, in these times, there might be a greater likelihood of jurors falling ill or self-isolating, and of trials starting and not being able to proceed, which would cause extreme distress for victims. I am sure that every member has received the letter, signed on behalf of the four largest victims organisations, expressing some of their concerns.

Many challenges remain, but I am heartened by the progress to date. We will continue to work to mitigate and reduce the potential backlog of cases. However, we need to be realistic that the impact on the courts will continue for a significant period, even after the current health restrictions begin to be lifted.

I come to the most significant aspect of my update today. The Scottish Prison Service has taken comprehensive action to ensure that the social distancing requirements and public health advice are met within our prisons. Some of those measures, which were set out in recent amendments to prison rules, were necessary to ensure operational stability and to preserve safety and wellbeing across prisons.

Let me take this opportunity to thank prison officers and staff for the incredible job that they have done to maintain safety and order in our prisons during these challenging times. I also thank the range of social workers, public sector staff and third sector groups that have continued to support people in prison and after their release.

As of last night, 89 people in custody across 12 sites are isolated, as per protocol, and they are being monitored accordingly. The monitoring of conditions in our prisons continues to be very important, and I can confirm that Her Majesty's chief inspector of prisons for Scotland will be implementing a remote monitoring framework shortly.

Measures to mitigate the impact of social isolation on those who are in the care of the Scottish Prison Service have been introduced, such as in-cell support material, which has been developed for those in SPS care by psychologists and experts in mental health wellbeing.

The suspension of prison visits, which has been in place since 24 March, will be being felt by prisoners and families alike. On Friday, I announced our intention to provide mobile phones to those in custody in order to allow them to maintain vital family contact, while putting in place robust restrictions to prevent their misuse. There are still, of course, some security, technical and legal issues to be resolved before phones can be rolled out, but that is a priority for the SPS and the Government.

We recently debated the Coronavirus (Scotland) Act 2020, and provisions on prisoner release secured unanimous support. Work continues within the SPS and justice social work to carefully assess prisoners and decide who can be permitted to spend the last section of their sentence on a tag on home detention curfew. The slowdown in court business has also reduced the number of people in prison.

However, we should not underestimate the challenges that our prisons face in protecting and managing the prison population in the context of Covid-19. There are still a significant number of prison staff who cannot be in work due to ill health or a requirement to isolate, or as a result of needing to take care of children or family members. Taken together with the changes to prison regimes, those factors make prisons an especially challenging environment at present for prisoners, prison officers, NHS staff and others who work in our prisons. We have also had recent confirmation of a further three weeks of lockdown, so we need to make arrangements now with a view to the continued running of prisons over the following weeks.

I can advise the Parliament today that, after careful consideration and in agreement with the views of the chief executive of the Scottish Prison Service, I will be asking the SPS to consider the release of a limited number of short-sentenced prisoners towards the end of their time in custody. I believe that that is a necessary and proportionate response to the current situation in our prisons. It is in the interests of maintaining security and good order in our prisons, and it is vital in maintaining and safeguarding the health, safety and welfare of prisoners and those who work in our prisons. The action will help to give the SPS sufficient capacity, including increased single cell occupancy, to continue to maintain a safe custodial environment.

By the end of this month, we will lay regulations to make use of the powers that Parliament agreed, and release will begin at that point. In advance of regulations being laid, I can advise members of some of the detail of the arrangements.

Only those prisoners who are serving sentences of 18 months or less and who are in the last three months of their time in custody will be placed under consideration for possible release. They are short-term prisoners who are already due to be released over the next three months as their time in custody ends, and they would typically be released without any further requirement for supervision in the community. The release process is scheduled to begin at the end of this month and to run for four weeks.

The act already rules out any early release for certain types of prisoner, such as those who have been sentenced for sexual or terrorism offences

and those who have been sentenced to supervision orders after their release. The regulations for the process will rule out the release of further categories of prisoner, including those who are serving sentences for domestic abuse offences, those with non-harassment orders and those who have been convicted of certain Covid-19-related offences.

Under the act, prison governors will have the power to veto any individual's early release where there is evidence that they would present an immediate risk to an identified individual. The individual at risk may be a specific person or a person who belongs to a specific group.

The process will consider for release around 450 prisoners, who will all be approaching their scheduled release date. The review and veto process will inevitably reduce the eventual numbers who are released. We will work with a range of public and third sector services to enable prison leavers to access the housing and healthcare benefits and other support services that they need.

Changes are being made to the victim notification scheme so that victims and their families who have signed up to receive updates from the VNS will be informed if an individual whom they are registered in connection with will be released under the arrangements.

I understand that that will a difficult decision for some, including, of course, victims of crime. Let me be clear: it in no way diminishes the harm that victims have suffered. However, in these exceptional and unprecedented times, we must take difficult decisions that best reduce the risk of further harm.

I am aware that that decision will not be universally popular. However, it is my judgment that it is the right course of action for the safety of those who work in our prisons, as well as for those in our care. At times like these, we must recognise our obligations to all those in society, including those who live and work in our prisons. The action is necessary and proportionate and is the right one for a responsible Government to take. I trust that members across the chamber will support that difficult but necessary decision. I will remain in dialogue with colleagues across the chamber and will listen to any concerns or suggestions that they may have.

I invite members to join me in expressing their appreciation for those who support, and work within, the justice system as we continue to deal with the profound impact of this public health emergency, and to work with us in taking the necessary actions to assist justice agencies and their staff to fulfil their roles.

The Government will continue to engage with others to provide the support and capacity to maintain public confidence, to keep people safe, to protect lives and to instil and maintain confidence in Scotland's justice system. My thanks and deepest appreciation go to all those who are in the front line of our justice system, for all that they do to keep us safe.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues raised in his statement. I will allow as long as I can for questions. If the cabinet secretary wishes the Lord Advocate to respond to a particular question, he should indicate that to me.

Liam Kerr (North East Scotland) (Con): We recognise the extraordinary circumstances that our prisons face, but victims and the law-abiding public will be very concerned by prisoner release, and will need reassurance. Will the cabinet secretary set out what evidence, and from which agencies, has led to the conclusion that that action is the one that is required to maintain a safe custodial environment? What support is being considered for those victims who might see their attacker out on the street and may be fearful for their own safety? Would it not be sensible and reassuring to tag all prisoners who are released early?

Humza Yousaf: I thank Liam Kerr for the question and for his approach. He and I have an on-going and constructive dialogue on all justice matters.

This is not a decision that any Government would take lightly. When the UK Government decided on an early release scheme with temporary licences, that decision will also not have been taken lightly. That will be the same for the Government in Northern Ireland, which has taken a similar decision, and for Governments across the world. It is not a decision that anybody would take lightly.

I am more than happy to give Liam Kerr more detail, but we know that there are three ways in which the prison population may reduce. One is via the reduction in court business; one is by the use of home detention curfew; and one is by the use of emergency release powers.

We cannot release everybody with a tag as he suggests. There are also limitations in the capacity for HDC. At the moment, there are about 60 people on HDC. The contractor, G4S, has limitations: it, too, is dealing with staff absence and sickness. As the member knows, electronically tagging somebody requires close contact, as does installing the radio frequency unit. If that individual misses their curfew, they will get a phone call. If they do not answer or do not give a reasonable excuse, they may get a visit from an individual.

When there are staff absences, that creates a capacity issue.

I can assure Liam Kerr that we will try to maximise the capacity for HDC, but we have to go above and beyond that capacity. That is why we are looking at using emergency release powers.

There is clear evidence from the dialogue that the Scottish Prison Service has had with public health officials that to increase single occupancy of cells—rather than the double occupancy that we have in our overcrowded prisons—would help us to contain the virus. I am happy to maintain a dialogue with Liam Kerr and others and to provide them with more detail.

James Kelly (Glasgow) (Lab): I thank the justice secretary for his statement and join him in thanking workers in the justice sector for keeping the public safe. I welcome the constructive discussions that have taken place to deal with the backlog of trials, with a view to finding a solution that does not involve judge-only trials.

It is clear that the cramped and overcrowded conditions in prisons present a threat of the spread of Covid-19 to staff and inmates alike. Therefore, I welcome the cabinet secretary's announcement on the release of prisoners who are coming to the end of their sentence, provided that they do not present any risk to the public. It is a correct and proportionate response.

I have two questions. What provisions will be put in place to ensure that those who are being released are free from infection? That will protect not only them but those with whom they come into contact in the wider community. What support services will be put in place to help prisoners who are being released? Specifically, can the cabinet secretary outline how he can guarantee that nobody will be put in a position whereby, on release, they will potentially be homeless?

Humza Yousaf: I thank James Kelly for the approach that he has taken throughout this process, from the beginning of the pandemic. On the social distancing and lockdown measures that we have had to face, his approach has been very constructive, and I appreciate it very much.

On his two substantive questions, it is imperative that the Scottish Prison Service continues to follow public health guidance. It will always do that, and therefore it would not be wise to release any prisoner who shows symptoms of Covid-19. I say that, but of course the legal issues around that absolutely have to be worked out. That is what we intend to do, and we are working on it proactively.

For example, if a prisoner were due to be released automatically—not through the early release scheme—it is not yet certain that the legal

position would allow us to delay their automatic release due to the fact that they were presenting symptoms. We have to work through some of those legal issues, but I can give James Kelly an absolute assurance on two things. First, not only do we take such matters seriously, we understand the importance of them, and secondly, I will keep him and the rest of the chamber updated on that legitimate and pertinent question.

On James Kelly's second question, let me give the further reassurance that, in advance of today's announcement, I have already been having constructive dialogue with the Convention of Scottish Local Authorities. Just yesterday, I spoke to Councillor Kelly Perry, who leads on these matters for COSLA, and we had a very good discussion. It is going to be important that the prisoners whom we release are released in a phased manner. I will be happy to provide more detail on that, so that we can work with local authorities to ensure that adequate housing is provided as well as access to other support services. I should also say that the Minister for Local Government, Housing and Planning, who is here in the chamber, and I have already had constructive dialogue on the matter. Again, I am more than happy to keep members updated.

The Deputy Presiding Officer: We move to open questions.

Mark Ruskell (Mid Scotland and Fife) (Green): I have received reports that prisoners at HMP Glenochil are exercising together in groups of 25. However, staff are not able to routinely wear PPE and there is no testing of prisoners for Covid-19. Does the cabinet secretary agree with the World Health Organization when it says that

"the global effort to tackle the spread of disease may fail without proper attention to infection control measures within prisons"?

Does he believe that all prisoners and staff must be tested, as part of a test, trace and isolate strategy, and will he clarify whether the UK coronavirus detention guidance applies to Scotland?

Humza Yousaf: I will look at the specific matter that Mark Ruskell raises in relation to Glenochil. However, prisons are challenging environments and the rules, advice and guidance on social distancing are being adhered to as well as possible.

There are sufficient supplies of PPE. I speak to the interim chief executive of SPS many times during the week, and that is a constant topic of conversation. Perhaps we need to be careful about what we mean in relation to the routine wearing of PPE. The issuing of PPE to prison officers and staff is very much aligned to the public

health advice that is given by Health Protection Scotland and others.

The vast majority of those who are self-isolating are in HMP Addiewell, and the vast majority of those individuals are isolating as a precautionary measure, so I do not think that there is a particular issue with the rise or spread of the infection in Glenochil, but I am more than happy to look into that.

We know that prison staff are being tested at some of the testing facilities that have been set up so that they can return to work, and that is why we have seen the absence rate across the Prison Service drop from 25 per cent at its peak to just below 20 per cent today.

Alex Cole-Hamilton (Edinburgh Western) (LD): Making such decisions in the context of the pandemic is an unenviable task. It is all the more difficult because of where we started: Scotland's prisons were in difficulty before Covid-19. Liberal Democrats think that emergency release, with the right protections in place, is the right thing to do.

In England and Wales, the Ministry of Justice has begun temporarily releasing all pregnant prisoners and those in mother and baby units. How many people within the Scottish prison estate are pregnant or are in prison with their young children, and are there plans for their release and for the support that they need?

Humza Yousaf: I will endeavour to come back to Alex Cole Hamilton—I know the number, but I have to be cautious and take some advice about whether I can say it publicly, in case I identify individuals who may be pregnant. It is one of the first questions that I asked, when the pandemic broke out.

I give Alex Cole-Hamilton a very clear reassurance that, if those individuals can be released, they will be. We may be able to deploy powers for compassionate, as opposed to emergency early, release.

It is a very difficult conversation to have. Depending on the individual's circumstances before they went into prison—

The Deputy Presiding Officer: Excuse me, cabinet secretary, but it is difficult to hear you if you do not speak into the microphone.

Humza Yousaf: Depending on their family scenario, releasing them back out into those circumstances could do harm to the unborn child and indeed to the mother.

I hope that that makes sense. I have to be a little bit careful about what I can and cannot say, and I will take more advice in relation to what can be said about pregnant prisoners. However, members should be under no illusion: they should

be assured that where we can compassionately release those who are pregnant, the Government will look to do that.

The Deputy Presiding Officer: I warn members that we are not going to get through all the questions unless we pick up the pace a bit.

Rona Mackay (Strathkelvin and Bearsden) (SNP): How is the Crown Office responding to the current situation, and what impact is the Covid-19 outbreak having on the prosecution of crime in Scotland?

The Lord Advocate (Rt Hon James Wolfe QC): Over the past month, the Crown Office and Procurator Fiscal Service has distributed more than 1,500 laptops to members of staff, enabling them to continue to work productively from home.

I would like to be clear with parliamentarians that the criminal justice system continues to protect individuals and communities. The police continue, and will continue, to respond to criminality and to report cases to the Crown. Where public or individual safety demands it, accused persons are reported from custody. They are appearing before 10 designated sheriff courts, in some cases remotely, by a link from the police office. The Crown continues to mark cases for prosecution and will continue to process both its existing caseload and new cases, as far as that is possible.

The fundamental constraint that we face is the limitation that the current circumstances place on the business that can be dealt with in court. A small number of summary cases, in which the accused is in custody, are proceeding to trial, but all other summary cases are being adjourned. Solemn cases in which the accused pleads guilty are calling, so that the plea can be tendered and the accused sentenced, but, as members are aware, no jury trials can take place at this time.

