

Conveners Group
Meeting with the First Minister
Wednesday 13 November 2019

Transcript prepared by the Scottish Parliament Official Report

Conveners Group

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CONVENERS GROUP

CONVENER

*The Deputy Presiding Officer (Christine Grahame)

MEMBERS

*Clare Adamson (Convener, Education and Skills Committee)
*Bruce Crawford (Convener, Finance and Constitution Committee)
Bob Doris (Convener, Social Security Committee)
*James Dornan (Convener, Local Government and Communities Committee)
*Bill Kidd (Convener, Standards, Procedures and Public Appointments Committee)
*Johann Lamont (Convener, Public Petitions Committee)
*Gordon Lindhurst (Convener, Economy, Energy and Fair Work Committee)
*Lewis Macdonald (Convener, Health and Sport Committee)
*Ruth Maguire (Convener, Equalities and Human Rights Committee)
Jenny Marra (Convener, Public Audit and Post-legislative Scrutiny Committee)
*Gillian Martin (Convener, Environment, Climate Change and Land Reform Committee)
*Joan McAlpine (Convener, Culture, Tourism, Europe and External Affairs Committee)
*Margaret Mitchell (Convener, Justice Committee)
*Edward Mountain (Convener, Rural Economy and Connectivity Committee)
Graham Simpson (Convener, Delegated Powers and Law Reform Committee)

*attended

THE FOLLOWING ALSO PARTICIPATED:

The First Minister (Nicola Sturgeon)

CLERK TO THE CONVENERS GROUP

Susan Duffy

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Conveners Group

Wednesday 13 November 2019

[The Deputy Presiding Officer opened the meeting at 12:01]

The Deputy Presiding Officer (Christine Grahame): I am pleased to convene the seventh meeting this session between the Conveners Group and the First Minister. I welcome the First Minister to today's meeting, as well as everyone who has come to watch the session.

We have received apologies from Jenny Marra, convener of the Public Audit and Post-legislative Scrutiny Committee, from Bill Kidd, convener of the Standards, Procedures and Public Appointments Committee, and from Graham Simpson, convener of the Delegated Powers and Law Reform Committee, who are unable to attend today.

As you all know, this session gives you the opportunity to question the First Minister about the programme for government from the perspective of your committees. We have up to two hours for today's session. I propose to give each convener around six minutes to ask their questions and receive answers to them. As I will explain, there is time in hand if you wish to develop your themes a little bit. There are issues that may cut across the concerns of other conveners so, if you want to come in with a supplementary question, just indicate to me, and I will call you in. However, your supplementaries must be on point and must be to do with the issue being discussed.

We need to finish by around 1.55 at the very latest, as chamber business starts at 2.00. If we have time at the end, before 1.55, and you have any further supplementaries, you can of course ask them. Do you wish to make any opening remarks, First Minister?

The First Minister (Nicola Sturgeon): No, I am happy just to get on with it.

Environment, Climate Change and Land Reform Committee

12:02

Gillian Martin (Convener, Environment, Climate Change and Land Reform Committee): Good afternoon, First Minister. Your Government is committed to very challenging emissions reduction targets under the Climate Change (Emissions Reduction Targets) (Scotland) Act

2019. We know that climate change will happen as a result of cumulative emissions and pollution from countries across the world, many of which have not set stretching targets.

Last week, my committee was warned that Scotland could be facing very severe effects from climate change. In giving evidence, the United Kingdom Committee on Climate Change told us that we should be working on a long-term assumption of a rise in temperature of 3°C to 4°C. Weather events are to become more extreme, affecting human and environmental health. There is real concern about that.

Is the Government producing plans across all portfolios and allocating funding for climate change adaptation and mitigation of the effects of climate change taking those future scenarios into account?

The First Minister: In short, yes, we are. I will come on to that in a little bit more detail in a second. The first thing to say, which was alluded to in your question, is that there is a moral obligation on all of us to do everything that we can to limit temperature rises and to live up to the ambitions of the Paris agreement. The legislation that the Parliament recently passed to increase the scale of the emissions reduction targets in Scotland exceeds what the Paris agreement would have us do. It is important to lead by example.

You are absolutely right. In Scotland, which is a relatively small country, we cannot limit global rises in temperature on our own, but if we are not showing leadership, we lack the authority to encourage other countries to do likewise. That action and that ambition are very important. There is a lot of power in the view that we are going to feel the effects of climate change. We only have to look at some of the severe weather events that are being experienced right now in some parts of the UK to know that we are already living with the impact of climate change.

Climate adaptation is just as important to run in parallel with the work that we are doing to reduce emissions. As you will be aware, we have already laid before Parliament our new five-year adaptations programme, which sets out 170 policies and proposals across all sectors of Government. The key objective of that programme is to embed a cross-sectoral, cross-Government, outcomes-based approach that draws heavily on the United Nations sustainable development goals and our own national performance framework, so that every area of Government has to have this to the fore.

I mentioned the 170 policies. Different funding streams will be attached to different policy areas. In the case of flooding, for example, which is obviously and tragically topical, we will invest more

than £400 million in the next 10 years to protect homes, particularly in flood-prone areas. That is a concrete example of the kind of work that we need to do.

In the first year of the adaptation programme, there will be a bit of focus on research while we inform ourselves about the further work that we need to do. That will be a key part of how we address some of the recommendations of the adaptation sub-committee of the UKCCC. That work is a priority and, as you said, the importance of embedding it right across Government cannot be overstated.

Gillian Martin: What do you make of that stark warning of an increase of 3°C to 4°C? We have been warned that there could be 40°C summers in Glasgow, where the buildings do not have the right cooling infrastructure and roads could be affected. When you heard that, what did you make of it?

The First Minister: It alarms and concerns me, as it does everyone else. However, it also reinforces the determination that we all must have—and I certainly have—to play our part in getting to a situation in which that is not inevitable. I do not underestimate the difficulty of that, but the warnings underline the importance of Scotland playing its full part.

What you have just quoted at me comes from experts, and none of us can ignore that. A key part of the Paris agreement is to limit those temperature rises, and we have to focus on that while we take the action that we need to take to equip our communities to deal as best they can with the impacts of the temperature rises that we are being warned about.

Health and Sport Committee

12:07

Lewis Macdonald (Convener, Health and Sport Committee): First Minister, you will be aware of the primary care inquiry that the Health and Sport Committee is undertaking, in particular through our public panel sessions in Inverurie, Cambuslang and Dunfermline, to find out what the public think primary care should look like for the next generation. A strong theme of all three public panel sessions, and of our consultation more generally, was that the public think that healthcare should use all the technologies and electronic means at our disposal. People would like to engage with their healthcare professionals by email. They would like to be able to make appointments online. They would like medical professionals across the health service to have equal access to their medical records, subject to their agreement, of course, so that the patient does not have to keep repeating the same story to one professional after another.

Do you think that the public are right to want those things? What can the Government do to achieve them?

The First Minister: Yes, I do. I welcome the committee's focus on primary care. As we look ahead to solving the challenges of increasing demand on health services, shifting more of the balance of care into the community and primary care is important. The primary care improvement plan work that the Government is leading is an important part of that.

When people think of traditional primary care, they think about general practitioners, and GPs will always be at the heart of it. However, multidisciplinary teams are increasingly vital. I visited a community pharmacist a week or so ago to see its investment, and the wider range of services that it can deliver is impressive.

On electronic access to healthcare, I know that a number of important and impressive initiatives have been undertaken over a number of years to give people access to electronic appointments, and to join up patient records between different parts of the health service. That is all vital.

I speak from my experience as health secretary when I say that that is not straightforward and that it raises a whole host of complexities, not just in technical and technological areas but in areas of data, patient privacy and confidentiality. Those can be big challenges, but they are vital. Most people are used to conducting large swathes of their lives online, and our health service cannot and should not be immune from that. Technology also gives

us different ways of delivering healthcare in more remote parts of the country.

