

Thursday 15 May 2014

## SCOTTISH GOVERNMENT

### Enterprise and Environment

**Clare Adamson (Central Scotland) (Scottish National Party):** To ask the Scottish Government what its position is on the reported confirmation from the Minister of State for Pensions that pensions would be maintained if there was a Yes vote in the independence referendum.

(S4O-03235)

**John Swinney:** I welcome the comments of the UK Minister of State for Pensions. This is a clear confirmation that, following a vote for independence, the state pension will continue to be paid as it is now, on time and in full, and that all entitlements built up by individuals will be protected.

These comments reaffirm the view given in an earlier letter sent by the Department for Work and Pensions, confirming that pensions would be continue to be paid as now in an independent Scotland.

None of this should be surprising considering that social protection spending, which covers welfare and pensions spending, has been consistently more affordable in Scotland than in the UK as a whole.

**Liam McArthur (Orkney Islands) (Scottish Liberal Democrats):** To ask the Scottish Government what steps Police Scotland is taking to ensure that its staff are aware of their responsibilities regarding the protection of protected species.

(S4W-20745)

**Kenny MacAskill:** The training of wildlife crime officers is a matter solely for the Chief Constable. It is not appropriate for Scottish Ministers to seek to intervene on operational policing matters.

I can advise however that since Police Scotland came into being on 1 April 2013, there have been significant changes to the structure and training for wildlife crime officers.

The strategic lead for wildlife crime which sits in the Specialist Crime Division is held by the Assistant Chief Constable. A Detective Chief Superintendent holds the portfolio lead and the post provides essential direction and governance around strategic issues relating to wildlife crime prevention and investigation.

A full time national Wildlife Crime Co-ordinator at Detective Sergeant level provides engagement with national issues relating to coordination, policy, performance and training, and supports the Detective Chief Superintendent.

In each of the 14 territorial divisions there are wildlife crime liaison officers who are supported by a Superintendent (or above). Wildlife crime officer posts can be either full or part-time and deal with crime prevention and investigation when required for operational policing issues.

It is important to highlight that the investigation of wildlife crime is not the exclusive preserve of dedicated staff, and a variety of investigative and intelligence resources and tactics are brought to bear on such matters, from local and national policing.

**Liam McArthur (Orkney Islands) (Scottish Liberal Democrats):** To ask the Scottish Government whether it will hold an inquiry into reports that Police Scotland told a member of the public that the poisoning of a peregrine falcon in the Leadhills area was not a police matter.

(S4W-20746)

**Kenny MacAskill:** Police Scotland is committed to investigating wildlife crime and have confirmed that on this occasion well established protocols and processes were adhered to in order to allow the bird to be recovered successfully. As a result of this, and the subsequent analysis carried out by Science and Advice for Scottish Agriculture identified that the bird had been poisoned, Police Scotland is now working in cooperation with both RSPB and National Wildlife Crime Unit to fully investigate this crime.

In any given case, police call handlers must consider the information they are given at the time of the call and not all reported incidents may be crimes. Police Scotland has also confirmed that no official complaint has been received from the reporter of the original incident.

**Tavish Scott (Shetland Islands) (Scottish Liberal Democrats):** To ask the Scottish Government whether it will explain how it will “boost economic returns” to Scotland’s islands, as per the statement by the First Minister reported in *The Scotsman* on 14 April 2014.

**(S4W-20735)**

**Fergus Ewing:** Through the Islands Areas Ministerial Working Group, chaired by the Minister for Local Government and Planning, discussions continue with Orkney, Shetland and Eilean Siar councils on a range of issues important to island communities, including how to maximise opportunities to build economic resilience and increase sustainable job creation.

Building on these discussions, a prospectus will be published over the summer outlining proposals for enhanced islands autonomy and highlighting opportunities under Scottish independence for our island communities. We have already committed to bringing forward a Bill for an Islands Act upon independence to implement the conclusions of this work.