Accordingly, the Crown's focus is currently on resolving those cases that can resolve by way of a plea, and on continuing to prepare cases—both its existing caseload and new cases, as far as that is possible—so that they are as ready as they can be when trials can again take place. The Crown will engage with the defence to that end, and I appreciate the constructive communication that the Crown has had with leaders of the legal profession in that regard.

The cabinet secretary has rightly warned colleagues that the impact on the courts will continue for a significant period after the current health restrictions come to an end or begin to be lifted. I know that parliamentarians are clear about the scale and seriousness of the challenge that we will face, and, as the cabinet secretary has observed, about the human impact of that backlog on accused persons and on victims of crime.

A lot of work is being done across the criminal justice system to respond to the immediate challenges and to address, in so far as we can, the mitigation of the challenges that we will continue to face as we live with Covid-19 and its consequences.

I am grateful for the opportunity to add my appreciation of the staff of the COPFS and all others across the criminal justice system for their continuing work.

Gordon Lindhurst (Lothian) (Con): The cabinet secretary mentioned in his statement the option of social distancing in existing court facilities for jury trials during the pandemic. Can he update Parliament on the work that has doubtless been carried out during the past few weeks? On the basis of that work, I ask whether he can advise Parliament, first, on the specific steps that have been undertaken to enable that approach to happen and, secondly, on the number of trials that will now be able to proceed and the number of courts that can be up and running on that basis before the end of the month?

Humza Yousaf: I am conscious of the time, Presiding Officer, so it may be helpful if I write to Gordon Lindhurst with some of the detail. Work is at a very early stage. So far, we have spoken to the sector and had dialogue with a number of other stakeholders. We have reduced the nine options that were in our paper down to about four, on which we think that we will concentrate. Once we work through the pragmatic and practical realities of those options, we will be able to give further detail on how many trials may be able to take place.

I will ensure that Gordon Lindhurst gets as much detail as possible on the work that has been done to date. If he is interested, I will ensure that he is kept up to date on these matters.

Ruth Maguire (Cunninghame South) (SNP): I welcome the provision of mobile phones to those in custody, and I agree with the justice secretary that maintaining family contact is vital. However, that news will be of concern to some people. What safeguards will be put in place to ensure that perpetrators of violence against women, domestic abuse or stalking are prevented from abusing, harassing or stalking their victims online or over the phone?

Humza Yousaf: That is a hugely important question. At the moment, the phones that are used in prisons have some restrictions placed on them, and it is exactly that issue—security restrictions—that we need to work through with the handsets that we intend to provide. For example, prisoners will be asked for three numbers, which they will be able to input into the phone that we provide, and it will be for the Prison Service to verify that those

are not inappropriate numbers to call. All that will take a bit of time. Therefore, although I have announced our intention to provide mobile phones for prisoners and those in our care, it will take time to work through those security, operational, logistical and legal issues.

Again, if the member wishes to have more information as—or even before—the roll-out begins, I would be happy to provide that, if she writes to me.

Claire Baker (Mid Scotland and Fife) (Lab): Following a change to the guidelines in England, the lockdown rules for the police and the public in Scotland and England differ. How will the Scottish Government and Police Scotland ensure that people are aware of the differences? How will people who follow English rules in Scotland be treated by the police? How challenging is it to deliver a message to the public when there is divergence, which is a situation that may become more common?

Humza Yousaf: I am more than happy to look at the specifics of that issue. Again, in terms of the law, operational matters are for the chief constable. In relation to any difficulty with or confusion about the guidelines, or, indeed, the law, I am more than happy that the chief constable and I speak in an aligned manner, in order to ensure that no confusion exists.

From speaking to the chief constable—as I do almost daily—I know that he remains satisfied that there are very high levels of compliance with the laws and the guidelines in Scotland. He has not specifically raised with me—and I suspect that his officers have not raised with him—the issue of confusion around the guidelines. However, if Claire Baker is concerned about specific instances, I am more than happy for her to get in touch with me, and I am more than happy to raise them with the chief constable.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Shared Parenting Scotland has advised that there are thousands of children in Scotland whose parents do not live together but share parenting time for their children. Like many members, I have received constituency queries about that. The guidance that has been issued has been clear that travel between symptom-free homes is an exception to the overall travel restrictions, because there are benefits to the continuity of those relationships.

Does the cabinet secretary think that the message is widely understood? Will he offer encouragement and reassurance to parents who find themselves in that position? Will he also advise what actions might be available to a parent who, in the current context, is worried about domestic violence, including coercive control, and

about their child perhaps not being returned to their care for some time?

Humza Yousaf: I am very aware of the context of the first part of Fulton MacGregor's question. I am a step-parent and my step-daughter travels between our home and her father's home, as per the agreement that we have.

There is an exception to the rules for the circumstances that Fulton MacGregor described and, while ensuring that the health guidance is followed, a child may travel between homes, because we understand how important family contact is.

In the days after the lockdown measures were introduced, the Lord President helpfully gave an update to guidance for those specific circumstances. If Fulton MacGregor wishes, I will send him details of the Lord President's guidance in relation to court orders and so on that must be adhered to. However, we understand that these are exceptional circumstances in which parental discretion will be important in maintaining the safety and wellbeing of children.

Fulton MacGregor also asked about domestic abuse. As I referenced in my statement, we are aware of and concerned about the vulnerability of women and children, in particular, during these times. I again state clearly and unequivocally that, regardless of how busy the police are, they have said that they want those who are threatened or being abused in their homes to contact the police when appropriate.

The police are available 24/7 and will deal with domestic abuse with a zero-tolerance approach, which is the way in which they have dealt with it previously. I commend the work that the police and, importantly, organisations such as Scottish Women's Aid, Rape Crisis Scotland and many others are doing to support survivors and victims of domestic abuse.

Maurice Corry (West Scotland) (Con): Will the cabinet secretary explain why prisoners with three months of their sentence left to serve are being released from Scottish prisons, while the cut-off in other parts of the United Kingdom is two months?

Humza Yousaf: The decision on the threshold or cut-off date for prisons in England and Wales is a matter for the UK Government, and it will be specific to the challenges that the UK Government faces, which might be different from those that we face.

The UK Government's release scheme will result in about 4,000 prisoners being released. In terms of our population share, we are not far off that figure with the 400 to 450 prisoners in Scotland to be considered for release, although that number will inevitably decrease once the

governor's veto and other such measures are put in place.

I take decisions for the Scottish prison system. I believe the measures to be right and proportionate, and I am pleased that, broadly, they have support around the chamber.

Angela Constance (Almond Valley) (SNP): I have written to the cabinet secretary and Her Majesty's Prison Addiewell regarding reports from constituents of mine who are Addiewell staff about the presence of Covid-19 and their specific worries about access to PPE. Will the cabinet secretary outline how concerns about access to PPE will be addressed and confirm that measures will be taken in line with the most up-to-date public health advice with clarity about who should wear what and when?

Humza Yousaf: I will ensure that Angela Constance gets a speedy response to her correspondence. As I already said, I speak to the interim chief of the Scottish Prison Service nearly every day, so I will raise that issue with her.

For those who are concerned for their loved ones, whether they work in HMP Addiewell or are in our care there, I note that of the large number of people who are self-isolating there, the vast majority do not have symptoms and are self-isolating because of the tailored advice that was given by NHS Lothian for the specific circumstances there. Although it will still be concerning for the people who are self-isolating at HMP Addiewell, for the vast majority it is a precautionary measure.

As I do regularly, I will raise the member's question on PPE with the interim chief executive of the SPS. Again, I am told that there are sufficient supplies and that the guidance on PPE is aligned to advice by Health Protection Scotland.

Daniel Johnson (Edinburgh Southern) (Lab): Surgical masks might have some role to play in preventing the spread of the virus, but they do little to protect the wearer from acquiring it. Does the cabinet secretary agree with the Scottish Police Federation in calling for masks of no less than FFP3 standard to be issued to officers, because surgical masks are inadequate? If he does, when will FFP3 masks be available for all police officers who perform public-facing roles?

Humza Yousaf: I might be wrong, and I am happy to be corrected, but I did not think that the Scottish Police Federation was calling for every officer to have FFP3 masks. I will go back and look over what the Scottish Police Federation said.

The federation has highlighted concerns around its interpretation of the effects of surgical masks, but I am wholly aligned with the chief constable's approach. For as long as I have known him, the

chief constable's utmost priority has been the health and wellbeing of his officers and staff, as well as the protection of the public at large.

The revised guidance that Police Scotland issued absolutely aligns not just with Public Health Scotland but with the Public Health England guidelines that the UK Government follows. The guidance that Police Scotland has issued is therefore aligned to the health advice that is given to other public sector workers.

Police Scotland has an adequate supply of FFP3 masks. In my statement, I mentioned the number of people that have already been trained to fit those masks; I am incredibly impressed by the rate at which Police Scotland has carried out that training. Therefore, I am satisfied with the approach that Police Scotland has taken on PPE.

With regard to the concerns that federation raised, I will look again to see whether it is calling for FFP3 masks to be given to every police officer. However, where there is no suspected or confirmed case of Covid-19, I do not think that that would be necessary.

Stuart McMillan (Greenock and Inverclyde) (SNP): In his statement, the cabinet secretary spoke about Police Scotland engaging, educating, encouraging and then using enforcement measures. Can the cabinet secretary provide clarification on the issue of people leaving their home for non-essential travel? At the weekend, we saw queues of people at the reopened B&Q, as well as people still driving to parks to walk or run.

Humza Yousaf: I thank Stuart McMillan for that question. We have been clear on the reasons that people can leave the house. When it comes to that once-daily exercise, which everyone enjoys—particularly in the weather that we have today—we have asked people to do that locally. There should be no need to drive to scenic locations for walks and exercise. We know the dangers of doing so: if it became popular to do that, those locations would become crowded and it would be very difficult to maintain social distancing. Therefore, the strong advice has been to walk or exercise locally, as opposed to travelling in the car.

As I said, the guidance is laid out and is specific. The advice is clear and, as the chief constable has often reiterated, the police will take a commonsense approach. The numbers that the police have fined or taken other action against are low, which demonstrates that commonsense approach. However, everyone should be in no doubt that enforcement action will remain an option for the police to take, if necessary.

The Deputy Presiding Officer: That concludes questions on the justice sector response to the coronavirus. I apologise to John Mason and Alison Johnstone for being unable to take their questions.

Covid-19 (Economy)

The Deputy Presiding Officer (Lewis Macdonald): Moran taing a h-uile duine. Many thanks to all concerned, both here and elsewhere, for your good wishes and your kind words.

The next item of business is a statement by Fiona Hyslop on the economy and Covid-19. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

15:30

The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop): The Covid-19 public health crisis has led extremely quickly to an economic crisis that is global in nature but also local, impacting on many people and businesses in Scotland. To combat the spread of the virus, many businesses have already closed and we face an enormous challenge in helping other businesses to survive, to provide jobs and to service the economy.

I thank all businesses and their workers for following the social distancing guidance, the essential sectors and supply chains for continuing to keep the country running and those companies that have repurposed to manufacture supplies for the health sector.

We estimate that up to 70 per cent of the workforce is still working, with many people delivering health, care and welfare services, and many others working from home, often combining that with childcare and home schooling. By staying home, they are playing their part in tackling the virus. They are helping to protect the health service and to save lives.

As Covid-19 continues to have a significant impact across the world, there is major uncertainty in financial markets, supply chains and the functioning of the global economy as many countries, including Scotland, have had to reduce economic activity to stop the spread of the virus. The latest surveys for Scotland show a similar pattern to other countries, with falls in business activity in March that are even sharper than during the financial crisis. The chief economist's "State of the Economy" report, which was published today, projects that Scotland's gross domestic product will fall by a third during the period of social distancing.

It is important, however, to put the economic impacts in context. This is no normal downturn and we need to view economic data and projections in that light, recognising that productive and profitable businesses across Scotland have

been required to pause activity to support the public health effort.

We have pursued three main aims for the economic response to date: to keep companies in business and with productive capacity so that they can recover; to keep staff in employment with appropriate income protection and support; and, most important, to provide support to staff so that they can self-isolate and care for loved ones.

It is in everyone's interest to help companies through this turbulent period. The United Kingdom Government has the immediate fiscal and macroeconomic powers to respond to the economic crisis and it has made substantial and welcome commitments to support businesses and employees. However, those commitments do not fully meet the needs of Scottish businesses. There are still significant gaps in both the job retention scheme and the support for the self-employed. Last week, along with the Cabinet Secretary for Finance, I wrote to the chancellor, outlining the changes that need to be made. I am also pressing the UK Government to urgently share data on the implementation of support schemes so that we are better able to tailor our support to businesses.

To address Scotland's specific needs, we announced additional funding to fill some gaps in the UK Government's schemes. There is no doubt that we will be dealing with the uncertainty of the impacts and duration of the virus for some time. I engage regularly with businesses, business organisations and the unions and I have been building consensus in recent weeks in support of our four-step economic plan: response, reset, restart and recover.

Initially, we have focused the majority of our efforts on the response stage. Our package of business support is now worth more than £2.2 billion: it is delivering almost £900 million-worth of rates relief and we continue to work with local authorities to progress our £1.3 billion business grants scheme. Support for the fishing industry of up to £22.5 million was announced by the Cabinet Secretary for Rural Economy and Tourism, and the Cabinet Secretary for Transport, Infrastructure and Connectivity has agreed further measures of support for the bus industry of £92 million, for ferry operators of £45.7 million and for rail franchisees of £254 million. We continue to work closely with the UK Government and Oil & Gas UK to assess what more can be done to support the oil and gas sector during its immediate and longer-term challenges.

The Minister for Trade, Investment and Innovation has been working on procuring international and domestic supplies for the health service. On Saturday, 10 million masks arrived at Prestwick airport, and during this week 100,000 litres of sanitiser will arrive at the national health

service's central distribution warehouse. Our enterprise organisations have provided advice and support to over 178,000 companies.