Lewis Macdonald: You are right to say that the national health service has been struggling with that for a number of years and we are not there yet. Is it time for greater urgency to ensure that the technological prize is achieved for patients and the health service?

The First Minister: I do not want to sound complacent about it but, going back to my experience as health secretary and also from what I see as First Minister when I visit different parts of the health service in different parts of the country, I do not think that there is a lack of urgency or priority about it. Some of the challenges are very real, but the health service in Scotland is not unique in facing those challenges. There is a momentum behind it and we have to continue to push it forward. We await with interest the Health and Sport Committee's report and recommendations, and we will give them serious consideration.

Lewis Macdonald: In answer to my first question, you mentioned the importance of the multidisciplinary team. The programme for government set out the objective of recruiting 800 additional GPs over a period of time. That target was set before the new GP contract, since when the multidisciplinary team has grown in importance. Should that number be reviewed, or should you set targets for other professions that work with GPs to deliver better primary care?

The First Minister: It was felt—rightly—that it was important for the GP workforce that we focused on increasing the numbers of doctors in general practice, so I think that the target is right. In general, we should always keep targets under review to ensure that they reflect the situation that we are in.

It is an important target that we are focused on meeting. However, when we talk about primary care, it is important that we do not just talk about GPs because, although recruiting more GPs is a key part of reducing the workload pressures that GPs face just now, so is taking away some of the duties and responsibilities that have traditionally been held by GPs and allowing other members of the wider primary care workforce to take them on.

We made a commitment, which we will meet, to invest an additional £500 million a year in primary care by the end of this parliamentary session. That is for primary care in its widest sense and about half of the money will go to general practice. It is important that we see primary care in its widest sense, which should help GPs with some of the challenges that they are dealing with, as well as having a focus on increasing numbers in general practice.

Culture, Tourism, Europe and External Affairs Committee

12:12

Joan McAlpine (Convener, Culture, Tourism, Europe and External Affairs Committee): As ever, Brexit uncertainty remains the dominant theme at my committee.

The Prime Minister said that he can get a super-Canada-plus free trade agreement with the European Union by the end of 2020. Those who have studied the subject for some time, such as members of my committee, know that that is well nigh impossible. Article 132 of the current withdrawal agreement allows for an extension to the transition period to take place, but that would have to be agreed by 1 July 2020, and any extension would be limited to a maximum of two years. According to the withdrawal agreement, the new relationship between the EU and the UK needs to be agreed within three years. Do you have a view on the realism of that timetable?

The First Minister: I do, and I think that it is not at all realistic. I will come back to the prospect of an extension in a moment, but it is probably as close to impossible as you can get that a trade deal between the UK and the EU could be agreed in such a timeframe—assuming that, after the election, Boris Johnson gets his deal through. There is no precedent for that and, given the complexities that are involved and the experience of the withdrawal negotiations, anybody who says that that is possible is not being straight with people.

By the middle of next year, we could find ourselves in a situation in which either an extension was being sought or it was not. Obviously, I can only go on the public statements of the UK Government—I am not saying that we should put much stock in all its statements, going on past experience—and statements have been made that the UK Government will not seek an extension. We would find that, by the middle of next year, we would again be staring straight down the barrel of a no-deal Brexit. That very real prospect fills me with horror, given the amount of time, effort and money that the Scottish Government has had to expend on planning for no-deal exits in the run-up to March and the end of October.

Alternatively, we could have a further extension, with the wrangling and the negotiations continuing. If you consider the trade negotiations between EU and other countries, you will know that the idea that a big trade agreement is an achievable aim even in three years beggars belief.

The path that the current UK Government wants us to go down is fraught with risk and danger. It would guarantee a no-deal Brexit or years more of the wrangling that we have experienced over the past three years.

Joan McAlpine: Your answer makes it clear that a no-deal Brexit is still a distinct possibility, which will concern many people.

In October, the UK Government published a revised no-deal tariff schedule. I have received wide-ranging representations, as I am sure other conveners have, about the implications of the tariff schedule for key sectors of the Scottish economy and, in particular in my area of the south of Scotland, for the agriculture sector. Has the Scottish Government undertaken any assessment of the implications of the revised tariff regime for Scottish exports, particularly for exports from the agriculture sector, and the implications of dropping tariffs on incoming produce?

The First Minister: As you would expect, the Scottish Government has looked carefully at the detail of that. We have articulated publicly concerns about the impact not just on the agriculture sector, although I think that it is fair to say that the agriculture sector is particularly likely to be affected.

If we leave in a no-deal situation, under most-favoured-nation status, beef tariffs would be as high as 65 per cent and sheep meat exports would face tariffs of 46 per cent. The impact on the sheep sector in particular would be devastating.

You mentioned import and export tariffs. One of the arguments that we have made—it is the same argument that NFU Scotland has made—is that the UK Government should use the temporary tariff regime if we got into a no-deal situation. If we were to simultaneously allow cheaper imports, that would avoid compounding the impact of EU tariffs on Scottish exports. The UK Government has not been open to that argument so far, which is regrettable.

Those are very real impacts. Although the immediate prospect of a no-deal exit has receded, I think that we have to be clear that it has not moved much further down the track and we will be facing the same situation again. Obviously, we are talking speculatively, because we do not know what the outcome of the election will be and what that means for the UK Government. However, assuming that we are still on the track laid down by the current UK Government, the prospect of no deal, with all those implications, will be right back very quickly.

Education and Skills Committee

12:18

Clare Adamson (Convener, Education and Skills Committee): I will continue the Brexit theme. Earlier this year, the Education and Skills Committee took evidence on the impact of Brexit on further and higher education. We have pursued answers from the UK Government and we have written to Priti Patel about the three-year European temporary leave-to-remain scheme, but we have yet to receive an answer. A videoconference that we were to have had with Chris Skidmore in the past few weeks was cancelled. Given the concern in the higher and further education sector, what has the Scottish Government done to get clarity from the UK Government?

The First Minister: I will be diplomatic. We have been trying very hard, with varying degrees of success, to get clarity about the preparations for Brexit in all its different forms and the post-Brexit arrangements that would be in place.

The further and higher education sector is far from the only sector that would be affected, but the effects and the impacts on it would be particularly severe. More than £200 million of direct EU funding has benefited colleges since 2000 through structural funds and social funds, and Scotland has had €650 million of research and innovation funding from horizon 2020. We punch above our weight in terms of the amount that we get. Universities punch above their weight, because they get about 75 per cent of that amount, and Scotland's universities get about 11 per cent of the UK share, so we do very well. There is no clarity on what would replace those funding streams. We also benefit disproportionately from the Erasmus scheme, with more Scottish students going to other EU countries and more EU students coming to Scotland. We do not know what will replace that scheme either.

You mentioned the three-year temporary leave-to-remain scheme. Given Scotland's four-year degree, there is a concern that that scheme simply does not meet our needs. In addition, universities are feeling the impacts of Brexit in losing and finding it more difficult to attract academic and research staff. There have been many very frustrating impacts, which will continue to be very frustrating for as long as the present situation continues.

Clare Adamson: We received a written submission from the Royal Society of Edinburgh that touches on many of the issues that you mention, First Minister, including those to do with the EU-funded research programmes. The softer

part of that is about the culture and the nature of our universities in the future, to which international collaboration is extremely important.

Universities are concerned about what the long-term impact might be on the 16 per cent of students who come from the EU in the event that further barriers are put in place. We heard that the number of university lecturers and professors who were applying for settled status was low. In one case, university staff were going round with an Android phone in an attempt to increase the take-up. It is embarrassing that the UK Government cannot even say, "There's an app for that."

How much damage could that state of affairs do to the future culture of our universities and colleges?

The First Minister: That is a big and really important question. The impacts and the consequences of that situation will be felt in many different ways for a long time. Earlier this year, I visited the University of Glasgow to look at the work that it was doing to support EU nationals who were working at the university. Mention was made of the practical difficulties of not everybody being able to access Android phones. The university was doing some of that basic support work.