**Liam McArthur (Orkney Islands) (Scottish Liberal Democrats):** To ask the Scottish Government what incentives it provides to encourage the use of renewable energy technologies when developing (a) hospitals and (b) other major public buildings.

**(S4W-20937)**

**Fergus Ewing:** The Scottish Government provides incentives to encourage the use of renewable energy technologies when developing hospitals and other major public buildings through a number of channels.

Specifically for developing new health facilities within NHS Scotland, NHS boards are encouraged to fully consider a range of sustainability issues, including carbon emissions, through the application of green energy including renewable sources. This issue is assessed as part of the NHS Scotland Design Assessment Process and the consideration of business cases within the Scottish Government’s Health and Social Care Directorates.

More generally, Resource Efficient Scotland is a Scottish Government programme delivered by Zero Waste Scotland which offers a wide range of advice and support on renewable technologies including the implementation of decentralised renewable energy solutions. This service is available to public bodies. Further information can be found at: <http://www.resourceefficientscotland.com/>.

### **Governance and Communities**

**Jackie Baillie (Dumbarton) (Scottish Labour):** To ask the Scottish Government how it will encourage the implementation of recommendations made by Stonewall Scotland in its report, *Your Services Your Say. LGB&T People’s Experiences of Public Services in Scotland*.

**(S4W-21041)**

**Shona Robison:** The Scottish Government is currently engaging with national LGBT organisations, including Stonewall Scotland, to develop a strategic action plan for LGBT equality with targeted actions for specific areas of the Scottish Government to address issues of inequality for LGBT people.

**Jackie Baillie (Dumbarton) (Scottish Labour):** To ask the Scottish Government what work it is doing to improve the experience of public services by LGBT people.

**(S4W-21042)**

**Shona Robison:** The Scottish Government has provided funding of almost £300,000 to Stonewall Scotland between 2012-15 to work with public bodies who request support to improve the services they deliver to LGBT people.

The Scottish Government is currently engaging with national LGBT organisations, including Stonewall Scotland, to develop a strategic action plan for LGBT equality with targeted actions for specific areas of the Scottish Government to address issues of inequality for LGBT people.

#### **Health and Social Care**

**Jackson Carlaw (West Scotland) (Scottish Conservative and Unionist Party):** To ask the Scottish Government, further to the answer to question S4W-20040 by Alex Neil on 17 March 2014, whether it will provide a breakdown by medicine of the £21.7 million Rare Conditions Medicines Fund expenditure.

**(S4W-20927)**

**Alex Neil:** The Scottish Government has no plans to publish expenditure on individual medicines.

**Jackson Carlaw (West Scotland) (Scottish Conservative and Unionist Party):** To ask the Scottish Government when guidance will be issued to NHS boards to update the current Guidance to Further Strengthen the Safe and Effective Use of New Medicines across the NHS in Scotland, as issued in Chief Medical Officer's letter CMO (2012) 1, and associated guidance, including the timescale and implementation of Scottish Medicines Consortium advice at a local level.

**(S4W-20928)**

**Alex Neil:** The Scottish Government is reviewing the existing guidance. It is planned that further advice on expectations of the role of Area and Drug Therapeutic Committees will be issued later in 2014.

**Liam McArthur (Orkney Islands) (Scottish Liberal Democrats):** To ask the Scottish Government what discussions it has had with NHS Orkney regarding renewable technologies in the design of the new Balfour Hospital.

**(S4W-20935)**

**Alex Neil:** The new Balfour Hospital project is at an early stage. Scottish Government officials are currently reviewing the outline business case for the project.

Guidance sets out that all new healthcare buildings, where the capital cost is more than £2 million, are to obtain a Building Research Establishment Environmental Assessment Model 'Excellent' rating or equivalent 'target score'. The 'excellent' scoring emphasises the minimising of energy demand and consumption in buildings, and includes a mandatory assessment of renewables for each project.

As such, officials have discussed with NHS Orkney the potential for use of renewable energy technologies in the new hospital as part of their work in reviewing the business case, and they will continue to engage with the board as the project progresses with development of the procurement strategy.