The additional £100 million that we allocated last week will be a vital lifeline for Scottish individuals and businesses to relieve hardship and protect the newly self-employed, who are ineligible for other support, and viable micro, small and medium-sized enterprises that are in distress and might be ineligible for UK Government sources of funding or not yet in receipt of the funds that they need to survive. The grant funding will be channelled through local authorities and enterprise agencies. The scheme will open for applications by the end of April and recipients will receive funds in early May. The provisional allocation will see £34 million for the newly self-employed, £20 million for creative, tourism and hospitality companies that are not in receipt of business rates relief and £45 million for firms that are vulnerable but vital to Scotland's local and national economic foundations.

The recently self-employed, who are excluded from the UK's scheme but still suffering hardship, will be able to receive £2,000 grants. For creative, tourism and hospitality companies that have up to 50 employees, there will be easy access to £3,000 hardship grants or larger grants of up to £25,000 where it can be demonstrated that that amount is needed. Support and grants for pivotal SME enterprises will depend on the specific need of each enterprise, and will be developed by the relevant enterprise agency with wraparound support.

I also recognise the challenges that are faced by the cultural sector, which is so reliant on social interaction in theatres, music venues, galleries and festivals. For artists who are facing hardship, I was pleased to announce, yesterday, that an additional £1 million will be given to Creative Scotland's bridging bursary fund.

Because of our decisions, thousands more businesses, including some that are in vital sectors of the economy, will benefit from support that is not available elsewhere in the UK. However, there will still be gaps, so we continue to engage with businesses on a regular basis to understand their needs and press the UK Government to deliver for them.

The reset phase that we are now entering involves preparation to know what a safe restart will look like sector-by-sector across the economy and what needs to be done to help businesses deliver that. Together with industry sector leads and trade unions, we are developing sector-by-sector guidance to give assurance and confidence as closed businesses—at some point—reopen and restart economic activity. However, that will happen only when scientific and health advice

supports it. As an example of the work that is being done, the Minister for Local Government, Housing and Planning and the construction leadership forum have formed a cross-industry group to address the wider issues that are needed to get the industry started again following lockdown. During the coming months, our plan for economic restart and recovery will need to be managed in a safe and orderly way.

Public sector spending on infrastructure accounts for around 50 per cent of all construction activity across Scotland. Therefore, our infrastructure investment will play a vital role in how we reset, restart and recover the economy. So far, only essential construction activity continues in the sectors that are delivering critical national infrastructure—such as primary healthcare, energy, telecommunications, transport and water. Those networks and systems are vital to our ability to keep our country moving and sustain as much economic activity as possible in the current crisis. As we all know, our digital infrastructure has proved to be an essential lifeline for people, businesses and services across Scotland.

The restart might be phased. A slower but more effective restart will reduce the danger of a second wave of the virus, and will avoid a false restart for the economy, which would require further closures. Recovery will not be quick and the post-crisis world will be very different, with different business practices, markets and behaviours.

Last week, I announced the establishment of an advisory group on economic recovery. I am sure that members will agree that independent expert advice is more important than ever. The group will be steered by Benny Higgins and will include Professor Sir Anton Muscatelli. The challenge that I have set for the group is to engage, analyse and listen to those who are affected by the crisis, and to bring forward solutions to enable our economy to recover quicker and better.

Mr Higgins will lead engagement with the business community alongside the enterprise organisations. I am pleased that Lord Smith of Kelvin, who is the chair of Scottish Enterprise, has agreed to be part of the process of gathering the views on the business aspects of the economic response.

We will go wider, with active engagement with trades unions, local government, third sector and environmental representatives, because how the economy recovers is relevant to everyone.

I am setting a demanding timetable: proposals to Government are due by the end of June. The proposals will be taken forward alongside a range of other sources of expert policy advice as we implement the Government's agenda to build a

wellbeing economy and ensure a green recovery. The advisory group will also draw on input from the Council of Economic Advisers.

I can announce further members of the advisory group: Dame Sue Bruce, Professor Anna Vignoles, Professor Dieter Helm, Grahame Smith and Professor John Kay.

The Scottish Government recognises the significant impact that the response to Covid-19 is having on Scotland's economy, businesses and people. We are doing everything that we can to mitigate that impact, respond to the crisis and reset as much economic activity as we can. At the same time, we are planning ahead to restart the economy and, in due course, to support economic recovery.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues that were raised in her statement. I intend to allow around 20 minutes for questions before we move on to the next item of business. I call Donald Cameron.

Donald Cameron (Highlands and Islands) (Con): I believe that Maurice Golden will be asking this question, Presiding Officer.

The Deputy Presiding Officer: That is the first substitution of the afternoon. I call Maurice Golden.

Maurice Golden (West Scotland) (Con): I thank the cabinet secretary for providing advance sight of her statement.

We all recognise that this is an incredibly challenging time for the economy. However, now is the time to plan how we rebuild it for the long term. I welcome the fact that planning has begun and I look forward to seeing the details thereof.

Of course, businesses must be able to survive to get to that stage. Despite last week's partial U-turn, it is disappointing that business support in Scotland still falls short of that in England. For example, a Scottish retail, leisure or hospitality business requires a rateable value of £18,000 to qualify for a £25,000 grant, versus a figure of just £15,000 in England. Also, Scottish businesses do not receive a full grant for each additional property, as English firms do. A snapshot of four Scottish businesses that contacted me shows that they are disadvantaged by more than £300,000—the figure across Scotland must be in the millions. Will the cabinet secretary rectify that disparity?

Fiona Hyslop: In good faith, we are working hard to ensure that we complement and supplement the UK scheme and that we fill the existing gaps between the Scottish scheme and the UK one to reflect Scotland's economy. That is why we have more support for fishing, agriculture and SMEs while ensuring that our strong business

base can be supported in the ways that I have outlined.

Our small business bonus scheme is far more generous than that in the rest of the UK, and has been for some time, which means that people and businesses with a rateable value of up to £18,000 can benefit. Companies in England with a value of between £15,000 and £18,000 do not currently benefit from the UK scheme. I say in good spirit that many companies will now be able to receive multiple properties grants of not just £25,000 but—distinctly in Scotland—£10,000 for smaller businesses. The latter is not available in England.

Finally, an example was brought to my attention of a firm that will receive £425,000 with the current Scottish Government scheme, before it gets 80 per cent of wages covered through the job retention scheme. Some companies are getting nothing just now. Please bear with us as we reflect the needs of Scotland and ensure that we are responsive to the economy in every single part of the country as we do so.

Richard Leonard (Central Scotland) (Lab): I congratulate you, Presiding Officer, on your elevation.

I thank the cabinet secretary for providing advance sight of her statement, which confirmed what was in the Government's press release this morning. In that, the cabinet secretary explained that, in the face of skyrocketing unemployment and a 33 per cent collapse in Scotland's economic output, the Scottish Government's response to the economic recovery phase is to set up yet another independent advisory group.

The cabinet secretary already has an Infrastructure Commission for Scotland, a Poverty and Inequality Commission, a just transition commission, a climate change plan working group, a Strategic Board for Enterprise and Skills, a Fair Work Convention and a Council of Economic Advisers, so does she accept the scepticism of the Fraser of Allander institute and others who say that we do not need yet another Government advisory committee made up of advisers who are already on existing advisory committees and that instead we need a plan for action and jobs along with the resources to back it up? Will the cabinet secretary make it her business to deliver that?

Fiona Hyslop: This morning, the chief economist set out and laid bare the major impact that Covid-19 is having on Scotland's economy and on the wider economy, which is an immediate reduction of 30 per cent in gross domestic product. That did not happen as a result of the financial crisis or as a result of any other significant crisis that we have faced. Indeed, international experts recognise that this will be the biggest decline since the great depression.

Does that need action? Absolutely. However, it will also need short, sharp, effective co-ordination to bring together the recovery plan that I have demanded to see before the end of June and to ensure that we can mobilise all of Scotland. This is the time to mobilise. Now that we have mobilised all of Scotland in a public health response, it is time to mobilise all of Scotland in relation to our economic response as well. That is needed to ensure that we mobilise all the aspects that are already working in different areas.

This crisis is unlike anything else and needs a response that is unlike anything else. That is why the four-step plan that I have created, which has been accepted and understood right across the business sector and which I have discussed with the trade unions, is the right way forward. It is about saving jobs and ensuring that, when we save lives, we also protect livelihoods.

Andy Wightman (Lothian) (Green): I thank the cabinet secretary for providing advance sight of her statement and for this morning's welcome report from the chief economist. In her statement, the cabinet secretary said that she was

"pressing the UK Government to urgently share data on implementation of support schemes".

Given that request, will she confirm that Scottish ministers will be equally transparent and will publish on a regular basis the allocation of Covid-19 business support funding, as well as publishing it in an open data format, as requested by the Economy, Energy and Fair Work Committee in its letter to her last week?

Fiona Hyslop: It is important to share what data we can. Today, we have shared information in relation to the business support that has already been provided. That has been approved over the past week, since we had the first information. I am happy to ensure that it is circulated to members as soon as possible.

It is important to understand the detail. For example, we need to know what percentage of companies are accessing the coronavirus business interruption loan scheme in Scotland. In relation to saving jobs, we also need to know about those companies with a turnover of more than £45 million, of which there are a significant number in Scotland that are of strategic importance to our country. Previously, the CBIL scheme would not allow such companies to access funding. In our regular discussions with UK ministers, my colleagues in Wales and I encouraged them to open up a scheme for companies with a turnover of £45 million plus and to ensure that borrowing is sufficient to help those companies to survive.

I agree that the transparent allocation of funding, the progress of such funding and the

reporting of that is important. I will look closely at the request in the committee's letter and I expect to be able to respond positively to it.

Mike Rumbles (North East Scotland) (LD): I congratulate you, Presiding Officer, on your new role.

I have a letter from the trade union Prospect, which represents 900 freelancers in Scotland's television and film industry. Those freelancers were encouraged by Government to move from self-employment and to become employees, paying their taxes through pay as you earn. However, they all had multiple employers and are therefore specifically excluded from furloughing. They have lost all their income. HM Revenue and Customs has all their tax records, as it does for self-employed people, but the freelancers have been left out of the aid package for the self-employed, which uses tax records.

Unlike some members, I welcome the Scottish Government's stepping into some of the gaps to help freelancers, in particular through the one-off bridging bursary, for which I think that the cabinet secretary is responsible. However, Prospect's national secretary asks in his letter what else can be done for freelancers in Scotland's creative sector. Some of them might have got the one-off payment, which is welcome, but that is not what is being offered to others.

Fiona Hyslop: I absolutely agree with the member. That issue is one of our key concerns about the UK scheme for the self-employed. We continue to press the UK Government on the matter, because freelancers are an important part of the creative industries sector, which, prior to Covid-19, was one of the fastest growing sectors not just in Scotland but throughout the UK.

In the meantime, there are two schemes to help freelancers in the creative sector. The member referred to the Creative Scotland bridging bursary, funding for which has been increased by £2 million. The bursary has been welcomed by the people who are in receipt of it, and represents a move that took place quickly and simply to address an issue. There is also a scheme that Screen Scotland is deploying for broadcasters.

Mr Rumbles has raised an area in which there might be strategic companies that need help. He might look at the £20 million fund for companies that are not in receipt of non-domestic rates relief, which I mentioned, given that a number of the people to whom he referred might be in that category.

Annabelle Ewing (Cowdenbeath) (SNP): Congratulations, Presiding Officer, on your appointment.

It is clear that local authority officials have been working tirelessly to process grant applications, and I am conscious that a significant volume of applications are being submitted. Will the cabinet secretary engage further with local authorities to ensure that they take every possible step to enable applications to be processed as quickly as possible, thereby ensuring that small businesses in my Cowdenbeath constituency and throughout the country can receive lifeline Scottish Government grants into their bank accounts as soon as possible?

The Deputy Presiding Officer: The Cabinet Secretary for Economy, Fair Work and Culture has indicated that the Cabinet Secretary for Finance will answer that question.

The Cabinet Secretary for Finance (Kate Forbes): I agree with Annabelle Ewing that local authorities are working tirelessly just now to distribute business grants. As at 14 April, Scottish local authorities had approved more than 18,000 grants, at a value of £215 million, and the number is increasing daily.

I recognise that the grants are a lifeline. We have built into the guidance that we share with local authorities an element of discretion, and we continue to work closely with local authorities to monitor progress on the scheme and to identify where we can offer additional assistance.

On the process, I say first that local authorities regularly identify issues, which they and Scottish Government officials then consider more carefully in order to determine the right answers for businesses. Secondly, I expect every local authority to have a review or appeals process for situations in which the outcome has not been in favour of the business that applied.

We will keep monitoring the issues to ensure that as many businesses as possible get the support that they need.

Donald Cameron (Highlands and Islands) (Con): In her statement, the cabinet secretary mentioned the construction sector—an area in which the current guidance in Scotland on staying open differs from the approach in the rest of the UK. When the time comes, will the cabinet secretary consider restarting the sector as quickly—and as safely—as possible, given its importance to the national economy and to local economies throughout Scotland, especially in rural areas such as in the Highlands and Islands, where construction projects tend to be smaller and where it is, arguably, easier to implement social distancing and other health protection measures?

Fiona Hyslop: Donald Cameron has made an important point. Construction is an important sector, which is why activity in Scotland on developing guidance is moving at pace. I refer to

the work of my colleague Kevin Stewart, the Minister for Local Government, Housing and Planning, who is co-chairing the construction forum, which is working with subgroups to identify all the areas that need to be worked on to give people confidence about return to work.

As we have seen from other parts of the world, construction might be a sector that can move before others. However, I am not saying what its phased recovery and restart would look like or, indeed, in what order or on what dates that would take place. However, Donald Cameron has raised a very important point, which is why that work is continuing at pace. For the reset period, guidance has been produced with businesses and trade unions in every sector. Guidance is well developed in relation to construction work.

Kenneth Gibson (Cunninghame North) (SNP): I am sure that the cabinet secretary will agree that newspapers are vital to maintaining community cohesion and morale at this time, by reflecting their readers' activities while recognising their achievements and keeping them informed.