Our universities are part of the Scottish brand—they help to project the country overseas. Anything that risks making our country seem less welcoming and less open is extremely damaging, and we must fight against it very hard. Most academics and researchers in our higher education system will say that funding for research is really important but that the collaborations that the European programmes have facilitated and made more possible are as important. Losing those is as damaging as losing the funding.

There are also wider ripple effects. I do not have the figures from the research to hand, but I can provide them if that would be of interest. It looked at the economic benefit of Erasmus students coming from European countries to Scottish universities. We think about the impact of that on the universities, but everything else that those students do while they are here has a wider economic benefit. If we multiply that up to cover all EU students, we see that the ripples of the issue go into every aspect of our society.

I worry about many aspects of Brexit, but the thing that worries me most—I think that the UK Government should be very worried about this, too—is the overarching issue of what it would do to the international, European reputation of the country. We desperately need to continue to be seen as an open, welcoming place for people to come to and make a contribution. If we damage that, we risk our economic prosperity for a long time to come.

Finance and Constitution Committee

12:23

Bruce Crawford (Convener, Finance and Constitution Committee): As you know, First Minister, the UK Government has decided that the UK budget will not now be published until early 2020, as a result of the general election. I am the first to recognise that it is a very challenging situation for the Scottish Government, for local government and for public bodies, which will need to respond very quickly in the setting of their income tax and spending plans in 2021, once they eventually know what their settlement will be.

This morning—this is hot off the press—the Finance and Constitution Committee considered the challenges and risks of publishing the Scottish budget before the UK budget. We agreed to write to the Cabinet Secretary for Finance, Economy and Fair Work, setting out our view that the Scottish budget should be published after the UK budget, although we recognise that there might be some circumstances that emerge after the UK election that mean that that will not be possible. We have asked our clerks to work with Scottish Government officials to bring forward proposals for a bespoke process for scrutiny of the 2020-21 Scottish budget, depending on the timing of the UK budget.

How is the Scottish Government preparing for that challenge? In particular, how is it supporting local government and other public bodies to plan as effectively as they can in the circumstances that we face for the next financial year?

The First Minister: Not to put too fine a point on it, this is really difficult. I am probably not going to be able to convey the degree of intense frustration that we feel. Not being able to get on with the work of setting a budget has implications for Government spending on the public services that we fund directly, for the economy and for health boards and local authorities.

You said that the UK budget has been postponed because of the UK general election. If my memory serves me correctly, the UK Government postponed the budget before the UK election was confirmed, in a fit of pique because the House of Commons had voted in a particular way on the Brexit deal. We have a Government that was seemingly wilfully refusing to undertake its core responsibilities as a Government.

That puts us in the position of not knowing what the UK Government's tax announcements are going to be, and we do not know what the Office for Budget Responsibility's tax, social security or

economic forecasts will be. To be blunt, without that information, we do not know how much money there is going to be in the Scottish budget next year, so we cannot have a meaningful budget process.

We are getting on with preparing to look at the budget by making assumptions about what might be the case and planning as much as possible, but we are doing that completely in the dark because we do not know what all that information will do to the picture and the assumptions that we are making. It is a horrendous situation to be put in, and it is not just the Scottish Government—the Welsh Government is in the same position.

If the budget had been postponed but we had been given an alternative date, that would be one thing, but what makes it even more horrendous is that we have no idea when a new UK Government is likely to produce a budget. We do not know how long it will take to form a Government after the election, and we do not know how long a new Government will decide it needs before it proposes a budget. Meanwhile, the clock is ticking.

I cannot give you definitive answers about exactly what we would do in all the scenarios that might unfold. We will keep local authorities, health boards and other agencies as up to date as possible, and we will continue to liaise closely with the Finance and Constitution Committee to make sure that we have a process that allows for appropriate scrutiny in the Scottish Parliament while recognising the—certainly, in my experience in this place—unprecedented circumstances that we find ourselves in.

Bruce Crawford: As you have said, First Minister, we simply cannot know how much money will be available to spend in 2021. There also remains the interaction between those taxes that the UK Government sets and those that the Scottish Government sets, and it causes significant difficulties for Scottish tax policy if the UK Government has not set its tax policy first. In order to make sure that the Scottish budget takes place in an orderly fashion, we need that information as soon as possible.

In the light of that, what contact has there been with the Treasury to ensure that it has fully grasped the seriousness of the situation, and what has its response been?

The First Minister: The finance secretary has written to the Chief Secretary to the Treasury, making clear our strong concerns, which I expect are reflected across the Parliament, and expressing the need for an early decision after the election about the timing of the UK budget. To be fair to the incumbents, I guess that it is impossible to give us any certainty about the timing of a

budget after the election because nobody knows what the outcome of the election will be.

We will continue to try to get clarity as quickly as possible. However, our Parliament must prepare itself for continuing uncertainty that has implications for our ability to set a budget in the new year. The clock is ticking down to the start of the new financial year, and we will need to work collaboratively across the Parliament, particularly with the Finance and Constitution Committee, to fashion the best process we can out of whatever circumstances unfold.

Justice Committee

12:29

Margaret Mitchell (Convener, Justice Committee): The current prison population is only 220 prisoners short of the operating emergency capacity limit. Scotland's largest prison, HMP Barlinnie, is 40 per cent over capacity, with more than 1,400 prisoners. The Auditor General reports that the Scottish Prison Service is

"facing threats to its financial sustainability".

Will the First Minister acknowledge that the situation is untenable? Given that the current use of remand instead of alternative, community-based disposals is a significant factor in the high prison population, and given that the loss of third sector bail supervision programmes has increased the number of prisoners on remand, what measures do the First Minister and her Government intend to take to address the well-documented and vexing remand issue? When will those measures be implemented?

The First Minister: I am concerned about the size of our prison population. The capacity issues are of serious concern. We used to say that we had, proportionately, the second-highest prison population in western Europe; we now have the highest, because we have overtaken England. I do not believe that that is a healthy situation, nor do I believe that it reflects a situation in which we always deal with those who have broken the law most effectively and in a way that most aids rehabilitation.

The issue of the prison population is under weekly scrutiny by the Cabinet. We take it very seriously.

We have been pursuing and continue to pursue a range of long-term reforms. Sentencing is down to independent judges, and we cannot—nor should we—influence individual sentencing decisions that judges make, including those that they make on remand. We are investing in criminal justice social work and more rehabilitative community sentences, and we have increased the presumption against short sentences. We are taking a range of approaches to reduce the prison population and create a more effective criminal justice system.

I am not trying to be party political here, but the Conservative Party in the Scottish Parliament is making a lot of proposals on sentencing that would go in the opposite direction and increase the prison population by about 40 per cent. We are therefore opposing what I would describe as wrong-headed proposals that run counter to what we need to do to ensure that we have prisons that keep those who are within the care of the prison

service safe, with access to proper education and rehabilitation services. We are also taking an approach to criminal justice that does the most to cut reoffending and promote rehabilitation.

We have invested heavily in the prison estate. We have invested almost £600 million since we took office in 2007, and there are three new prisons at Low Moss, Addiewell and Grampian. A replacement for Barlinnie is one of our infrastructure priorities, and negotiations are under way on a site for that. We invest heavily but, for all sorts of reasons, we have to stay focused on reducing the prison population and using more effective sentencing.

Margaret Mitchell: The question was specifically on remand, and more could be done there. I do not think that it is just a matter of not being able to affect what judges say. However, I will move on to another topic: preventative spend.

The Robertson Trust has said that there is

"a tension between addressing immediate need and moving towards more preventative approaches".

It says that, for understandable reasons,

"SPS has made an operational decision to focus its budget on immediate need rather than prevention."

Consequently, since this summer, the SPS-run throughcare scheme, which helped people to stay out of prison after they were released, had to be closed because of short-term SPS operational need.