**Liam McArthur (Orkney Islands) (Scottish Liberal Democrats):** To ask the Scottish Government what representations it has received regarding the potential for renewables technologies in the design of the new Balfour hospital planned for Kirkwall in Orkney.

**(S4W-20936)**

**Alex Neil:** The new Balfour Hospital project is at an early stage.

NHS Orkney will ensure that the new hospital meets the requirement that all new healthcare buildings, where the capital cost is more than £2 million, are to obtain a Building Research Establishment Environmental Assessment Model 'Excellent' rating or equivalent 'target score'. The 'excellent' scoring emphasises the minimising of energy demand and consumption in buildings, and includes a mandatory assessment of renewables for each project.

NHS Orkney are keen to fully explore the potential benefits of renewables technologies for the new hospital and plan to undertake a full options appraisal exercise to fully consider the potential benefits of renewables technologies for the new hospital, and which technologies might best realise the benefits. The Scottish Government supports this approach.

**Neil Findlay (Lothian) (Scottish Labour):** To ask the Scottish Government what action it is taking to improve the health of people aged 40 and above.

**(S4W-20996)**

**Michael Matheson:** The Scottish Government is taking forward a wide range of policies to improve the health and wellbeing of the population of Scotland, improving healthy life expectancy.

Many of our initiatives aim to improve the health of all, such as the promotion of physical activity. Others are targeted at specific groups. Older people, particularly those 40 years or older will benefit from our Detect Cancer Early and Bowel Cancer Screening programmes.

The Scottish Government is working with NHS24 and NHS Health Scotland to develop a new, web-based source of information for people of working age. This advice will include details of how to promote health and wellbeing in the workplace as well as return-to-work advice. The new web-based service is expected to launch next year.

**Ken Macintosh (Eastwood) (Scottish Labour):** To ask the Scottish Government what action it is taking to prohibit the sale of e-cigarettes to under-18s.

**(S4W-21052)**

**Michael Matheson:** I refer the member to the answer to question S4O-02994 on 12 March 2014. The answer to the oral parliamentary question is available on the Parliament's website, the Official Report can be viewed at:

<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9016>

**Ken Macintosh (Eastwood) (Scottish Labour):** To ask the Scottish Government whether it plans to amend the Smoking, Health and Social Care (Scotland) Act 2005 to cover e-cigarettes.

**(S4W-21053)**

**Michael Matheson:** I welcome the draft European Tobacco Products Directive, which was adopted by the Council of Ministers on 14 March 2014. This sets out a number of measures for the regulation of electronic cigarettes, such as subjecting non-medical devices to the same advertising restrictions as tobacco products. Member states will have to implement the provisions by May 2016. We are also committed to considering what additional measures may be required in Scotland to further protect public health, such as restricting age of sale for electronic cigarettes.

There are currently no plans to amend the Smoking, Health and Social Care (Scotland) Act 2005 to cover e-cigarettes.

### **Learning and Justice**

**Annabelle Ewing (Mid Scotland and Fife) (Scottish National Party):** To ask the Scottish Government what steps rural villages can take to be included in community payback initiatives.

**(S4W-20929)**

**Kenny MacAskill:** Those resident in, or representing rural villages, can contact their local authority direct, or the relevant prescribed person in their local authority area, to request inclusion in community payback initiatives.

Section 227ZL(1) of the Criminal Procedure (Scotland) Act 1995 requires local authorities to consult, on an annual basis, with prescribed persons about unpaid work and other activities undertaken by offenders subject to a community payback order in the local authority's area. The persons and classes of person are prescribed in the Community Payback Orders (Prescribed Persons for Consultation) (Scotland) Regulations 2011 (S.S.I. 2011/1).

In most cases local authorities consult widely and beyond the minimum of the prescribed persons and the 'Community Payback Order – Scottish Government Summary of Local Authority Annual Reports 2012-13' provides further detail on the types of consultation activities undertaken.

*The following question received a holding answer:*  
S4W-20940