However, the survival of some newspapers is in doubt, because many readers cannot get out to buy print copies and advertising revenue plummets. Much of the assistance that is required to support newspapers is reserved to the UK Government. What will the Scottish Government do to assist local, regional and Scottish newspapers? For example, will ministers consider 100 per cent rates relief for news publishers for the current financial year?

Fiona Hyslop: I will consider the request that Kenneth Gibson has made. We are already in active dialogue with the newspaper industry. The situation is that it is vital that people understand what is going on in relation to the Covid-19 crisis.

However, although some have done so, newspapers are not necessarily in a position to furlough staff, because they want to stay active. In addition, some newspapers were vulnerable prior to Covid-19. We will therefore have to look at all such areas in respect of consideration of support for the newspaper industry. I thank Kenneth Gibson for raising the issue; we are in active discussions, and every suggestion and idea in relation to support will be considered. He mentioned that a number of issues are reserved to the UK Government: I commit to raising them as part of the quadrilateral meeting that I take part in with the Welsh and Northern Irish Governments and the relevant UK minister.

Colin Smyth (South Scotland) (Lab): I welcome the new Deputy Presiding Officer to his role.

While the vast majority of businesses have acted responsibly and have stayed closed unless

they carry out essential work, not all have done so, including Prestwick Aircraft Maintenance, whose landlord is the Scottish Government. Not only did that company refuse to furlough its workforce, which would have allowed it to continue to pay at least 80 per cent of wages, but it is trying to impose a 50 per cent pay cut on its workers and is sacking those who refuse to agree to that.

Does the cabinet secretary understand that the company gets away with that because the Government guidance on what is essential business is not backed up in law? In the absence of a legal underpinning for closing such businesses, what is the cabinet secretary doing to fully enforce her own guidance, not least on companies such as Prestwick Airport that are based on Government-owned land?

Fiona Hyslop: Colin Smyth will be aware that Prestwick Airport operates commercially, at arm's length and independent of the Scottish Government. I have personally expressed my concern about the actions and activities that are taking place in the company. Although I know that Scottish Enterprise has brought the guidance to the company's attention, I am not sure whether it is necessarily appropriate for that to be its role, which leads me to the point about what we might have to do going forward.

Clearly, even on return to some commercial activity, social distancing will be maintained. Therefore, how we improve enforcement will be very important as part of our rebuilding of our capacity and infrastructure, and to organisations that are not precluded by law from operating. Parliament agreed what companies should close by law, but we also appealed to other companies that are not part of essential sectors to close. However, as Colin Smyth is undoubtedly aware, the argument that is being made by Prestwick Airport is that it is part of an essential sector, which is where the dispute currently lies.

Gillian Martin (Aberdeenshire East) (SNP): I welcome you to your new role, Presiding Officer.

What is being done to help workers who have been made redundant, whether officially or notionally, by companies that have refused to apply for furlough for them during the crisis? That seems to be a pattern particularly in the north-east, where the low oil price is compounding the situation. I am also hearing from many younger part-time workers who have lost income due to companies closing, which has excluded them from furlough applications.

Fiona Hyslop: Gillian Martin has raised a very serious situation. We have encouraged companies to furlough rather than to make people redundant. There was some scepticism and concern about how effective the job retention scheme would be

before it was in action. As of yesterday, job retention funding for wages has been coming through, and now that employers can see that, it might make them pause and think again about making people redundant. I think that a number of companies do not want to get into debt for a variety of reasons, and are not accessing the coronavirus business interruption loan scheme.

The point about support is very relevant to our responsibilities. As Gillian Martin will be aware, the partnership action for continuing employment—PACE—scheme is making adaptations to ensure that, despite the restrictions on face-to-face contact, it can still deliver the marketing campaign to promote its service to individuals, such as those whom Gillian Martin referred to, who might need support. There is also a helpline and other funding support in order to ensure that those who are facing redundancy get the support that they need.

Companies do not necessarily have to make people redundant at this time. Furloughing is possible, so I encourage companies to think again if they have made, or are making, decisions to make their staff redundant rather than entering the furlough system.

Michelle Ballantyne (South Scotland) (Con): Congratulations on your appointment, Presiding Officer

The cabinet secretary will be aware that many companies, particularly some of our SMEs, will struggle if the inability to go back to work extends beyond May and into June. The grants that they get are extremely welcome, but they will not subsidise them going forward over months. Can the cabinet secretary offer SMEs reassurance that they will be able to open during the summer?

Fiona Hyslop: It is not for me to decide on what date we move forward. That is something that we will need to understand collectively, based on scientific and health advice.

It is not just about grants; there are other things that small businesses can rely on, such as deferring capital debt, which a good number of companies have done, rather than use the CBIL scheme. There are other ways to try to reduce fixed costs. I note and welcome the extension of the job retention scheme into June, which will assist with wages.

We do not know what the future will hold in terms of timing and phasing of restart and recovery. The most important thing now is to think about how we can do that safely. It is incumbent on every business to do that, so I encourage SMEs and other businesses to plan ahead.

John Mason (Glasgow Shettleston) (SNP): I think that there has been some mischief making by Opposition members about the business

support scheme. Will the cabinet secretary say whether the Scottish Government is providing more or less than the Barnett consequential?

Kate Forbes: I can answer unequivocally that we are providing more than Barnett consequential to support business and ensure that our support is tailored to the particular challenges that are being faced in the Scottish economy. Last week's announcement of a further £220 million-worth of measures to help companies that are affected by the pandemic has seen our support now start to fill the gaps—gaps in previously announced schemes as well as the UK Government scheme. I am unaware, for example, of any other scheme in the UK that supports the newly self-employed. I am also unaware of other schemes that will see multiple properties funded in the £10,000 grant scheme. That additional support ensures that businesses that are struggling with the business impact of the coronavirus pandemic will be able to survive the next few weeks.

Jackie Baillie (Dumbarton) (Lab): Paul Sheerin, the chief executive of Scottish Engineering, highlighted in *The Herald* the confusion between the law and guidance. In essence, there is a divergence between the legal position in Scotland for businesses that can continue to operate, provided that they take safety precautions, and the Scottish Government guidance, which is stronger and suggests closure. Although I understand that public health is the priority, there is genuine concern as manufacturing capacity is lost. Will the cabinet secretary confirm that the guidance does not supersede the law?

Fiona Hyslop: The law is the law but, as the member will appreciate, we are moving at a very fast pace. Guidance is required and it has been requested, and the improved guidance on social distancing for businesses has been welcomed by both the business sector and trade unions.

David Torrance (Kirkcaldy) (SNP): Presiding Officer, I, too, offer my congratulations on your new role.

Concern has been raised that many people who started jobs in March will not be eligible for the UK Government's job retention scheme, because they will not have been on their employers' payrolls until the end of the month. That will have a significant impact on seasonal and temporary workers, many of whom are being left out of wage support measures altogether. What engagement has the Scottish Government had with the UK Government about closing the gap on the support scheme?

Fiona Hyslop: Just last week, I personally raised that precise issue with the chancellor in one of the regular calls that the Scottish Government has with the UK Government.

I welcome the extension of the cut-off date to 19 March. I encourage the UK Government to think further about the scheme, and particularly about the needs of businesses in Scotland, where we have so many seasonal workers who usually go on to employers' books on 1 April in any year. In our call, the chancellor explained that the UK Government did not want to encourage companies that employed people after the announcement of the date for the job retention scheme to take advantage of it. However, given the nature of such seasonal work, and the fact that the extension to 1 April offers quite limited scope for exploitation but captures a large number of our seasonal workers, I will continue to offer such encouragement, because I think that such an approach still has merit.

Rhoda Grant (Highlands and Islands) (Lab): Presiding Officer, I, too, welcome you to your new post.

Businesses tell me that they are struggling due to the length of time that is taking to get the promised support to them. The Fraser of Allander institute's Scottish business monitor survey tells us that 54 per cent of businesses said that they could not survive for longer than three months under the current conditions. Will the Scottish Government examine how it might get payments to businesses much more quickly—and certainly within this month? Will it also investigate whether the funding for the Scottish national investment bank could be used to support such businesses?

Fiona Hyslop: Speed is of the essence. The current situation has presented a cash-flow issue for many companies, so getting grants out to them quickly has been imperative. In the grants scheme that we have established, most councils started paying out from 6 April to ensure that they were operating in the current tax year, which will have been of greater benefit to companies. However, that was also done to ensure that the speed of payment was such that they could be responsive.

From the Scottish Government's point of view, the speed of getting grants out is imperative—and we have heard that from members, too. The new schemes that I have just announced will also work at speed. Applications should be made at the end of April for payment in May.

The fact that the job retention scheme is paying out this week should be of some assistance to the companies to which Ms Grant referred, which will have made those remarks before they started to receive payments through that scheme. The scheme went live on Monday of this week and, within six working days, is expected to meet the end of April target.

However, there are still real problems, which is why we need to see the data on the loans

scheme, which we think does not fully meet the needs of Scottish businesses. We hear that it is important for small businesses to achieve those grants, but the loans scheme should have worked with them as a bridging mechanism to the grants and the job retention scheme. For too many companies, that is not happening. That is why—particularly for key, anchor and pivotal enterprises across Scotland—we are trying to supplement what we are doing, to ensure that they can survive. Otherwise, as Ms Grant said, many will not. Although the current crisis is absolutely a public health one, we are also now having to tackle an economic crisis.

Patrick Harvie (Glasgow) (Green): Welcome to the big chair, Presiding Officer.

Will the cabinet secretary join me in congratulating the Government of Denmark on establishing the principle that firms that are based in tax havens will not be eligible for publicly funded bail-outs? Would she like to apply the same principle here, to whatever extent that might be within the power of the Scottish Government?

Fiona Hyslop: That principle is an important one. We will certainly reflect on whether it could be applied in any way in Scotland, although I am not convinced that we would necessarily have the powers to do so.

However, I add a note of caution on one point, which is important. The majority of such funding will come through the UK Government's job retention scheme, over which we have no power—although, as I have said, we will try to use our influence to make it better. It is important to note that, because the issue is one of wage support going to individuals. It is imperative that any company that receives funding from the job retention scheme passes it on and that it goes towards supporting the wages of workers in those companies. I would not want to see anything that deprived workers of wages and support, but the principle of what has been done in Denmark is definitely worthy of investigation.

The Deputy Presiding Officer: Thank you. That concludes questions on the statement on the economy. My apologies to Neil Findlay and Claire Baker, as we now simply need to move on to the next item of business.

Topical Question Time

16:10

Schools (Reopening)

1. **Iain Gray (East Lothian) (Lab):** To ask the Scottish Government, in light of press reports of consideration being given to partially reopening schools in mid-May, what plans it has to do so in Scotland. (S5T-02101)

The Minister for Children and Young People (Maree Todd): Schools will remain closed until further notice due to the impact of Covid-19. However, this is under constant review. Any decision that we take to reopen our schools will be guided by the science and will include engagement with our local government partners.

As the First Minister has stated, we hope to be able to provide an update to the public in the coming week on the principles of our exit strategy. In the meantime, new guidance was published yesterday to support the home learning of children and young people in the new term.

Iain Gray: I welcome the minister's and the Government's caution: that is the right approach, but we could do with more clarity. On the radio this morning, the education secretary suggested that schools would stay closed at least until the summer break. We need to plan how we will reopen schools, even if we do not know when we will be able to do so. We need to know what must be in place to allow reopening and how we phase that, how we can ensure the safety of pupils, teachers and support staff, and how we can recover at least some of the lost educational ground. What plans are being made now on how schools can return?

Maree Todd: The decision to close schools across Scotland was based on scientific advice that doing so would help to slow the spread of coronavirus. Ahead of that decision being taken, Scottish ministers consulted the chief medical officer and the scientific advisory group for emergencies and engaged with the Convention of Scottish Local Authorities, Education Scotland, the Association of Directors of Education in Scotland, the Society of Local Authority Chief Executives and Senior Managers and the teaching unions. Whatever decision we take will also be based on public health advice and in dialogue with all those partners.

The Deputy First Minister will have discussions with many of those partners later this week about the issues that need to be considered when managing the eventual reopening of schools. As has been stated many times this week, the First Minister will give more detail later in the week

about how we might lift the restrictions that we currently face. However, schools are currently closed and will remain closed for the foreseeable future and the Scottish Government will not risk undermining the effectiveness of the steps that we have taken in halting the spread of the virus.

Iain Gray: The First Minister promised us a grown-up conversation about planning for how lockdown will be raised. It would be helpful if some of those discussions were rather more public than the minister is suggesting.

This week, we also saw how wide the attainment gap remains. Pupils from prosperous areas are more likely to achieve five highers than those in deprived communities, who are likely to get just one. Every day of school closure will only widen that gap. When schools return, what new and additional efforts will the Scottish Government make to try to repair that damage?

Maree Todd: Let me be absolutely clear that closing the poverty-related attainment gap is the defining mission of this Government. Our commitment to that will remain consistent throughout and beyond this challenging period. We are not waiting until the schools open and are currently working very hard on that particular issue. Now, more than ever, there is a need for a strong focus on equity and excellence, which is why we are continuing with our commitment to invest £182 million from the attainment Scotland fund in 2020-21.

We have also provided local authorities with guidance on flexibility to redirect resources that are aimed at closing the attainment gap to help to mitigate the impacts of school closures on our most disadvantaged families. There will be as much of that as we can possibly manage, because we recognise the disadvantage for many families, who are in a very difficult learning situation at the moment. We are providing as much support as we can to teachers, to families and to children themselves.

Kenneth Gibson (Cunninghame North) (SNP): Sweden has never closed its primary schools, and Denmark has begun reopening them. According to research by the University of Munich, among others, due to the underexpression of angiotensin-converting enzyme 2 regulators in children's lungs, the physiology of young children makes them less likely to catch Covid-19 and, if they do, to spread it to adults. Is the reopening of nursery and primary schools therefore likely to be scheduled before the reopening of secondary schools, where the risk is greater?

Maree Todd: I never expected to go back to my pharmacy physiology days and to be thinking about angiotensin receptors when answering a question in the chamber.