Does the First Minister accept that the closure is a worrying development that is likely to increase recidivism? Does she agree with Apex Scotland that the annual budget process for third sector organisations is "extremely wasteful and inefficient" and that, as a priority, it should be replaced with more sustainable and effective three-year funding that would encourage preventative spend?

The First Minister: There are a few points to make before I address the central point about programmes in prisons.

First, there is always a tension between preventative spend and spending on current priorities—we see it in the NHS and in the justice system—but we have to stick with trying to shift as much spend as possible into prevention. That is not always easy, and we do not always live up to what we try to do there because of the tensions and the difficulties.

Secondly, I think there is a very strong case for three-year funding for third sector organisations. The Scottish Government deals with annual UK Government budgets, and we need to determine our budgets on a one-year basis. However, as we have just been discussing, we do not even have a

one-year budget this year. Because of the position that we have been put in by the UK Government, we are struggling right now to give one-year certainty, let alone three-year certainty, to public services and third sector organisations. We cannot have these discussions in a vacuum and ignore the wider context.

There is a worry about rehabilitation programmes not proceeding because of the pressures on our prison population. For me, that means that we have to stick with the reforms to criminal justice, so that fewer people who would be better punished in the community go to prison. Again, I am not trying to be party political here, but I am being asked questions by the representative of a committee who is, more broadly, the representative of a party whose policies go in the opposite direction. Week after week, I get challenged by—

The Deputy Presiding Officer: First Minister, I must correct you. That is unfair to Ms Mitchell. She is speaking for her committee, not as a Conservative member, so I cannot allow that.

The First Minister: Okay. I am simply making the point; I am not directing it at—

Margaret Mitchell: And I was making no party-political points, Presiding Officer. I am speaking to the concerns of my committee.

The Deputy Presiding Officer: Ms Mitchell, I do not need you to defend yourself; I will do that. I do not think that those remarks were appropriate.

Margaret Mitchell: Thank you, Presiding Officer.

The First Minister: My apologies, Presiding Officer. I am simply making the point that we do not have these discussions in a vacuum and that the wider debates that we have in Parliament are relevant to the direction of travel of our policy. That is a legitimate point to make.

Economy, Energy and Fair Work Committee

12:36

Gordon Lindhurst (Convener, Economy, Energy and Fair Work Committee): Good afternoon, First Minister. The Economy, Energy and Fair Work Committee considered business funding as part of our budget scrutiny. The Scottish growth scheme, which you will be familiar with, was launched in June 2017 as a three-year programme, with a target of £500 million. However, by the end of August this year, more than two years into the three-year scheme, only just under £40 million of public sector investment had been made. How is the target of £500 million going to be achieved? Is the scheme simply going to run its natural course until the end of the three years, or will it be extended?

The First Minister: It is a three-year scheme, and we will run it on that three-year basis. As we would do with all schemes, we will take decisions at an appropriate time on whether we want to extend it or put further funding into it. In contextual terms, it is important to point out that the £500 million is not, and was never intended to be, all public money; it is public money that will lever private investment.

I will give you up-to-date figures for the growth scheme, as of 30 September. Some £160 million has been invested in 262 companies. That includes £115 million of private resources that have been leveraged by the public sector investment.

That is the up-to-date position. The business environment and the investment environment have inevitably been affected by the Brexit uncertainty. Nevertheless, the Scottish growth scheme is an important scheme that is delivering investment into companies, and we will continue to support and progress it.

Gordon Lindhurst: Thank you for the updated figures, which are helpful, although they still represent only a small proportion of the £500 million that was originally set as the target.

Against that backdrop, with the Scottish National Investment Bank Bill now being brought before Parliament, how will the Scottish Government seek to ensure that that bank is more of a success in achieving its goals than the Scottish growth scheme appears to have been at this stage?

The First Minister: We will agree to differ on whether or not the growth scheme is a success. The figures that I have just set out suggest that many companies are being helped with investment as a result of that scheme.

The investment bank will operate independently of ministers. Your committee has been scrutinising the Scottish National Investment Bank Bill and has made some very constructive and helpful recommendations, which we will take forward in stage 2 amendments. We have plans for £2 billion of investments over the first decade of the bank. It will be for those whom we charge with running the bank to ensure that those investments support the missions of the bank, as it will be charged with mission-led investment, that the appropriate returns are being delivered—not just financial returns but the returns overall for the missions and the social benefit—and that the right projects and the right companies to meet those missions are being supported.

Gordon Lindhurst: Are there any lessons that can be learned from how the Scottish growth scheme has progressed over the past two and a bit years for the approach that is taken to the Scottish national investment bank?

The First Minister: Very possibly. We will look to do that, and we would be very happy to liaise more with your committee about how we can do that and what lessons we think there are.

The national investment bank is a very different animal from the growth scheme in structure, governance and scale, and in its mission-led activity. Although we should, of course, look to see whether there are lessons that we can translate from the scheme into the bank, we have to ensure that we get the bank's set-up and governance right, which is why the progress of the bill is important. It is a matter of ensuring that we get the missions right and that the bank succeeds on its own terms.

That does not just involve scrutiny of the bill. As the bank continues, those factors will be important but, if there is a more structured exercise that we can do, between the Government and the committee, to consider any read-across from the growth scheme to the bank, we would be happy to do that.

Public Petitions Committee

12:41

Johann Lamont (Convener, Public Petitions Committee): As ever, the Public Petitions Committee is considering a wide range of issues. The agenda of the committee includes things that might be ignored by public debate and, indeed, things that are very much part of public debate. Often, the persistence and length of the consideration of a petition in the committee reflects a concern.

I want to ask about the immediate issues around two petitions and how the Government addresses some of the challenges. The two petitions that I want to highlight to you relate to the A75 and the A77. During our scrutiny of those petitions, we have repeatedly heard significant concerns about the safety and quality of the roads and their impact on the environment, as well as about the impact of the current road infrastructure on the long-term economic future of the south-west of Scotland. I know that there is a strategic transport projects review, but to what extent have you been able to reflect on and act on people's concerns about those particular roads?

I will perhaps ask you to say something more about the broader economic issue after that.

The First Minister: I hope that you appreciate that it is not possible for me to come here with the detail of every single petition that is before your committee, so some of my answer will inevitably be in general terms, although I know the importance of the issues that have been raised around the A75 and the A77. I will come back to that in a second.

The petitions process is very important. Obviously, it is a way into the workings of the Parliament for the public; it is also important for the Government. We look very carefully at individual petitions, and we try to respond to and learn from petitions as they go through the process. We also consider the patterns of petitions and the numbers that come in on different issues. We assess whether there are particular issues that keep coming back or particular issues that stay before your committee for a long time. We try to take cognisance of that. There will always be times when the Government can never quite do exactly what a petitioner wants. Nevertheless, we try to take account of the general thrust and the general points that are being made.

On the particular matter of roads and transport, we have a transport strategy, and we are looking at the overall strategy. There is a big priority now—I am not talking about the A75 and the A77 in particular; I am talking generally. We are trying

to get traffic off roads and on to public transport because of the climate imperative. For the rural parts of the country—both the areas that are served by the A75 and the A77 and areas further north—it is really important that we listen to the views of individuals, communities and commuters, because of the economic impact of good connections as well as their safety and environmental impacts. The south of Scotland often has a particularly strong case to make there. The economic impact of good connections is vital.

That does not address the precise detail of the petitions concerned, which I do not have in front of me, but the general point that I wish to make is that we look carefully at all petitions that are put forward.

Johann Lamont: I might ask you to consider one small thing. As regards the general process for petitions, if the Government examines a petition and has a view on it, it would be immensely helpful if that could be shared with the Public Petitions Committee before we even look at it, because that would speed up the process. I can write to you about this separately, but it would be useful if we could speed up that process in instances where you know what your position is and you could at least give us a first stab at it. That would be very helpful, although I appreciate that that cannot necessarily be done in all cases.

I come back to the point that I do not expect you to know all the details of your infrastructure programme—that is the job of your transport secretary—but it is your job to understand the broader context.

The First Minister: Absolutely.

