



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Meeting of the Parliament (Hybrid)

**Tuesday 6 October 2020**

**Session 5**



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Pàrlamaid na h-Alba

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# Scottish Parliament

*Tuesday 6 October 2020*

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

## Time for Reflection

**The Presiding Officer (Ken Macintosh):** Good afternoon, colleagues. I begin as usual with a little reminder of the social distancing measures that are in place throughout the Holyrood campus—just be careful when leaving the chamber, in particular.

Our first item of business today is time for reflection and our time for reflection leader is Pastor Peter Anderson from the Destiny Church in Edinburgh.

**Pastor Peter Anderson (Destiny Church, Edinburgh):** Presiding Officer and members of the Scottish Parliament, it is a privilege for me to speak to you this afternoon.

Twenty-two years ago, while working as an architect in the city, my wife and I started a church in our living room. Years on, Destiny Church is now a large, vibrant and diverse church that meets in four locations around Edinburgh. At the last count, there were 37 nationalities represented in the congregation.

The black, Asian and minority ethnic communities add so much in so many ways to Scottish society, but in particular I love that they value honouring others. African and Asian cultures consider it normal to honour parents, the elderly, teachers and leaders. In contrast, we are often faced in Scotland with a negative culture of dishonour. People think nothing of verbally tearing strips off public figures. It seems like a badge of honour for some journalists to try to catch leaders out and cast doubt over their character. Many of you on social media will know all too well the impact that an aggressive comment or reply can have: it cuts deep. It seems to me that we need some of that culture of honour that our black and Asian friends embody so well.

We all believe that it is right to show value and honour, but what is that conviction based on? For me, honour is more than a nice ideal: it is a theological conviction. In the Bible, we read that God created humans in his own image and therefore all people have intrinsic value and worth. Foundational to Martin Luther King Jnr's pursuit of justice in his generation was that same conviction. He said that every person

"from a treble white to a bass black is significant on God's keyboard, precisely because"

every person

"is made in the image of God."

Two thousand years ago, God demonstrated in the most remarkable way the value that he places on us. Jesus's life, sacrificial death and resurrection affirms the infinite worth that he places on human beings like you and me. Both the story of creation and the story of redemption tell us that we are honoured and valued. That gives us a basis for how we can interact with honour, even towards those we sometimes disagree with.

Although I am sure that there are days—in these days especially—when the loudest voice in your head is the voice of the critic, I want to assure you that there are many who value your courageous leadership in these hard times. Let me personally say a heartfelt thank you for your leadership and passion in the service of people in this great nation.

**The Presiding Officer:** Thank you, Pastor Anderson.

## Business Motion

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of business motion S5M-22959, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out changes to this week's business.

*Motion moved,*

That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 6 October 2020

delete

*followed by* Ministerial Statement: Assessment of SQA National Qualifications in 2020-21

delete

5.00 pm Decision Time

and insert

4.30 pm Decision Time

(b) Wednesday 7 October 2020

after

2.00 pm Portfolio Questions:  
Rural Economy and Tourism;  
Transport, Infrastructure and  
Connectivity

insert

*followed by* First Minister's Statement: COVID-19

*followed by* Ministerial Statement: Assessment of SQA National Qualifications in 2020-21

delete

5.10 pm Decision Time

and insert

6.00 pm Decision Time

(c) Thursday 8 October 2020

delete

*followed by* Ministerial Statement: Shaping Scotland's Economy: Scotland's Inward Investment Plan

*followed by* Ministerial Statement: NHS remobilisation

*followed by* Ministerial Statement: Miners' Strike Review

*followed by* Ministerial Statement: Scotland's Response to the Mental Health Challenge of Covid-19

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

4.55 pm Decision Time

and insert

*followed by* Ministerial Statement: Scotland's Response to the Mental Health Challenge of Covid-19

*followed by* Scottish Government Debate: Debate on First Minister's Statement: COVID-19

*followed by* Legislative Consent Motion: Trade Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.30 pm Decision Time—[Graeme Dey]

**The Presiding Officer:** Patrick Harvie wishes to speak on the motion. He joins us remotely.

14:04

**Patrick Harvie (Glasgow) (Green):** Ordinarily, I would have been speaking to oppose and challenge the business motion. I do speak in objection to it but, given that it is more difficult to call a division in the current circumstances outside of decision time, I do not intend to press my objection to a vote. However, I want to record my objection to the lack of time being allocated to discuss the legislative consent motion on the United Kingdom Trade Bill.

There are significant changes to business in the business motion that I support, not least the addition of the debate on Covid-related issues, which clearly need time for scrutiny. Furthermore, in this week's business, we see that the United Kingdom Internal Market Bill, which is so controversial, has been given a proper amount of debating time. That is as it should be.

We all recognise that not every LCM requires a debate and that not every LCM raises policy or constitutional issues. The United Kingdom Internal Market Bill does, and the Scottish Government has agreed to allocate time to debate it. The same should be true of the Trade Bill. That bill not only encompasses significant aspects of trade policy but embodies the lack of scrutiny that the UK Government intends to bring to trade policy.