Let me be absolutely clear that the decision to close schools was taken with the best scientific advice that we have in Scotland, and the decision to reopen them will also be taken with that scientific advice. The member is right that the physiology of children does not differ between countries, but the school learning environment may well differ. In fact, there are an awful lot of adults in schools, as well as children.

Jamie Greene (West Scotland) (Con): The Deputy First Minister stated this morning that schools will not open until at least July. Given that lockdown measures may ease before then, what specific criteria have already been applied by the Government that informed the decision announced today? If it transpires that schools in Scotland remain closed when schools in other parts of the United Kingdom are open, will the Scottish Government be transparent with us and the wider public about the rationale behind any such divergence?

Maree Todd: The Scottish Government will be very clear about the need for any changes to school closures. The Deputy First Minister was absolutely clear this morning that schools are closed for the foreseeable future, and that the decision to reopen schools will be taken with medical and scientific advice, and in partnership with COSLA, Education Scotland, ADES, SOLACE and the teaching unions. The Deputy First Minister has planned meetings with those partners later this week. There will be transparency about what sort of things need to be managed in order for us to safely reopen schools. The First Minister will set out by the end of this week a plan for the country for removing some of the current restrictions and what needs to happen for those restrictions to be lifted.

Neil Findlay (Lothian) (Lab): There is great concern that the attainment gap will increase while schools are closed and that those in our most deprived communities will suffer the most, as they always do. What additional support—not previously announced support—will be provided to ensure that we close the attainment gap, particularly for those pupils?

Maree Todd: I mentioned in response to an earlier question that we are not waiting until schools reopen to tackle that issue. We have provided local authorities with flexibility to redirect resources, right now, that are aimed at closing the attainment gap to help to mitigate the effect of school closures on our most disadvantaged families. That includes flexible use of attainment Scotland funding, pupil equity funding, challenge authority funding, schools programme funding and care-experienced children and young people funding, all of which can play an important part in mitigating the impact of home learning

arrangements, which might prove more challenging for our most disadvantaged families to adapt to.

Schools and local authorities are already applying the additional funding flexibility to support disadvantaged learners, including, for example, the provision of laptops and tablets to support digital learning at home, the purchase and delivery of books and other learning materials to children at home, the provision of transport to enable some learners to attend local authority hubs, and support for home-school link workers to maintain regular contact with their children. Those are just a handful of examples of the work that is going on.

Schools (Equal Access to Learning)

2. Alex Cole-Hamilton (Edinburgh Western) (LD): To ask the Scottish Government, with the school term resuming, whether it will provide an update on how it is ensuring equal access to learning, including for those with additional support needs and from disadvantaged backgrounds. (S5T-02102)

The Minister for Children and Young People (Maree Todd): On Monday 20 April, the Scottish Government published comprehensive guidance to help to support continuity for children and for young people's learning for the term ahead.

The guidance is for pupils, parents and teachers and was prepared by the Scottish Government and Education Scotland, with helpful advice and input from the Convention of Scottish Local Authorities, the Society of Local Authority Chief Executives and Senior Managers, the Association of Directors of Education in Scotland and professional associations. It gives an overview of the measures that are in place and the steps that are being taken at the national and local levels to support children and young people in Scotland.

We recognise that children and young people with additional support needs may be finding this time particularly challenging. We have developed advice for parents and carers to enable them to support children and young people with additional support needs when learning at home. The advice will be published by the end of this week on the Parent Club's coronavirus hub.

We also recognise and value the efforts that colleagues across the country have made to support our most disadvantaged children. As I said in answer to a previous question, the Scottish Government has provided local authorities with flexibility to redirect resources aimed at closing the attainment gap to help to mitigate the impacts of school closures on our most disadvantaged families.

Alex Cole-Hamilton: I remind the chamber that I am married to a primary school teacher who is working at the key worker childcare hubs.

It was a heroic effort on the part of our teachers and parents to get learning in place for the 10 days before Easter, but we are now entering a 10-week term with the very real possibility that remote learning may be required throughout. We know how fast children develop and that attainment gaps can widen quickly without proper teaching. Some pupils will be keenly feeling the loss of classroom structure and other support services. One father has told me that there is limited availability online of material that is suitable for his daughter, who needs one-to-one support, with material involving Makaton sign language and other provision. Requests for more material that he and the rest of his family have made have yet to bear fruit. Will the minister ensure that videos and other resources are available online to help children with moderate learning difficulties?

Maree Todd: Absolutely. The families of vulnerable children, including some children with additional support needs, have access to childcare through local authority hubs, as Alex Cole-Hamilton mentioned. Support and advice are being provided to the parents of children with additional support needs through the Scottish Government's Parent Club website and by a whole range of partner organisations, including CALL Scotland, Dyslexia Scotland, Reach and Enquire. Alex Cole-Hamilton's constituent should be able to find some support from some of those partner organisations, but he is more than welcome to come back to us if his constituent is struggling to find the support that is required.

Alex Cole-Hamilton: A month ago, the education secretary told Parliament that vulnerable children would be supported, but he explained that he was not going to be prescriptive about who they were or what form that support would take. Can the minister update the chamber on how many children have been identified by local authorities, how the system is responding to parents who do not engage or who disagree with the needs assessment and how she is ensuring that no child will fall through the cracks?

Maree Todd: As Alex Cole-Hamilton can imagine, a great deal of work is going on in Government to identify, reach and support the children we consider vulnerable. However, at the moment, because of the restrictions on every person in society in Scotland, most families do not want their children to leave their home, go to a hub and be supported outside the family. Almost all families have responded to the current threat and the current situation with a sense of wanting to keep everyone safe at home.

We are looking at supporting families in different ways from those that we perhaps originally envisaged at the beginning of the pandemic response. The flexible approach to free school meal provision has been remarkable: some of that provision is happening in school buildings; some is delivered from schools to homes; some is provided through e-vouchers; and some is provided through cash if a family is in a rural area where they are unable to use vouchers or certain supermarket tokens. The flexibility that our local authority partners have brought to the challenges is remarkable. About 140,000 children in Scotland are currently benefiting from free school meals.

Jamie Halcro Johnston (Highlands and Islands) (Con): I have been contacted by teachers who are concerned that there are still young people in Scotland who do not have access to home broadband or laptops. I have taken on board what the minister has said, but what can the Scottish Government do to make sure that those young people have such access in future?

Maree Todd: That is an excellent question. As a Highlands and Islands MSP, I commend Highland Council's decision a number of years ago to provide Chromebooks to the whole learning population in the Highlands. That caused a great deal of controversy at the time but looks an absolute masterstroke given the current situation.

Great examples have emerged across Scotland of how to tackle the challenge of children not having access to devices or broadband. Led by Aileen Campbell and through the Scottish Government's no one left behind project, work is being undertaken with industry and other partners to identify and support digitally excluded households. More support will follow this term, building on the positive feedback to date and taking account of the continuing priorities that teachers and other practitioners identify.

Mark Ruskell (Mid Scotland and Fife) (Green): Yesterday, the Scottish Qualifications Authority published information on how it will award qualifications, including the information that its appeals service will be based on assessment evidence. However, prelims are taken across Scotland in a wide variety of ways, and any appeals process that is based on that information must ensure that pupils are not unfairly penalised for poor-quality prelim papers or mock exams that they took earlier than their peers. Can the minister clarify how those issues will be taken into account?

The Presiding Officer (Ken Macintosh): I call Maree Todd to answer, but that supplementary was a little wide of the question.

Maree Todd: Thank you, Presiding Officer. I think that everyone agrees that exceptional

circumstances mean that the 2020 exam diet cannot go ahead—it is very clear that it cannot do so. The certification model that the SQA is developing will allow the hard work of learners to be recognised and qualifications awarded. Teachers and lecturers are being asked to make important decisions about how learners might have performed in the exams that they were due to sit this year. To ensure the integrity of the awards, it is right and important that the SQA will be able to check out and validate the teacher and lecturer estimates. That process is being designed to promote fairness and ensure that an A in one school is the same as an A in any other school, that a B in one school is the same as a B in any other school, and so on. The process is being laid out and is as fair as we can possibly make it in the circumstances that we face.

Young People's Mental Wellbeing

3. Miles Briggs (Lothian) (Con): To ask the Scottish Government what steps are being taken to support young people's mental wellbeing during the Covid-19 outbreak. (S5T-02103)

The Minister for Mental Health (Clare Haughey): We know that closing schools and placing restrictions on everyday life have been difficult for everyone and in particular for children and young people. We want guidance and help to be available for anyone who needs them.

The unprecedented Covid-19 pandemic means that local authorities are rightly focusing on providing adequate and effective support for our most vulnerable young people. Counsellors and educational psychologists are a key part of that support.

We want to make sure that anyone who needs support can access appropriate services. We are working to support mental health staff to maintain the integrity and quality of services across Scotland during the pandemic. Child and adolescent mental health services continue to support children and young people who are in need of specialist support, although there will be adjustments in how that is delivered to accommodate Covid restrictions

Last week, we launched a digital resource to help children and young people learn about the healthy use of screens and social media. The Mind Yer Time resource will support mental and physical health online. That is especially important now and will continue to be in the future.

Miles Briggs: I take this opportunity to pay tribute to the many third sector organisations across Scotland that are helping to support many people and their families at this time. We know that waiting times for children's mental health services in Scotland have doubled over the past

decade, so we must act now to develop the support that will be needed as we come out of the Covid-19 lockdown. How many young people have been referred to CAMHS in Scotland during the lockdown? What work have ministers undertaken to increase access to distress brief intervention services?

Clare Haughey: I, too, pay tribute to the third sector organisations that have supported the mental health and wellbeing of the people of Scotland before and during the pandemic and that will continue to do so after it.

I do not have the specific figures that Miles Briggs asked for, but I am happy to provide them to him. He asked specifically about distress brief interventions. In the past week, we have announced the expansion of DBIs for anyone over the age of 16 from the four pilot sites to right across the country. I am pleased that we have invested £1 million to roll that out nationally.

Miles Briggs: I hope that that information can be made public on a weekly basis.

During this time, it is important to provide resources to parents and guardians and to develop early support for young people who are experiencing raised levels of anxiety. What plans do ministers have to consider opportunities for additional training for teachers in mental health support? What work is being undertaken to identify the most vulnerable children in our country at this moment, such as young carers?

Clare Haughey: The Scottish Government is working with a range of partners to support children and families, and to mitigate the impact of the outbreak and the necessary social distancing measures that we see in education and other vital services that support children's health and wellbeing. We are committed to getting it right for every child. We are supporting services to work together to support our most vulnerable children. As Miles Briggs will be aware, we have provided local authorities with access to mental health training for teachers. I am sure that such provision will be on-going and that the online resource will be added to over the coming weeks.

First Minister's Question Time

16:32

National Health Service (Non-Covid-19 Treatment)

1. **Jackson Carlaw (Eastwood) (Con):** I begin by congratulating everyone concerned with the remarkable achievement of constructing and making ready NHS Louisa Jordan—our armed forces, contractors and our dedicated national health service staff. As the First Minister said, we hope that its use proves to be unnecessary, but what a superb achievement, resource and reassurance it is to us all. [*Applause.*]

Constituents have contacted me, in some distress, wondering whether they should attend hospital with what sometimes sound like quite serious conditions unrelated to coronavirus. Does the First Minister agree that, although we all work to save the NHS, people should not sacrifice their health and must make continued use of the NHS, when appropriate? Can she indicate what estimate the Scottish Government has made of the number of people who it might have been anticipated would make continued use of NHS facilities but have not? Will she emphasise again, on behalf of us all, that if people need medical assistance, they should not hesitate to seek it?

The First Minister (Nicola Sturgeon): I thank Jackson Carlaw for that question, which I will come to directly. First, I will echo his comments about NHS Louisa Jordan. Everybody involved has been absolutely outstanding in their efforts, dedication and commitment. The Army's help in planning the hospital was invaluable and I thank it. All the construction workers, the clinical staff and everybody else who was involved has performed a miracle, and I am deeply grateful to each and every one of them. We fervently hope that we will not need to use the hospital but—I am sure that I speak for the health secretary, too—I certainly feel more reassured knowing that that additional capacity is there.

I could not agree more with Jackson Carlaw's substantive point. Clearly, we have had to make some very difficult decisions, including, of course, the postponement of non-urgent, elective treatment on the health service, in order to focus the health service on doing what it needs to do to deal with increased demand from Covid-19 cases. That relates to general hospital capacity and intensive care capacity, but also to what we have done to create the assessment hubs that free up general practitioners for other things.

That focus is really important, but it is vital that we all get the message across that the NHS is

open for other things. Anybody out there who is experiencing symptoms—perhaps they have found a lump or have unusual bleeding—and particularly people who are worried about symptoms that their children might have as a result of conditions that they are already aware of, or anything that they are worried about developing, should contact the health service, the GP out-of-hours service or NHS24 on the 111 number, or they should attend accident and emergency departments if that is needed.

Yesterday, the chief medical officer gave some of the figures for the reduction in the number of people who are seeking urgent referral for cancer. We will monitor that information for a range of conditions and we will make it available as appropriate in order to encourage people to come forward.

We want to get the message across that the NHS is there if people need it; they should not hold back. People should come forward for the help that the NHS is there to give them.

Jackson Carlaw: I thank the First Minister. That is an important message and I hope that everyone hears it.

We have been discussing personal protective equipment for some time. A few weeks ago, the Scottish Government conceded that there were difficulties and it set up an email address for any medical or care staff to get in touch about problems. Jeane Freeman said that those emails are monitored by ministers so that the Government can act on them straight away. This weekend, an intensive care doctor in Glasgow said that, nine days after emailing, he still had not had a response. He said:

“We have no visors in the largest ICU in Scotland. Staff are reusing single-use ... visors”

that are potentially contaminated with Covid-19. Does that sound like a process that is working?

The First Minister: We have been talking about PPE since the pandemic started, and I predict that we will continue to talk about it for the duration of the pandemic. The very nature of the issue means that staff will feel anxious and we will be anxious and constantly monitoring supplies to ensure that they get to the front line where they are needed. That is not something about which we will ever say, “Job done,” such is the importance of ensuring that we are on it every single day.