Johann Lamont: Currently, it is being said that the state that the roads are in is such that some companies will actively choose to stop travelling from Ireland through the south-west of Scotland—in other words, they will change their journeys because of that. Therefore, as well as the concern about the environmental impact at local level as a result of lorries coming through communities, there is the prospect of the problem inhibiting economic activity.

What is your process for dealing with that kind of issue? How do you ensure that it is not just the transport secretary who looks at it but those in the Cabinet who are responsible for the economy and the environment? Is there a process for cross-cutting action on such petitions?

The First Minister: Yes. We are not perfect at this but, partly because of our relative smallness as a country, we are better than many at not seeing things in silos and, as far as possible, that is what we try to do. There will always be a lead department and a lead set of officials under a particular minister that have key responsibility for

responding to a petition, but all relevant interests will feed into that.

Therefore, with petitions such as those that you are talking about, the economic perspective, the environmental perspective and the road safety perspective, which brings in justice, will all have a bearing on our response. That is not just the case with issues that are raised in petitions. We have a process for prioritising how we spend the budget that we have in taking forward particular issues, and the ones that you have mentioned will always be key in the decisions that we make.

With regard to your request, I am happy to consider any proposals from the committee about how we can further aid the consideration of petitions. However, I sound a note of caution. When we respond to a petition, sometimes—even though we might have had a fixed position—we do not want to close our minds to what is being suggested. There is a balance to be struck between being definitive and being open to the evidence that a petition brings forward.

Johann Lamont: I absolutely agree with that. On the issue of the A75 and the A77, I am asking you to think about the fact that, as the petitions reflect, there is more in this problem than the transport secretary alone could deal with. I suppose that I am looking for an indication of whether there is already a group of Cabinet ministers who are working together on what is significant challenge to the infrastructure and the economy of the south of Scotland.

The First Minister: We have had a cross-cutting Government exercise that has led to the creation of the new south of Scotland enterprise agency. As part of the economic development of the south of Scotland, all those issues are dealt with on a cross-Government basis.

Although the answer that I gave was given in the context of petitions—after all, you are the convener of the Public Petitions Committee—the approach that I described is the approach that we take to the development of all policy and all aspects of decision making. Any piece of Government policy or any case that has been put forward to support a particular decision is informed by the different policy interests. It is not simply the transport minister who is important when it comes to investment in roads. The economic needs of an area, the economic limitations of roads that require investment and—this was an issue that was considered in relation to the dualling of the A9—the safety of the road will all come together to inform decision making. Often, it will not be the immediate policy interest that will be the key or overriding interest; it will be a knock-on effect which, in this case, is the economic limitations that you described.

The other point to make, which is not peculiar to the issue that you raise, is that the national performance framework, which sits across everything that we do, is deliberately designed to aid that cross-Government, cross-cutting approach. If I have not articulated that as well as I could have done, I would be more than happy to set it out for your committee in more detail so that you have a full understanding of how we go about not just responding to petitions but addressing such issues overall.

Johann Lamont: That is very helpful. It would be useful if you could indicate how you analyse the effectiveness of that cross-cutting work. The concern of these petitioners is that nothing is really changing. Rather than answering now, perhaps you could include in that information how you monitor the effectiveness of your work in that area.

The First Minister: Would it help—as an exercise that we can take away and do—if we were to use these petitions as a case study to describe the process that the Government goes through in reaching decisions?

The Deputy Presiding Officer: I think that that is called getting a result.

Lewis Macdonald has a supplementary question.

Lewis Macdonald: Again, I do not expect you to be familiar with the detail of the consultation on dualling the A96 in Aberdeenshire, but, on the same theme, would you expect in considering that the least expensive—

The Deputy Presiding Officer: Hold your horses. You are the convener of the Health and Sport Committee. I do not know what dualling the A96 has got to do with health and sport. If you can make a connection in the next 30 seconds, you are a better man than I am. Let us hear it.

Lewis Macdonald: I certainly see the issue as relevant, but I take your guidance.

The Deputy Presiding Officer: You are blooming right you do, Mr Macdonald. It was a good try, but you have failed.

Social Security Committee

12:52

Bob Doris (Convener, Social Security Committee): I will stick strictly to social security issues. The Social Security Committee will have a keen interest in the recently published Scottish Government benefit take-up strategy, given that we are conducting an inquiry into the take-up of benefits. I note that, by January 2019, there had been 7,000 best start grant pregnancy and baby payments, as opposed to the estimated 4,000 payments. Furthermore, the very welcome Scottish child payment commences next year, and the Scottish Government is rightly committed to maximising its uptake. Is the First Minister confident that there will be adequate budgets to meet demand?

The First Minister: Those are demand-led budgets, so, yes. Our responsibility is to make sure that the budget is there, and we take decisions to support whatever the demand is. I do not underestimate the pressure that that will put on Scottish Government budgets. We have set a clear objective in all the social security benefits for which we have taken or will take responsibility to focus on increasing uptake as much as possible. That is why the benefit take-up strategy is so important.

The Scottish Fiscal Commission will provide us with a benefit expenditure forecast, which will be a key part of our budget process. Its most recent set of forecasts, which are from May, estimate that demand-led social security would cost about £3.5 billion. That, of course, excludes the cost of the new Scottish child payment. The commission's more up-to-date forecast will be published alongside the budget, whenever we get to the point of putting one forward.

Bob Doris: That is helpful, but I note that the Scottish Fiscal Commission set out appropriate budget lines based on the estimated benefit take-up. That is not set at a take-up level of 100 per cent, so there would be budget implications if demand significantly increased. Nonetheless, thank you for those reassurances.

The committee is concerned that, if the Scottish Government takes measures to increase the uptake of reserved benefits—that is known as policy spillover under the fiscal framework—the UK Government may expect the Scottish Government to pick up the bill for that. Will the Scottish Government look urgently at that matter, to ensure that there will be no financial loss to Scotland if we wish, for example, to drive uptake in reserved benefits?

The First Minister: You will correct me if I am wrong, but I think that that concern has previously been raised over how the fiscal framework operates. It is fair to say that, in the years in which the fiscal framework has been operating, we—I am sure that the same is true of the UK Government—have more experience of how it operates, how it operates well and where it might need improving. Obviously, it is coming up for review, and that is one area where we will want to be certain that there is no knock-on spillover effect for the Scottish Government if we are encouraging greater uptake of reserved benefits. I do not think that anybody across the Parliament would want that to happen. I would hope that everybody would take the view that we should be encouraging people who are eligible for any benefit, whether they are devolved or reserved, to take up that entitlement. The cost for that should fall on the Government that is responsible for those benefits.

Bob Doris: The committee will have to take a view on what the appropriate benefit take-up strategy should look like. I understand that the strategy is restricted to devolved benefits.

The committee is particularly interested in the greater automation and passporting of benefits to increase uptake levels. I will provide a couple of examples. In Glasgow, there is automation of the school clothing grant, and I understand that that also recently started for the best start grant. Has the Scottish Government considered how good practice could be shared around Scotland to maximise benefit uptake levels?

The First Minister: You are right that there are already some excellent good-practice examples, and we encourage local authorities to look at the example in Glasgow that you mention.

More generally, over the longer term, we want to build in more automation to the Scottish social security system. There is a great argument—not identical but similar to the one on the topic of health that we talked about earlier—for making it easier for people to access those benefits. At the moment, our principal focus is on making the transition and delivering the devolved benefits safely and securely, but, over the longer term, we are keen to look at streamlining the systems and making them as easy as possible for people to use.

The Deputy Presiding Officer: Bruce Crawford, is your question on this particular issue?

Bruce Crawford: It is on spillover, but I am sure that if I stray, you will tell me.

The Deputy Presiding Officer: Oh, I definitely will.

Bruce Crawford: Policy spillovers happen in other areas, and the Finance and Constitution

Committee sometimes takes a particular interest in them. I understand that there is no agreement yet between the Scottish and UK Governments in regard to the personal allowance changes that the UK Government made in the last budget. Where has that dispute got to?

The First Minister: It has not yet been resolved, like many such disputes. I can get the committee more detail on the latest exchanges around that.

Those are the kind of issues that, increasingly, are cropping up and feeding into the review of the fiscal framework, which is looming large. Sometimes they are resolved, but more often they are not. Having gone through the first fiscal framework agreement process, I would not be telling the truth if I said that I was looking forward to the review process, but it is important that we get it right. We now know where some of the pitfalls are and we have to be more mindful of them in the future.

Local Government and Communities Committee

12:56

James Dornan (Convener, Local Government and Communities Committee): Section 2(3)(a) of the Domestic Abuse (Scotland) Act 2018 talks about behaviour that makes the victim

“dependent on, or subordinate to”

the perpetrator, for example by preventing access to money. In many, if not most, cases, that can be more damaging after the woman has gathered up the courage to leave her abuser. Recently, I chaired a round-table discussion with victims and support organisations, and the message about financial coercion came across loud and clear. What provisions are in the act to protect women from such on-going abuse, which sometimes continues for decades?

The First Minister: The whole thrust of the act is to make it more possible to address and treat as a criminal offence the behaviour that you are talking about. As you know, the objective of the act is to make it possible to address a “course of behaviour” that is designed to make someone’s partner or ex-partner

“dependent on, or subordinate to”

them, by depriving the victim of freedom, restricting their ability to communicate with friends and family, or monitoring their daily activities. The kind of behaviour that you talk about—controlling or restricting access to money—is a key part of controlling behaviour. With the act, we were trying to ensure that the law can address such behaviour, because, previously, it often struggled to do so.

It is early days in the operation of the act. The latest figures are that there have been 13 convictions under the new law and a number of cases are proceeding through the courts at the moment. It will take a fair bit of time to fully understand the effects of the law, but the behaviour that you describe is exactly the kind of behaviour that is intended to be captured by it.

James Dornan: The main area of concern for people at the meeting that I mentioned was the need for institutions—from the civil courts to the police, from the Scottish Prison Service to local authorities, and from housing organisations to financial institutions—to recognise the controlling and abusive factors that are often present when dealing with financial coercion cases.

Your commitment to protecting vulnerable people, particularly women, is a matter of record. Therefore, I ask that your Government commits to

working with me, victims and support organisations to put in place appropriate measures to change attitudes to financial abuse and coercion, just as has been done over the years to take the horrors of physical abuse from being a domestic issue behind closed doors to being recognised as a serious criminal offence, which is what it always was. Only once financial abuse and coercion is recognised as a damaging offence and measures have been put in place, can we truly say that we have done all that we can to support those women.

The Deputy Presiding Officer: You asked that the Government commits to working with you. I want to clarify whether you meant with the committee or you.

James Dornan: I meant that it would be for me to feed back to the committee.

The Deputy Presiding Officer: So not just a little meeting with you personally.

James Dornan: God forbid!

The First Minister: It is a serious point. The new law is important, because it rectifies a clear deficiency in the law. However, we have a much deeper and more fundamental job to do. I do not particularly like the term “culture change”, but that is exactly what we are talking about here. We still have a situation where the kinds of behaviour that are now rightly criminalised by the 2018 act are not always recognised as the criminal offences that they are by the victims and perhaps even the perpetrators—although I am less worried about that—and certainly by the courts and the system. We had a public awareness campaign that accompanied the lead-up to the introduction of the act to try to begin the process, but there is a lot of work still to do on that. I would be happy to work with Mr Dornan and his committee to take that forward over the next period.

Obviously, the work on this whole agenda is far from complete. We have announced plans for protective orders to further protect victims of domestic abuse specifically around the issue of financial control. For example, that is one of the reasons why it is so important that we do not just have the single household payment in universal credit and that we have split payments. There is a whole load of work that we have to continue to do, but there is no doubt in my mind that the 2018 act makes a big difference and that, in itself, it will help with that culture change that we are trying to effect.

Rural Economy and Connectivity Committee

13:01

Edward Mountain (Convener, Rural Economy and Connectivity Committee): I remind members of my farming and fishing interests, as set out in my entry in the register of members' interests.

The committee is looking forward to the good food nation bill, which will come before us next year, I think. Can you give the committee some guarantee that procurement of good Scottish food for our schools, hospitals and prisons will be dealt with in that bill?

The First Minister: We are in the process of deciding on the exact content of the bill. We consulted on the broad proposals for it, and we are currently analysing the results of that. We will bring forward a bill over the period that we have set out.

I will not give commitments about particular provisions, but it is fair to say that the procurement of good healthy food for schools, hospitals and other parts of the public service is an important priority for us. That is not just because of the health benefits, but because the food and drink sector is one of the most successful parts of our economy, and we need to do everything that we can to boost our food producers' ability to sell into Scotland as well as to export their lovely food overseas.

Edward Mountain: One of the bills that was announced as part of the programme for government in 2016 was an inshore fisheries bill, which has disappeared. That has caused a certain amount of disappointment among fishers, environmentalists and communities. The situation is probably preventing new entrants from entering and the stopping of illegal dredging. Will the Government be able to deal with those issues, even though it is not bringing forward an inshore fisheries bill?

The First Minister: We committed to introducing new legislation for inshore fisheries management and we did preparatory work on that bill in 2016. However, something then happened in the middle of 2016—the Brexit referendum—which created a lot of uncertainty around future fisheries management and made it difficult to continue down that legislative track. There is no doubt that our ability to take decisions on future legislation has been heavily impacted by Brexit. Of course, the previous UK Government did not complete its Fisheries Bill during the previous session of

Parliament, and we do not know when another such bill will be introduced.

We have discussed with key stakeholders the approach that we are taking to inshore fisheries management. I stand to be corrected, and no doubt this will not be a universal position but, broadly speaking, our feeling is that there is an understanding of the position that the Government has taken. Although, for the reasons that I have just set out, we are not proceeding with the legislation at this stage, we have taken and will continue to take action that does not rely solely on legislation to improve inshore fisheries management.

For example, we have invested £1.5 million through the programme for government in modernising the inshore fleet. We are also progressing inshore fisheries pilots, which are developed through the regional inshore fisheries group network and are designed to take forward a more localised approach to fisheries management. We are trialling greater use of spatial management to benefit the whole country.

Although we are not introducing the legislation in the timescale that we originally proposed, we are taking other action and will continue to do so.

Edward Mountain: The committee recently heard about the announcement of the preferred bidder for the south and central contracts for the roll-out of the R100—reaching 100 per cent—broadband programme. We were told that the north contract preferred bidder would not be announced until nearer to Christmas.

On the basis that we are just at the preferred bidders stage and that work will not start as soon as the contracts are awarded, are you still confident that you will achieve R100 by 2021, as you stated to Parliament?

The First Minister: As you said, we have announced the preferred bidder for central and south. There was more than one bidder for the north lot. We will confirm the preferred bidder soon—very soon, I hope. It is still our intention to have contract signature in this calendar year.

We want to deliver on the commitment that we made, but we will set out the precise delivery timescales when we have contract signature, because to set out the timescales before then would be to do things the wrong way round. I am sure that the timescales will be subject to great scrutiny by your committee and by Parliament.

The R100 programme is the biggest of its kind anywhere in the UK. It is complex, and we have to get it right. It is a £600 million programme, of which I think 97 per cent is being funded directly by the Scottish Government, despite arguably—or

inarguably, some would say—the matter being reserved.

This is big—it will get next-generation, future-proofed broadband infrastructure to 100 per cent of premises across the country. We are absolutely committed to delivering that, and at speeds that are way in advance of anything else that is being proposed across the UK.

Edward Mountain: So you are still confident.