The Cabinet Secretary for Health and Sport answered the question about the Greater Glasgow and Clyde clinician in her daily update on Sunday. The issue had been dealt with but, unfortunately, the clinician had not been replied to. We apologise for that. However, issues are dealt with as quickly as possible when they come in.

We have undertaken to provide more information about the data and analytics for the email address, but I think that more than 1,400 emails were received in the mailbox up until 16 April. A team of around 20 people are working on that. The mailbox is monitored from 8 am to 10 pm from Monday to Friday and from 8 am until 6 pm at the weekends. We have asked the Minister for Parliamentary Business and Veterans to give particular ministerial oversight to that, and we will continue to respond to issues as they arise.

More generally on PPE, we have sufficient stocks right now, but we are never complacent about that. Through NHS National Services Scotland, we are always looking to see how we can replenish stocks as they are used. Obviously, demand depends on use, which, in turn, depends on admissions to hospitals and the situation in care homes. I think that gowns and goggles are the two PPE items about which we have most on-going concern, but steps are being taken to ensure that stocks are replenished.

As long as the pandemic lasts, the issue will continue to be under active and on-going consideration by ministers and those who work with us.

Jackson Carlaw: The issue is inevitably complex, and it does not help that specific numbers can seem hard to come by. The First Minister talked about sufficient stock. When she was asked yesterday, she said that she did not have the exact number of hospital gowns to hand. Last week, Jeane Freeman said the same thing about supplies to care homes in response to my colleague Miles Briggs.

Earlier today, we heard that 80 million PPE items in total have been delivered so far. However, more detail would help us to understand what that means for front-line staff. Can the First Minister confirm how many of the PPE items that have already been delivered came from each of the procurement routes, how many PPE items have been ordered for the weeks ahead—I understand that there are three procurement routes that they come from—and how many weeks of supply are now in place for hospitals, general practitioners and social care?

The First Minister: Before I answer that question, there is an aspect of Jackson Carlaw's previous question that I meant to touch on. I assure clinicians and those who work in social care that no PPE item that is intended for single use should be reused. That is an important part of the guidance that we give.

We are not trying to avoid giving the numbers of PPE items. I hope that people will understand that any numbers that I give right now for the aprons, gowns or gloves that we have available will be out

of date almost as soon as I give them because of the nature of the issue. We are constantly supplying and updating stocks.

We have different supply routes, and we will use them appropriately. We also have different distribution routes to get equipment to the front line. We have one to two weeks' supply of aprons in stock and action is being taken to make sure that that is replenished. We have 12 weeks' stock of gloves. Those things are under constant monitoring. The figures, by definition, change all the time as items are used and as stocks are replenished.

We give as much information as we can about that. I ask people to take the main assurance that NHS National Services Scotland, which is our procurement agency, is working every minute of the day to make sure that we are able to give confidence about supplies of those items of equipment, not just now, but also in the future.

Jackson Carlaw: Sometimes the confusion comes from understanding whether the available stock is there for each of hospitals, GPs and social care. On some occasions, the answer may be relevant to hospitals, but not to the other two. Then we get emails from people saying, "We don't have X, Y or Z." There is a complexity in trying to understand the supply that is available in each of those three chains.

PPE is not just for hospitals but for care at home and for residential care. The First Minister has said that councils are responsible for the procurement of PPE for care homes. At the weekend, the Chancellor of the Exchequer announced new funding for councils that provided an additional £155 million for Scotland. The key question is how that money will be allocated.

To help not just with PPE, but the broad range of areas in which local government is leading the response to Covid-19, how will the Scottish Government decide to allocate the additional £155 million and will the Scottish Government publish this week how much cash each council will receive?

The First Minister: I give an assurance, as I have on other elements of consequential funding, that every penny that comes to us will be passed on for the intended purposes. All of the money that comes to us for local authorities will go to support local authority services. We will discuss with local authorities exactly how that is used and allocated and we will update the Parliament as soon as possible.

I will return to PPE. I know that the issues are complex, but we must be careful to think about supply and distribution differently. NSS procures supplies and it supplies the national health service. It also provides top-up supplies to care

homes, which have their own supplies in place. For example, at the moment NSS is distributing top-up supplies directly to care homes to make sure that they have what they need, and it is prioritising those homes that already have outbreaks. We have taken steps to make sure that the distribution routes are as streamlined, efficient and effective as possible and that we are always listening to feedback so that we can make further improvements to that.

Although it is important that we understand those differences, the most important thing to me and to the health secretary is that everybody has what they need, when they need it. We are taking steps and we are not being too bothered at the moment about who is normally responsible for those things. We are taking the steps that we need to take to make sure that those supplies are there.

Covid-19 (Personal Protective Equipment)

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

I express our condolences to all those who have lost loved ones to Covid-19 over the past few days, and our support to all the care and national health service workers who are saving lives and going way beyond the call of duty.

I had seriously hoped that the issue of personal protective equipment would be resolved by now. However, when I hear regularly from council leaders and from NHS and care workers alike that PPE is still a big issue, I need to raise it again with the First Minister.

The First Minister and the cabinet secretary insist that we have sufficient stocks of PPE, but that is no comfort to carers and to vulnerable people if supplies are still not reaching the front line. We know that many lives are being lost in our care homes, and that many care homes still face a shortage of PPE. I ask again: what is the First Minister's advice to those care workers who find themselves on shift in Scotland's care homes tonight without the PPE that they need?

The First Minister (Nicola Sturgeon): Care home providers will not be fulfilling their responsibilities to staff if staff are in that position. We have put in place the email address that I have spoken about. We are doing everything we can to make sure that there are ways in which staff can bring those issues directly to ministers if they cannot resolve them through their employers or their managers. We will continue to do that.

I say genuinely to Richard Leonard that if he—or anybody else—ever sees me stand up in this chamber and say that we have resolved the issue of PPE during this pandemic, he should really have a go at me then, because that would demonstrate a level of complacency that I will never want to have in handling this.

We know that there is a global pressure on supply, such that NHS National Services Scotland has to work literally around the clock, every day, to make sure that it is sourcing and securing supplies.

We have already made significant changes to distribution. For example, we put in place two routes for care homes in particular: the PPE triage helpline, and deliveries of PPE to local hubs, from which PPE can be distributed onwards or collected by social care providers. In the past few days, we have put an additional distribution route in place, whereby NSS is delivering top-up, one-week supplies to care homes directly. We are trying, as far as possible, to take a belt-and-braces approach, while putting a safety net in place so that any care home worker who feels that they do not have what they need will have somewhere to go.

I am not trying to pass responsibility to anybody. This is a national endeavour that I, as First Minister, have a responsibility to ensure that I am leading. However, care home providers have a responsibility to their staff to ensure that they have those supplies. I hope and expect that all of them are doing that.

We will continue to discharge our responsibilities to make sure that the supplies are there and that they are distributed to where they need to be. However, I will never, ever stand up here and say that PPE is not an issue that we need to continue to look at on a day-to-day basis.

Richard Leonard: The employer has a duty of care, but we have a duty of care to those workers as well. It is one that we need to take seriously, and we need to make sure that we understand that even one worker without PPE when they need it is one too many.

We are hearing concerning reports about the choices facing care home residents and their families. Yesterday I spoke to Margaret. Her husband is 70, he has Alzheimer's and last autumn he moved into residential care. Margaret's husband is still physically fit, which is why she was so distressed last week to receive a call from a general practitioner—who, incidentally, has never personally treated her husband—recommending that she give consent for a “Do not attempt cardiopulmonary resuscitation” notice and that she agree that her husband should not be admitted to hospital in the event that he contracts Covid-19.

Margaret does not want to sign such an order, yet she has been told that the final decision on whether to administer treatment or to send her husband to hospital will be the GP's and not her own. Of course, every single patient's case needs clinical judgment on an individual level, but why, when there is capacity on NHS wards and in

intensive care units, are our care home residents being treated differently from other Covid-19 patients?

The First Minister: I have addressed that issue before, and I am keen to do so again and to do so clearly. This morning, or possibly last night, I signed a letter to Richard Leonard on that very issue, so I hope that what I am about to say to him will be available in that form as well.

I will first take the issue of hospital admission. Any person who has Covid—whether they are in a care home, their own home or wherever—should be treated as an individual. The decision about the treatment that they have, and whether that treatment is delivered in their own home—which, in the case of a care home resident, is a care home—or in hospital, should be clinically driven. There should be no set, predetermined approach. That is absolutely clear, and that is how GPs in the health service should be dealing with it.

On the issue of “Do not resuscitate” orders, I would be happy if Richard Leonard wants to pass Margaret's details to us so that we can give her reassurance directly that she should not feel forced to sign such a document. Nobody should feel forced to sign such a document. We have been very clear that those forms should not be issued in that way, without the proper, sensitive discussions that go along with such decisions.

Aside from Covid-19, we encourage GPs to have anticipatory care conversations with their patients. All of us, at some point, have to think about what we would want at the end of our lives, but those discussions should be sensitive and holistic. If it is appropriate, and an individual wants it, a DNR discussion can be part of that. However nobody should be forced to contemplate signing such a form in isolation, without that discussion. We have been very clear about that and will continue to be clear about that to GPs and others.

Richard Leonard: My purpose in raising such cases is to bring to the First Minister's attention what people's experience out there is.

The Scottish Human Rights Commission raised concerns two weeks ago about the Scottish Government's clinical guidance. Age Scotland has said that

“people ... have felt pressurised into signing Do Not Attempt CPR forms”.

Just last week, I was contacted about a standardised letter, sent by a Glasgow GP practice, to relatives of care home residents, saying that there would be no transfers to hospital. The Government has been content, up to now, to move vulnerable people out of hospitals and into care homes, so why is there still so much

resistance to moving vulnerable people out of care homes and into hospitals, when they need it?

Everyone must have an equal right of access to treatment, and so to the chance of life itself. That is not only a founding principle of our national health service; it is a measure of our values as a society. What will the First Minister do to make sure that that principle is applied and that those values are upheld, even in the face of this pandemic?

The First Minister: Let me repeat some of what I said before, as clearly and emphatically as I can. Anybody who needs to be in hospital—if the clinical judgment about their care is that that is where they are best treated—should be in hospital. That applies to care home residents just as it applies to anybody else.

I say this on this issue, on personal protective equipment and on any other issue: if examples are being raised with members of where things appear not to be happening in line with how they should be happening, members should bring those to us directly and quickly, and we will work to resolve them.

Lots of people contact me. I cannot reply personally to everybody's emails, but I do my best to monitor what is coming in to my inbox, so that I have a sense of the issues that are causing people concern. I ask members not to sit on those issues and wait for Parliament to be in session; I ask them please to get in touch.

Everybody deserves person-centred, individual care that is right for them. Sometimes, particularly for older people—and this would never be a judgment for someone like me; it would be a clinical judgment in all cases—the judgment will be that they are better being cared for in a home environment, whether that is their own home or the care home that they are living in. That should not be pre-determined; it should be based on what is best for that patient. I am absolutely clear and emphatic about that. If there is any example or instance where that is not happening, or where it appears that a situation has occurred contrary to that, we will take that forward, look into it and resolve it.

The human rights aspects of everything that we are doing right now are absolutely core to all our considerations. To go outwith the health and care aspect for a moment, we are placing significant restrictions on people's freedom of movement—on the way that people live their lives—so human rights considerations have to be central to everything that we do right now. That will continue to be the case as we take decisions about the period that lies ahead.

Covid-19 (Economic Recovery)

3. **Patrick Harvie (Glasgow) (Green):** On Friday, the First Minister said that recovery from this crisis must involve building a fairer, greener and more equal society. There is a growing recognition that business as usual was not working for most people; it was causing poverty and inequality, as well as environmental destruction. Economic recovery must surely mean that we stop undervaluing those people on whose work we all depend—carers, cleaners and those working in food supply and in public services—but also that we recognise that it is unacceptable to leave so many people with precarious incomes and precarious housing.

Will the First Minister commit to ensuring that, as we take on the challenge of planning a recovery from this crisis, public support for businesses from the Scottish Government will be directed at those clean, green industries that can build a new, more healthy economy; and to ruling out public funding for companies that are at odds with that goal, such as those in high-carbon industries, those paying poverty wages and those that are registered in tax havens?

The First Minister (Nicola Sturgeon): In general terms, I agree with Patrick Harvie. I think that there will be lots of issues as we come out of the immediate part of the crisis, and beyond, that we will all want to think about afresh.

Although it is still difficult for me to lift my eyes from what is immediately in front of us, I feel that there are issues—whether we are talking about the social care sector, how our economy is structured or policies such as a universal basic income—that there was perhaps a reluctance to discuss previously but which now must be to the fore. How we make sure—of course, we try to do this anyway, and we have tried to do it before the crisis—that the support that Government can bring to bear is in line with the society and the economy that we are trying to build is central to that.

Of course, we cannot ignore the here and now, the hardship that people are suffering and the jobs that are on the line in different parts of the economy and the country, given some of the sectors that are involved. We have to help people work through the here and now, as well as making bigger judgments and decisions about the future. Government has to be in the leadership position, but it is a debate for all of us.

We would never have wished this situation to bring us to these points but, in everything that we have done—in every single element of how we do things—there will be examples of things being done differently that we will want to try to continue to do differently. These are big debates that I hope we get to engage with properly in the not-too-

distant future. It is for all of us to do that; it is for us all to think long, hard and very carefully about.

I am sure that Patrick Harvie will understand that, from a Government perspective, a lot of our focus must still be on the immediate things that we need to do to get the country from here to a point where we have something like normality back. We will not have complete normality back for quite some time, and we will have to live with the virus for some time to come. However, continuing to suppress it with a semblance of normality and getting to that kind of balance will occupy much of our thinking, certainly for the next few weeks and probably beyond.

Patrick Harvie: It is undeniably true that there are huge, urgent issues that come before the question of longer-term planning for recovery. However, before we consider embarking on any recovery, we need to be ready with the public health measures that will let us to do so safely. The very strong case has been made that, when the time comes—whether in the weeks or months ahead—a strategy to test, trace and isolate will be needed. The Scottish Government now uses that term regularly, which is a welcome change, but the strategy is not in place yet.