The First Minister: Look—I have set out the position. I am absolutely committed to the programme, which is hugely important. We were talking about the importance of transport to the economic development of rural Scotland in particular. There is no doubt at all that broadband infrastructure is just as vital in many respects, so I am absolutely committed to the programme. I think that the £600 million investment is a sign of that. We have to get the contracts right. It is complex and we will continue to take it forward. When we have contract signature, which—as I say—we hope will happen in this calendar year, we will be able to set out the precise delivery timescales for Parliament to scrutinise properly.

Equalities and Human Rights Committee

13:07

Ruth Maguire (Convener, Equalities and Human Rights Committee): Just a few months ago, Jackie Kay, the Scots makar, said that Scotland had to “grow up” about racism. She commented that the

“history of slavery is not part of Scotland’s national curriculum, so there is widespread ignorance across the country of its active role in slavery.”

Last month, the Coalition for Racial Equality and Rights—CRER—wrote an open letter to our Parliament, criticising the lack of focus on race over the past 20 years. CRER looked at chamber debates and the work of committees and found that, overall, race is discussed much less now than it was in the early days of the Parliament. It pointed out that

“Over the past two decades, there have been only five Chamber Debates ... on race alone, with an eleven year gap between a debate on Race Equality led by the Minister for Communities in June 2006 and one held in December 2017, led by the Cabinet Secretary for Communities, Social Security, and Equalities.”

CRER rightly questions why that is. Could it be the joining of the equality strands in the Equality Act 2010 or the lack of black and minority ethnic representation in our Parliament? Is it because the Scottish Government is not undertaking work on race that can be scrutinised? CRER writes:

“Two decades later, BME groups still experience significant inequalities and disparities across all areas of public life”

in Scotland,

“from employment, to housing, to education, to justice. Nearly a quarter of those living in Scotland believe there is sometimes a good reason to be prejudiced against certain groups.”

CRER asks—and I am asking you, First Minister—

“Isn’t this Scotland, 20 years on, entitled to strong leadership from politicians and an acknowledgement that racism exists in our institutions and structures?”

The First Minister: I would never seek to suggest that racism does not exist in Scotland, in broader society as well as in different institutions. I believe that it does and I believe that we all have a serious obligation to both acknowledge that and tackle it.

Your question throws up many different issues, which I will try to run through as quickly as possible.

The Scottish Government does a great deal of work on equality generally and on different

aspects of equality. I would be happy to look at whether we can bring a particular debate to Parliament, although I think that the issue is more fundamental than that in many different respects.

You talk about BME representation in Parliament, and we still have a mountain of work to do on that. It is for all our political parties to take that seriously, and we all have work to do on it. There are still a number of barriers to BME communities in terms of access to services and employment that need to be dealt with systematically.

More generally—and this is something I will not be alone in feeling some discomfort about—at no point in the past 20 years could we have said confidently that we have dealt with racism in Scotland. Such complacency would always have been misplaced and wrong. Jackie Kay was right to jolt everybody out of any sense of complacency around the issue.

Nevertheless, in more recent times, there has been a sense that we have all been called on to question whether the progress that we had taken for granted in Scotland, as well as across the UK and further afield, meant that things were going in the right direction. Some people definitely feel a sense of renewed licence to articulate racist attitudes and voice racist slurs. I am absolutely not pointing the finger at anybody or any political party, but the general tenor of our political debate risks taking us backwards.

We should never have been complacent during the past 20 years, but we now have to take a hard look at ourselves in the mirror and decide that we have to give much more priority and leadership to the issue.

Ruth Maguire: May I ask a supplementary question, Presiding Officer?

The Deputy Presiding Officer: Yes. I nodded to you to proceed. I must have been too subtle—I am not good at being subtle.

Ruth Maguire: The Coalition for Racial Equality and Rights has written to my committee, asking us to scrutinise the Scottish Government's race equality action plan, following the publication of a year 1 progress update. We will do that during the next few weeks.

As you know, First Minister, the action plan covers a range of themes: employment, health, housing, participation and representation, and community cohesion. What oversight do you have of the action plan? Are you content with or concerned about its progress?

The First Minister: We monitor its progress carefully. Ruth Maguire will know this, but, for the benefit of everybody else here, the race equality action plan sets out the actions that we will take

during the current parliamentary session. Back in 2017, we appointed Kaliani Lyle as our independent race equality adviser to provide advice and challenge to help us to advance race equality and tackle racism. In some respects, the action plan responds directly to the recommendations that she made. In the two years since it was published, some progress has been made, but there is still a lot to do.

In terms of the oversight within the Government, the programme board is chaired by the director general for education, communities and justice, and the board has a strong governance structure in place. The next update report is due in March 2020, I think, which is very soon. It will set out the progress that has been made and the work that is under way to take forward actions in the areas in which we still have work to do.

The scrutiny that you have talked about your committee applying will be a useful part of that process.

The Deputy Presiding Officer: Do you have another question?

Ruth Maguire: I have another two questions, if that is all right.

The Deputy Presiding Officer: Another two? I am not sure. We will hear the next one, anyway.

Ruth Maguire: I am still on time.

A further open letter on racism, which was signed by 80 signatories including activists, community workers, academics and educators, draws attention to the difference between colour-based racism and racism that is faced by white migrant groups. It calls for discussions on race to

“recognise that whilst discrimination and xenophobia faced by white migrant groups must be tackled, for most of these groups, this will reduce over generations. The perception of whiteness will eventually confer an advantage; at the very least, the advantage of freedom from the impact of skin colour based stereotypes, prejudice and hatred.”

The letter asks that those who have influence, including politicians, seek to understand race and racism beyond legal definitions in the Equality Act 2010, which protects people from discrimination on the grounds of colour, nationality and ethnic or national origins. It also calls for evidence-based policy approaches to take account of the history of racialisation and current experience of discrimination that creates worse outcomes for people from specific ethnic backgrounds in specific areas of life.

First Minister, what is your response to the signatories to that letter? Do you think that it represents fair criticism of the Scottish Government and other institutions in Scotland?

Just in case the Presiding Officer does not let me back in—

The Deputy Presiding Officer: Excuse me! You have put your questions, Ms Maguire. As we have time, I am going to let other members in. Bob Doris has a supplementary question, after which we will move to open supplementaries. You can come in at that point, Ms Maguire, so do not overegg it.

Ruth Maguire: Okay.

The First Minister: I would be happy to look at the letter that has 80 signatories to it, to take it very seriously and to make sure that a detailed response is given, if the Government has not yet responded to it.

Obviously, I will want to consider the letter in detail before saying whether I think that the criticisms are entirely fair, because I do not know exactly what they are. In general, though, it raises the really important issue that, as well as understanding racism and discrimination in their historical context, we must understand how different people and groups experience discrimination currently.

I have a strong constituency interest in the issue. In my constituency, on the south side of Glasgow, there is now a very large and well-established immigrant population from Pakistan and India, a smaller African immigrant population and a more recent immigrant population from eastern European countries, and there are obvious signs of their different experiences of discrimination. In some cases that will erode over time, but in others it is less likely to. We must understand that multilayered complexity and make sure that our responses to the issue reflect it. I am keen to engage with the signatories to the letter to make sure that our action plan and the actions that we are taking are geared to reflecting that complexity.

The Deputy Presiding Officer: Bob Doris has a supplementary question.

Bob Doris: I thank Ruth Maguire for raising the issue, which brings into play some evidence that the Social Security Committee received on benefits take-up. One of the challenges that academics face in carrying out research is estimating who is entitled to benefits in the first place and what the projected take-up would look like. One of the surveys in that area is the HAGIS—healthy ageing in Scotland—survey, which is carried out among those who are 50 and above. A variety of other household surveys are carried out, too.

However, our committee is not clear about what account is taken of age, gender and ethnic group, and we are keen to make sure that we capture

that data properly. We would like more information about that, so perhaps the Government could get back to us. It is challenging to get the data in the first place, and it is even more challenging to make sure that it is accurate. It would be helpful for our committee to know whether that data has been equality proofed.

The First Minister: I do not have that information to hand, but I will make sure that it is provided.

Whether we are talking about the provision of services, the provision of information, access to services or the take-up of benefits, we cannot have a one-size-fits-all approach. I apologise for going back to my constituency experience but, in parts of the constituency that I represent, a one-size-fits-all approach is not suitable for anything. Whether we are talking about the provision of information on the days on which people's bins are collected or on how to access health services, consideration has to be given to doing that in a multilingual way and in different formats.

Thankfully—this is a good thing—we live in an increasingly diverse society, and we must make sure, in a proactive way, that people can access services on an equitable basis. We must also understand the impacts of that on discrimination, prejudice and racism. That is really important work if we are to give substance to the rhetoric that we want to have one Scotland, where people are respected and can access services and be treated with dignity regardless of their background.

The Deputy Presiding Officer: That concludes that round of questions.

Supplementary Questions

13:19

The Deputy Presiding Officer: Earlier, I cut Gillian Martin short, as I did not realise that she wanted to ask another question. She can now ask it, as long as it is on her committee's remit. Do any other members want to ask supplementaries? Gillian Martin will be followed by Margaret Mitchell, Joan McAlpine and the indomitable Ruth Maguire, who wants to ask the question that I did not let her ask.

Gillian Martin: Thank you, Presiding Officer; I am grateful for getting a second stab at this.

Following the passage of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, the Government has to quickly produce an updated climate change plan, which must be published by next April. However, we know that Scotland can reach its targets only if the UK Government reaches its targets, too. Our targets are more stretching than those of the UK Government, and we are in a position in which the UK Environment Bill and the actions on the part of the UK Government that might have been in the pipeline to address climate change have fallen as a result of the general election and other things that are getting in the way. What effect will that have on our ability to put in place our plans to address our targets?

The First Minister: I think that that is less of an issue in the immediate term, but it will become an increasing issue as we journey towards the target dates. There is no doubt that delays in environmental legislation as a result of the current political situation in Westminster do not help us. In the immediate term, I would also point to the lack of certainty for people involved in renewable technology, particularly in the onshore wind sector—we desperately need onshore wind projects to get routes to funding again. Those and other short-term issues—such as the proposal to triple VAT on home solar power systems—hinder our plans.

On the longer-term position, there are things that we need the UK Government to do if we are to be able to meet our targets—you can see that if you read the report of the UK Committee on Climate Change. Roseanna Cunningham has been open with Parliament about that. The key things that the Committee on Climate Change set out concerned decarbonisation of the gas grid, which we cannot do unilaterally; carbon capture and storage, in relation to which there needs to be proper investment and prioritisation by the UK Government; and the timetable for moving to electric and low-emission vehicles, in relation to which the UK Government must match the kind of

timescale that the Scottish Government is committed to. There is, undoubtedly, a strong crossover on those issues.

I would hope that, particularly as we enter the lead-up to the 26th conference of the parties in Glasgow next year, we can set party policy aside, because the issues that we face transcend party politics, and that we can achieve a genuinely co-ordinated and joined-up approach. It is important for us to continue to encourage that to happen, and I hope that your committee will take a close interest in such linkages, as well.

Margaret Mitchell: I have a question about third sector funding in relation to community justice. Clearly, funding for the third sector and the voluntary sector is vital to ensuring the success of community-based alternatives to prison. However, currently, the vast majority of third sector funding goes through local authorities, whose organisations are competitors with third sector organisations, and local authorities have a vested interest in retaining that funding in-house. That is the case despite the fact that the third sector is better placed than those local authority organisations to carry out community justice work, because of its expertise, experience and flexibility. Will the First Minister commit to addressing that blatant unfairness in the forthcoming budget?

The First Minister: We will consider that point. Obviously, there is often pushback when the Government seeks to take funding streams that go to local government and redirect them to other areas, and people across the Parliament will take different views on that. The issues involved are not necessarily straightforward, but I am happy to have an open discussion if people put forward proposals about how we can fund things differently. We have ring fenced £100 million funding in our budget for criminal justice social work services.

Largely as a result of my experience as health secretary, I am an advocate of the fact that third sector organisations are often better placed than local authority organisations, and are often more innovative in the solutions that they put forward.

The Scottish Government has protected the direct funding that we give to third sector organisations. I cannot dictate how councils choose to use their budgets and, as I said, any proposals to redirect funding for council budget lines can be controversial. However, there is a debate to be had there, and I am happy for the Government to engage in it.

Joan McAlpine: Earlier, we talked about the fact that a no-deal exit from the EU was definitely not off the table. In October, the Scottish Government brought out a document on no-deal preparations, and you have talked about initiatives

such as repurposing the old port in Stranraer as a lorry park if there is more traffic from Northern Ireland. The document also mentions that there could be an increase in smuggling and even organised crime in the south-west of Scotland, including at Stranraer and Cairnryan. What preparations have been put in place for that eventuality? What would be the implications for the south-west of Scotland of the withdrawal agreement going ahead with the Northern Ireland protocol in place?

The Deputy Presiding Officer: Well, it is on the edge. The south of Scotland got a couple of mentions, but the questions are to do with Brexit and, in fairness, the matters relating to Northern Ireland and Scotland are relevant.

The First Minister: I obviously respect your ruling on these matters.

The Deputy Presiding Officer: I was chewing it over.

The First Minister: Under a no-deal scenario, there will definitely be the risk of increased crime and smuggling around Stranraer and the points of access from Northern Ireland. The Cabinet Secretary for Justice and I have had discussions with the police about that, but I will not go into detail about what the police would seek to do to mitigate and deal with any risks—those are operational matters for the chief constable and the police. Such issues have been under close and regular discussion and, if the prospect of a no-deal Brexit comes back, they will be discussed again. Although we have, in effect, paused no-deal planning, all the plans are still there and will be reactivated very quickly should we consider at any stage that we are heading in that direction.

On the Northern Ireland protocol, I do not in any way begrudge or oppose Northern Ireland having the arrangement that it needs to protect peace and the Good Friday agreement. However, I have an acute concern about the competitive disadvantage that Scotland would be at if Northern Ireland were to, in effect, still be in the single market and the customs union. As First Minister, I spend a lot of my time talking to potential inward investors. We are in a competitive marketplace for inward investment, and often Belfast will be competing with Glasgow or Edinburgh on big investment decisions. If Belfast has special access to the European single market, that will have a serious impact on our ability to attract investment. Party views on Brexit aside, everybody who cares about the future health of the Scottish economy should be seriously worried about that.

The Deputy Presiding Officer: I call Ruth Maguire to speak lastly—and, I hope, briefly.

Ruth Maguire: What is the First Minister's message to BME members of our community in

Scotland who feel that progress on equality and removing the systematic barriers that we have spoken about is painstakingly slow? Do you agree that the criticisms that we discussed earlier should shame us all into action?

The First Minister: For as long as any part of our broader community in Scotland faces discrimination, prejudice, racism or systematic barriers to fulfilling people's potential, we should all take addressing those issues as a personal responsibility. As First Minister, I recognise my special responsibility to show leadership. My message is that those communities should see me and the Scottish Government as an ally, and that our door is open to ensure that we have the right dialogue and conversations, in order to do the things that we need to do.

Representation is not the only part of the issue, but it is a big part, which takes us more into the political sphere. I think that this is the third time that I have mentioned my constituency experience, but I think—there might be some challenge to this—that I represent the most diverse constituency in the whole of the country, so I see many of the issues up close on a day-to-day and week-to-week basis. I hope that that gives me a deeper understanding, but it also makes me more determined that we address such issues no matter how difficult or complex they are. We have to give meaning to what all of us want to see in Scotland, which is a country where people are valued for who they are, regardless of where they come from or the colour of their skin.

The Deputy Presiding Officer: That concludes questions. Do you wish to make any closing remarks, First Minister?

The First Minister: I do not think so. I am scared that I would be ruled out of order if I strayed off topic.

The Deputy Presiding Officer: You could always try. I thank the First Minister, and my colleagues for their questions.

Meeting closed at 13:29.