Everybody should be pleased if the extra hospital capacity that has been built is not all needed—that would be good news. However, the same is not true of testing capacity. We have increased our capacity to test, but it has value only if we use it. Can the First Minister explain why about half of Scotland's Covid-19 testing capacity is being unused? Why are we still testing a much lower percentage of our population than most European countries? When will a test, trace and isolate strategy be in place?

The First Minister: We are already undertaking the work to put that in place.

Before I come back to the detail and the specifics of those questions, I emphasise that, when we start to lift some of the most stringent restrictions that are in place right now—I do not know exactly when that will be—we should be under no illusion that we will still face a period in which we will have to suppress the virus in different ways.

Continued social distancing is likely to be part of the approach for a while, and test, trace and isolate will be a significant part of it, too. The work that we need to do to build the capacity—it is not just about testing but about contact tracing and thinking about how we then support people who are having to isolate as a result of that—is under way.

The current approach to testing is that we are building capacity. That capacity is on track for the

target that we set for the end of this month, but we will require to continue to build beyond that.

We are not yet using all our capacity, and we are looking carefully at that situation. We set three objectives for testing at the outset. The first objective is to test sick people in hospital. We are now expanding that to test people in care homes.

The second objective is key workers. We are testing more key workers with every week that passes. The testing at drive-through centres at Glasgow airport and elsewhere is over and above the test numbers that we report, which are from national health service lab capacity. We are still focused on getting more care sector workers through testing, but the impact of the measure is being seen in the reduction in the health service absence rates.

The third objective is to ensure that we use surveillance testing through our assessment hubs, in particular, as part of our overall surveillance of what the virus is doing. We are looking at how we use to the full now the capacity that we are building. To go back to the point that I started with, that is important because it will become the bridge to the mass testing that will be required as part of our strategy for the future.

Those measures are all under way at pace and with a huge amount of planning around them. I look forward to keeping Parliament updated on that in the weeks ahead.

Covid-19

4. Willie Rennie (North East Fife) (LD): I thank the First Minister and the Cabinet Secretary for Health and Sport for responding so positively to suggestions about testing all new residents of care homes. Those steps should help to give more confidence to care home residents and their families.

I offer another suggestion. Since 2010, members of the United Kingdom military have been entitled to a daily operational allowance of £29 when they are deployed to specific operations in demanding conflicts. Would the First Minister consider the proposal of giving an extra £29 a day to front-line national health service and care staff as a reward for their service during the pandemic?

The First Minister (Nicola Sturgeon): I will certainly consider any such suggestions. We will want to ensure—no doubt in a variety of ways—that we recognise and reward the contribution that health and care staff have made. I want that to be in a way that ensures that our system in Scotland properly rewards our NHS and care staff through the pay that we give them. Relative to other parts of the UK, I believe that our system currently does that.

We will want to properly reflect on this experience and, to go back to what Patrick Harvie said, ensure that what we learn from the crisis about what really matters in life and what we value most is reflected in what we as a Government spend our money on—that applies more broadly than on this particular issue.

We have listened to what has been said about care home testing and we are trying to build as much assurance on that as possible. We have said that we will test all symptomatic residents in care homes. The health secretary today talked about admissions into care homes. On the first point, we have said that that does not change the clinical management of people—it is important to stress that. We know that the test is not reliable for those who are not symptomatic so, for people who are going into care homes, it is important that we do not allow testing to offer false assurance. Infection control and isolation remain the most important things that we do in care homes.

Willie Rennie: I recognise that final point; we must ensure that everything is in place to protect individuals in care homes, including those who are just going into them. It is essential that measures are strict.

A survey that was conducted by the charity Inclusion Scotland has identified worrying and sometimes horrific evidence from parents of children with additional support needs. We find that their children are exhibiting behaviours such as self-harm because of the removal of the structure of their daily routine, contact with friends and access to the outdoors. For some, the only form of exercise that they could take was swimming and that option has gone, too. Will the First Minister look at what more can be done to support those families? Can they be given special consideration as we consider the strategy for the exit from the lockdown?

The First Minister: We will consider on an on-going basis what more we can do to support people in the situation that Willie Rennie described, as well as people with vulnerabilities more generally, although vulnerable people obviously have different vulnerabilities and cannot be treated as one homogeneous group. That will definitely be to the fore of our thinking as we look towards the next phase.

I have said this in public before and I say it now in Parliament: later this week, we will publish not a hard and fast exit strategy from the lockdown but some of the principles that will guide us in the framework in which we will take the decisions, to begin the process of opening up a discussion on that with the wider public.

Many aspects of what we are doing to deal with the virus worry me as much as the virus itself.

How it is affecting young people with additional needs is one such aspect. Willie Rennie previously raised one important point of detail about the guidance on exercise—whether, for example, to help them stick to their routines, people with autism could be allowed to exercise more than once a day. We have decided to amend that guidance to give greater clarity about those things being permissible, in those exceptional and unusual circumstances, to help people to have as much structure to their day as possible. We will continue to give full consideration to all those issues.

The Presiding Officer: Currently, 18 members wish to ask a question. We cannot get through that many questions, but we will make a start.

Covid-19 (Head Shield Production)

Liz Smith (Mid Scotland and Fife) (Con): Two of my constituents in Milnathort had successfully been producing head shields for their local general practice and offered to do the same for NHS Greater Glasgow and Clyde, NHS Tayside and NHS Fife. However, their financial adviser said that they would not get any liability insurance; therefore, they have decided to stop production. What advice can the Scottish Government provide?

The First Minister (Nicola Sturgeon): If Liz Smith passes details to my office or the Cabinet Secretary for Health and Sport's office, we will see whether we can do anything to resolve that matter. With regard to personal protective equipment, we always need to make sure that there is a quality assurance process, and that what is being produced is safe and reliable for use. Where people want to help and can contribute, we encourage them to do that.

Covid-19 (Entrepreneurs)

Kenneth Gibson (Cunninghame North) (SNP): The First Minister will agree that, following lockdown, our entrepreneurs, who often risk all to start their own businesses, will be essential to restoring the Scottish economy. Given that many thousands of self-employed people continue to fall through the gaps in the Chancellor of the Exchequer's safety net, what more can and should be done to assist self-employed people and our innovative new companies?

The First Minister (Nicola Sturgeon): The Cabinet Secretary for Economy, Fair Work and Culture has given more detail today of the additional £100 million that we announced last week and how it will help, among others, newly self-employed people, who previously would not have been eligible for United Kingdom or Scottish Government schemes.

We want to continue to find different and innovative ways of plugging the gaps. It stands to reason that financial constraints limit what we can do in totality, but I hope that we have shown that we are willing to be flexible, to listen to suggestions and to help as many people in businesses in as many different categories as possible. The economy secretary and the Cabinet Secretary for Finance will continue to be open to suggestions and dialogue on those matters.

Covid-19 (Personal Protective Equipment)

Anas Sarwar (Glasgow) (Lab): I thank the First Minister and her team for the unenviable task that they are carrying out on behalf of the country. It is a hard enough job at any normal time, but it is especially difficult at this time, when we are trying to save lives in Scotland.

In mid-March, the Cabinet Secretary for Health and Sport said that, within a few days, there would be no gaps with regard to supply of adequate personal protective equipment for those on the front line in our primary care services. Today, the cabinet secretary said that we continue to have sufficient supplies. Despite that, a British Medical Association survey that was published this week says that only 22 per cent of doctors on the front line believe that they are fully protected. There have been 1,600 emails to the PPE account; about 80 people a day say that they do not have access to adequate PPE.

We recognise that this is a global pandemic and that there is global demand for PPE. Perhaps we should be straight with the public and say that we are doing the best that we can do to get all the PPE that we can get, and that we need to do the best that we can do with what we have. That would be a much better approach to building connections and relationships with those who are on the front line and who are having to do a thankless task, rather than saying that we have the PPE despite the fact that people face challenges. Let us be straight with the public, and we can get through this together.

The First Minister (Nicola Sturgeon): I thank Anas Sarwar for the sentiment and spirit of his comments. As the Cabinet Secretary for Health and Sport has, I have from the outset of this situation tried to be straight and frank with people, and I will continue to do that.

The challenges are not easy, but I will never shy away from them. The PPE supplies that we have and that we are seeking to procure are intended to ensure that we can give front-line staff what they need, in terms of the guidance that has been provided. I do not want us to get into a situation, if we can avoid it, in which our direction of PPE use is driven by supplies as opposed to what is needed in order to protect staff. Given the global

constraints, I cannot give an absolute guarantee that we will never run into supply difficulties, but we will work really hard to avoid that.

I am not making any criticisms of any other Government when I say that we were not required to change our guidance at the end of last week as the NHS in England had to because it had some supply issues. I am also not saying that we will never be in such a position, but we want to work as hard as we can to get the supplies that we need, so right now we are sourcing supplies from all sorts of places in order to ensure that health and care staff feel that they have what they need. That will continue to be our focus and our priority.

That said, I recognise that this is a time of high anxiety for people who are working in such jobs. For me to say, "You've got what you need—it's the right kind of PPE and there are plenty of supplies," will not necessarily take away that anxiety. This is a really stressful situation. I keep saying it, and it is true for all of us. I know that my relatives who work in the health service are very stressed and anxious about the situation. That is understandable, and just reinforces the need for us to do everything that we can to ensure that they have the supplies that they need, and for us to be frank along the way about the challenges that we are all facing.

Covid-19 (Business Support)

Alexander Stewart (Mid Scotland and Fife) (Con): I have received communications from constituents who have applied for business grants but have, so far, received only an acknowledgment. Can the First Minister confirm the number of qualifying businesses that have received their grants to date, versus the number of applications that have been received?

The First Minister (Nicola Sturgeon): I think that the overall number of applications is about 28,000—but correct me if I am wrong. The numbers vary among local authorities. We are encouraging and supporting local authorities to deal with applications as quickly as possible. The last figure that I saw—in fact, I have it here right now—was that local authorities have already paid out grants worth £220 million—I am sorry. I read that wrong. Local authorities have paid £120 million out of the overall £200 million.

This is an on-going process. We want local authorities to get the money out the door and into the pockets of businesses as quickly as possible, and we will continue to support that.

I have now—everybody will be glad to know—found the right figures in my brief. The figures are that 18,528 grants have been awarded so far, valued at £215 million, but that will be a moving process—[*Interruption.*] The Cabinet Secretary for

Economy, Fair Work and Culture is telling me that those are last week's figures, so more grants will have been awarded by now, but the principle is the right one. We want to get the money out to businesses as quickly as possible.

Covid-19 (Support for Charities)

Bill Kidd (Glasgow Anniesland) (SNP): How many charities are receiving financial support from the Scottish Government?

The First Minister (Nicola Sturgeon): We have set up a specific fund for the third sector and for charities, as Bill Kidd will be aware, through which £7 million has already been committed to provide about 2,000 charities with a small grant of £2,000 each. A further £10 million has been allocated for some national priorities, with recent awards being made to Scottish Women's Aid and Age Scotland, for example. There is another £33 million available, which was opened to expressions of interest on 13 April. On Monday, more than 1,600 third sector organisations were invited to complete an application for grants of between £5,000 and £100,000, and applications are currently being assessed.

We recognise absolutely the important work that third sector organisations do all the time, including right now, which is why it is important that we give them as much support as possible.

Covid-19 (Census)

Claire Baker (Mid Scotland and Fife) (Lab): In the light of the reported pre-action letter from the Sikh Federation UK to the Scottish Government and the impact of the Covid-19 lockdown, is the First Minister able to provide assurances that the 2021 census is on track?

The First Minister (Nicola Sturgeon): The census is currently on track but, as with everything else right now, we continue to have to assess and monitor that against the realities of what we are dealing with. Any changes would be reported to Parliament in the appropriate way. Fiona Hyslop oversees that and will undertake to make sure that that is done. However, at the moment the census is on track.

Covid-19 (Oil and Gas Industry)

Liam Kerr (North East Scotland) (Con): Can the First Minister clarify a specific issue for the oil and gas industry? United Kingdom guidance outlines how to socially distance on an offshore structure, and states that if people cannot keep 2m apart, they can take other action to keep safe while still operating. The Scottish Government guidance does not seem to have made that exemption. My understanding is that that has left companies confused and, potentially, exposed.

Will the Scottish Government adopt a similar exemption in its guidance to companies so that that vital industry, which is already in the toughest of times, can keep operating?

The First Minister (Nicola Sturgeon): I undertake to look into anything that is raised. However, in Scotland we have issued guidance for companies that operate in the space between businesses that have been told categorically to close, and those that are essential to keep the country going. We have talked about that in the chamber, previously.

The guidance asks whether businesses are doing something that is essential to the country's material wellbeing, and if so, whether they can allow people to work from home or can work safely using social distancing, with 2m between staff? If they cannot, our very clear advice, which is based on health considerations, is that businesses should close. That is about prioritising public health, which is, in the longer term, in the interests of the economy.

I ask businesses across Scotland to ensure that they pay heed to the advice and guidance that the Scottish Government gives. We will keep it all under review. As we go into the next phase of decision making, that will include looking carefully at which sectors of the economy and which businesses can—at the right time—be allowed to reopen, as long as they can do so safely.

Covid-19 (Support for the Fishing Industry)

Gillian Martin (Aberdeenshire East) (SNP): Last week, the UK Chancellor of the Exchequer announced £10 million in cash grants to support the fishing industry in England. Fishing is the lifeblood of many coastal communities across Scotland, as the First Minister knows, and has been badly hit by the crisis. What support has the First Minister's Government provided for the fishing industry in Scotland?

The First Minister (Nicola Sturgeon): We know that the virus and the implications of dealing with it have had an immediate impact on some parts of the seafood sector, with the almost complete collapse of markets, in some cases, which is threatening businesses and livelihoods.

Therefore, we have been working hard. Fergus Ewing, the Cabinet Secretary for Rural Economy and Tourism, has been leading work to ensure that a package of support is in place for seafood, fishing and aquaculture. The package of support that we now have in place is worth nearly £23 million. More than £3.5 million of that has already been paid out to the sector, and, in total, more than 1,000 businesses—mainly in coastal and island communities—will be eligible for support. That is the right approach. One of the things that I

urge the UK Government to look at is whether it can do more for fishing and for the seafood sector more generally.

Covid-19 (Lockdown)

Colin Smyth (South Scotland) (Lab): The First Minister said that she will not hesitate to use a different approach or timescale to the rest of the UK when it comes to exiting lockdown. The national clinical director has said that Orkney is

“quite different from Oxford Street”.

Does the First Minister agree that, when it comes to the current path of Covid-19, there is little difference between Cumbria and Dumfries and Galloway, or between the Scottish Borders and Northumberland, and, that we therefore need the right exit strategy for both sides of the border? Does she also accept that two different strategies, with different timescales for communities that are next to each other, would simply add to confusion and would be almost impossible to enforce in one community, when a neighbouring community, barely a social distance apart, is doing something completely different?

The First Minister (Nicola Sturgeon): We have to—and will—take such factors into account. I hope that I have been clear in what I have said. Let me be clear again. For me, that is not a predetermined and ideological constitutional or political decision. Decisions are entirely driven by the best judgements that I and the Government can make about what is right in order to protect the people whom we serve. The virus, like all viruses, does not respect borders or boundaries. People move around the different parts of the UK—that issue will be particularly acute in the border communities to which the member referred.

It is also the case that for simplicity of messaging, the more uniformity and consistency there is, the easier it is to get messages across. However, I will be driven by what the advice, with my judgement applied, tells me is the right thing to do to protect people in Scotland. We have just spoken about advice to businesses, on which we have taken a slightly different approach because I—and the Government—thought that that was necessary in order to give priority to the public health message.

Where we think that it is right to do so, we will operate on a consistent UK-wide basis. However, when we think that it is right for Scotland to do something slightly differently, we will do that. That will be driven entirely by what we think is best to meet the objectives that we are all working towards right now, which are to suppress the virus, protect the national health service and save lives.

Covid-19 (Rent Support for Social Housing)

Graham Simpson (Central Scotland) (Con): The Scottish Government has already committed to setting up a loan fund for private landlords who suffer from lack of rental income. However, the social housing sector has already been affected—a large number of tenants pay their rent by cash and cannot physically do that at the moment. There is also a strong possibility that tenants will not be able to afford to pay rent, however that rent is paid. Can the First Minister commit to support housing associations financially through this crisis, so that they and their tenants are not left worse off at the end of it?

The First Minister (Nicola Sturgeon): I will not give a categorical commitment to specific assurances of financial support before we have properly talked through matters with the various stakeholders, and have thought through the consequences and implications. From my constituency, I know the importance and value of housing associations. I assure them and the social housing sector generally, and any other sector, that we will undertake dialogue, listen and try to respond as flexibly and quickly as possible.

This virus, and what we are doing to deal with it, will continue to impact on literally every aspect of life. It has already done so. We are asking people to do extraordinary and unprecedented things, which means that the response of the Government must be equally extraordinary and unprecedented. I think that it already has been, and that the same is true of the UK Government's interventions. We always have to be looking, listening and considering what more we can do, and we will always do that.

The Presiding Officer: I am afraid that we must draw questions to a close. I am conscious that many members did not get a chance to ask questions today.

I draw members' attention to the fact that we will have two virtual question time sessions later this week—on education on Thursday and on environment and rural affairs on Friday.

Business Motion

17:21

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-21505, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, which sets out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Tuesday 28 April 2020

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Ministerial Statement: Reporting on Emergency Legislation

followed by Ministerial Statement: Health (Covid-19)

followed by Ministerial Statement: Transport (Covid-19)

followed by Topical Questions (if selected)

4.15 pm First Minister's Questions

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 5 May 2020

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Stage 1 Debate: Agriculture (Retained EU Law and Data) (Scotland) Bill

followed by Topical Questions (if selected)

followed by First Minister's Questions

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Wednesday 6 May 2020

2.00 pm Parliamentary Bureau Motions

2.00 pm Stage 3 Proceedings: Consumer Scotland Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time—*[Liz Smith]*

17:21

Rhoda Grant (Highlands and Islands) (Lab): I want to speak against the business motion, which proposes that we hold stage 1 and stage 3

debates in the chamber in the week beginning 4 May.

We are clear that, when the Parliament meets in person, it should do so only to deal with the response to the Covid-19 pandemic. We cannot return to business as usual in the chamber, therefore we cannot deal with normal business until we can do so remotely and in a way that is safe for all members to participate. The Parliament needs to lead by example: if we are asking others to prioritise only work that concerns the pandemic, we should do that, too.

We are also clear that, instead of the debates that are set out in the motion, we should debate the response to the pandemic and how we deal with its impact as we go forward. I do not believe that the Scottish people would understand any other response from their Parliament; I therefore move against the business motion.

17:23

Liz Smith (Mid Scotland and Fife) (Con): I thank Rhoda Grant for her comments. As the Parliament knows, the bureau sat earlier today and had several wide-ranging discussions about parliamentary procedures over the next few weeks. We decided this morning that we have pressing legislation business as well as statements and replies that have to be given in this Parliament.

Neil Findlay (Lothian) (Lab): Will the member take an intervention?

Liz Smith: Yes, of course.

Neil Findlay: Members have come here today with a lot of questions from their constituents. We are putting those questions to Government ministers and to public bodies, without getting responses a lot of the time. The Parliament has never interrogated the Government's strategy nor held it to account in a debate on these hugely important, life-and-death issues.

My plea is that the bureau considers having a two-day debate in the chamber so that all members have the opportunity to interrogate the issue, to discuss the questions that our constituents are asking and to do the job that we are sent here to do. If we can do that safely today, we can do it in a debate going forward.

Liz Smith: I thank Mr Findlay for his comments, which were also made by Rhoda Grant at the bureau meeting this morning, at which we had wide-ranging discussions. The debate is crucial. There are so many dimensions to it that we could be here in Parliament every day debating Covid-19; the public have every right to respect the way in which we debate the issue.

It is important that Mr Findlay understands that this morning, after considerable discussion, the bureau took the decision that there is pressing business. The bureau will review matters very shortly. The other point is that when it comes to plenary, we are not yet confident that we have the technology in place to ensure that we can debate and allow all members to contribute. We are working on that technology. I pay tribute to the Parliament's members of staff who have done a fantastic job to ensure that we can debate. *[Applause.]*

I give an assurance on behalf of the bureau that we will review matters very shortly and ensure that Covid-19 is properly debated in every channel.

Jackie Baillie (Dumbarton) (Lab): On a point of order, Presiding Officer. I rise to seek your guidance. I believe, as I think we all do, that the entire focus of the Parliament should be on Covid-19 in the days and weeks ahead. As a supporter of the Consumer Scotland Bill, I struggle to see what is urgent about it. To be frank, the bill creates a new body, the responsibilities of which are already dealt with by the citizens advice network and others. I do not see the urgency in creating that new body and I would prefer for the time to be spent more productively on Covid-19.

There is nothing wrong with the business suggested for next week, but there is a problem with the business for 5 and 6 May. I seek your advice, Presiding Officer, on whether the bureau might reflect on that further.

The Presiding Officer: I thank Jackie Baillie for the point of order. Liz Smith has already responded and the bureau will consider the matter again at its meeting. As Ms Baillie knows, it is an on-going situation, which is changing every day. The Parliament will respond accordingly and I am confident that the bureau will, too.

The question is, that motion S5M-21505 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Davidson, Ruth (Edinburgh Central) (Con)

Denham, Ash (Edinburgh Eastern) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)

The Presiding Officer: The result of the division is: For 55, Against 13, Abstentions 0.

Motion agreed to.

Parliamentary Bureau Motions

17:27

The Presiding Officer (Ken Macintosh): The next item of business is consideration of three Parliamentary Bureau motions. I ask Liz Smith, on behalf of the bureau, to move motion S5M-21506 on the establishment of a committee and motions S5M-21507 and S5M-21508 on the suspension and variation of standing orders.

Motions moved,

That the Parliament shall establish a committee of the Parliament as follows:

Name of Committee: COVID-19 Committee

Remit: To consider and report on the Scottish Government's response to COVID-19 including the operation of powers under the Coronavirus (Scotland) Act, the Coronavirus Act and any other legislation in relation to the response to COVID-19 and any secondary legislation arising from the Coronavirus (Scotland) Act and any other legislation in relation to the response to COVID-19.

Duration: For the duration of the operation of the powers under the Coronavirus (Scotland) Act, the Coronavirus Act and any other legislation in relation to the response to COVID-19.

Number of members: 9

Convenership: The Convener will be a member of the Scottish Conservative and Unionist Party and the Deputy Convener will be a member of the Scottish Labour Party.

Membership: Willie Coffey, Annabelle Ewing, Shona Robison, Stewart Stevenson, Murdo Fraser, Adam Tomkins, Monica Lennon, Ross Greer, Beatrice Wishart.

That the Parliament agrees that, as appropriate, for meetings of the Parliament including meetings of committees or sub-committees established by the Parliament, for the duration of the public response to the Novel coronavirus COVID-19, this being the period up to and including 26 June 2020, and such further period or periods as are determined by the Presiding Officer from time to time following consultation with the Bureau and notified to the Parliament in the Business Bulletin—

(a) Rule 2.7.1 be suspended and replaced with—

“1. Subject to Rule 2.7.2 and 2.7.3, meetings of the Parliament shall be held either in the Debating Chamber of the Parliament, Holyrood, or remotely, by video conference in a virtual Debating Chamber hosted on such platform as may be provided by the Parliamentary corporation; and references in the Rules to ‘the Chamber’ are to be interpreted accordingly.”

(b) In Rule 11.7.1 the words “the electronic voting system” be suspended and replaced with the words “an electronic voting system”.

(c) Rule 12.3.2 be suspended and replaced with—

“2. A committee shall meet—

(a) in Scotland at such place as it may decide, with the approval of the Parliamentary Bureau and the Conveners Group, or

(b) remotely by video conference hosted on such platform as may be provided by the Parliamentary corporation.

2A. A decision under Rule 12.3.2 shall, in the event of any disagreement between the Parliamentary Bureau and the Conveners Group, be referred to the Parliamentary corporation for a determination. The Parliamentary Bureau may require the Conveners Group to make a decision under Rule 12.3.2 within a specified period. If the Conveners Group does not make a decision within that period, the decision on the approval shall be made by the Parliamentary Bureau.”

That the Parliament agrees that in regard to motions S5M-21283, S5M-21284, S5M-21285 and S5M-21286—

(1) the references to “the duration of the public response to the Novel coronavirus COVID-19” be read as references to (a) the period from 17 March 2020 up to and including 26 June 2020 and (b) such further period or periods as are determined by the Presiding Officer from time to time following consultation with the Bureau and notified to the Parliament in the Business Bulletin, and

(2) they shall apply, as appropriate, to meetings of the Parliament, including meetings of committees or sub-committees established by the Parliament taking place during those periods—*[Liz Smith.]*

Decision Time

17:28

The Presiding Officer (Ken Macintosh): I will put a single question on the three Parliamentary Bureau motions, if no member objects.

Motions agreed to,

That the Parliament shall establish a committee of the Parliament as follows:

Name of Committee: COVID-19 Committee

Remit: To consider and report on the Scottish Government's response to COVID-19 including the operation of powers under the Coronavirus (Scotland) Act, the Coronavirus Act and any other legislation in relation to the response to COVID-19 and any secondary legislation arising from the Coronavirus (Scotland) Act and any other legislation in relation to the response to COVID-19.

Duration: For the duration of the operation of the powers under the Coronavirus (Scotland) Act, the Coronavirus Act and any other legislation in relation to the response to COVID-19.

Number of members: 9

Convenership: The Convener will be a member of the Scottish Conservative and Unionist Party and the Deputy Convener will be a member of the Scottish Labour Party.

Membership: Willie Coffey, Annabelle Ewing, Shona Robison, Stewart Stevenson, Murdo Fraser, Adam Tomkins, Monica Lennon, Ross Greer, Beatrice Wishart.

That the Parliament agrees that, as appropriate, for meetings of the Parliament including meetings of committees or sub-committees established by the Parliament, for the duration of the public response to the Novel coronavirus COVID-19, this being the period up to and including 26 June 2020, and such further period or periods as are determined by the Presiding Officer from time to time following consultation with the Bureau and notified to the Parliament in the Business Bulletin—

(a) Rule 2.7.1 be suspended and replaced with—

“1. Subject to Rule 2.7.2 and 2.7.3, meetings of the Parliament shall be held either in the Debating Chamber of the Parliament, Holyrood, or remotely, by video conference in a virtual Debating Chamber hosted on such platform as may be provided by the Parliamentary corporation; and references in the Rules to ‘the Chamber’ are to be interpreted accordingly.”

(b) In Rule 11.7.1 the words “the electronic voting system” be suspended and replaced with the words “an electronic voting system”.

(c) Rule 12.3.2 be suspended and replaced with—

“2. A committee shall meet—

(a) in Scotland at such place as it may decide, with the approval of the Parliamentary Bureau and the Conveners Group, or

(b) remotely by video conference hosted on such platform as may be provided by the Parliamentary corporation.

2A. A decision under Rule 12.3.2 shall, in the event of any disagreement between the Parliamentary Bureau and

the Conveners Group, be referred to the Parliamentary corporation for a determination. The Parliamentary Bureau may require the Conveners Group to make a decision under Rule 12.3.2 within a specified period. If the Conveners Group does not make a decision within that period, the decision on the approval shall be made by the Parliamentary Bureau.”

That the Parliament agrees that in regard to motions S5M-21283, S5M-21284, S5M-21285 and S5M-21286—

(1) the references to “the duration of the public response to the Novel coronavirus COVID-19” be read as references to (a) the period from 17 March 2020 up to and including 26 June 2020 and (b) such further period or periods as are determined by the Presiding Officer from time to time following consultation with the Bureau and notified to the Parliament in the Business Bulletin, and

(2) they shall apply, as appropriate, to meetings of the Parliament, including meetings of committees or sub-committees established by the Parliament taking place during those periods.

Meeting closed at 17:28.

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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