The Trade Bill does not include the opportunity for this Parliament, or others in civil society, to comment on and debate trade matters and the operation of future trade agreements. We should not be replicating that lack of scrutiny by allocating just five minutes to debate the legislative consent motion on the Trade Bill.

As I said, I would normally press the matter to a vote. I will not do that today, merely out of respect for the practical implications of doing so before decision time. However, I urge the Scottish Government, if it wishes to distance itself from the UK Government's free market policy, to allow proper time to debate such matters, not just cursorily nod them through with five minutes for a LCM and no debate on the wider trade policy context.

**The Presiding Officer:** I call Graeme Dey to respond on behalf of the Parliamentary Bureau.

14:07

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** The business motion, as approved by the Parliamentary Bureau, has undergone much change from its original iteration, reflecting the circumstances that we are in and the wishes of the parties of the Parliament.

Patrick Harvie, as is his right, sought a debate on the LCM on the Trade Bill of up to an hour on Thursday. There was time at our disposal that afternoon, but the bureau's view was that that should be deployed to debate any coronavirus measures that the Scottish Government might announce this week. Therefore, Mr Harvie's view was not supported.

However, we have scheduled a small amount of time at the conclusion of Thursday's business for Mr Harvie to air his concerns further and the Government will respond to that. As I am speaking particularly on behalf of the bureau and to the business motion, I will end there, Presiding Officer, except to note that the Scottish Government shares the concerns of others about the UK Government's trade policy and will continue to express those concerns and press the UK Government to change tack.

However, the Trade Bill—and specifically those elements that we have been asked to consent to—is largely a technical bill that seeks to secure current trade agreements. As such, it is narrow in scope. The provisions in the bill for which the legislative consent of the Scottish Parliament is required will enable full implementation of rolled-over trade agreements, which Scotland has benefited from through European Union membership, and will avoid potential gaps in Scotland's ability to access current and future procurement markets.

**The Presiding Officer:** Mr Harvie has noted his objections to the business motion but does not wish to press the matter to a vote.

*Motion agreed to.*

## United Kingdom Budget Delay

14:09

**The Presiding Officer (Ken Macintosh):** We will move on. We will take topical questions after the budget statement. Kate Forbes will speak on the delayed United Kingdom budget: implications for the Scottish budget. The Cabinet Secretary for Finance will take questions after her statement.

**The Cabinet Secretary for Finance (Kate Forbes):** Today, my counterparts in Wales and Northern Ireland and I are making statements to our respective legislatures to set out our collective expectations of the UK Government for enhanced Covid support, fiscal flexibilities and proper involvement of the devolved Governments in the UK spending reviews, and a fair deal on replacement European Union funding.

We are doing so jointly, and in relation to a wide range of financial matters, to demonstrate the level of concern that we all share across the different nations of the United Kingdom, across parties and across legislatures. The importance of such issues cannot be overstated, because clarity—or the lack thereof—links directly to our abilities to respond to Covid, to manage the nation's finances and to serve our communities and businesses.

The Scottish Government's budget for next year will be set in extremely challenging circumstances. Scotland's economic output fell by around a fifth in the second quarter of this year. Trading conditions remain extremely challenging for businesses as they adapt to operating in a Covid-safe manner while facing restrained demand and on-going cash-flow problems. Wider indicators of the labour market signal that firms' head counts have been falling and that demand for staff has been subdued.

We are taking every possible step to protect jobs as we work to rebuild our economy from the Covid crisis, but it remains fragile and our recovery will be slow. Economic activity is not expected to return to pre-crisis levels before the end of 2023. A failure to agree a trade deal with the EU would only further delay an already weak recovery.

More than 217,000 people are still on furlough in Scotland, and our analysis has suggested that 61,000 jobs would be saved if the furlough scheme were to be extended by eight months. As I have said previously, the job support scheme is a poor and narrow substitute for the coronavirus job retention scheme. Her Majesty's Treasury's contribution has plummeted, with hard-pressed employers having to provide the majority of such support. In many sectors, that simply will not be possible.

We are keen to work with the UK Government to ensure that any extended or replacement scheme meets the needs of Scottish businesses and workers, but is also flexible enough to respond to the public health measures that are required to control the virus. That is particularly critical in order to support businesses and workers in places where local lockdown restrictions are necessary. There is no flexibility to support local or national restrictions, or those sectors—such as the events sector—that have not yet been able to reopen. Businesses in sectors such as tourism, the arts and recreation have limited opportunity to benefit from the job support scheme, and are likely to cut jobs.

Therefore, today, we—the Welsh Minister for Finance, the Northern Irish Minister of Finance and I—are collectively asking the UK Government to do more to support businesses that have been hit hardest and more on skills and job creation for young people. We are also asking it to continue to provide additional universal credits, which are due to run out in March but which have helped some of the poorest families to weather the storm.

We have welcomed the £6.5 billion in consequential for Covid-related spending from the UK Government that we have received, and we have made good use of that money. The Scottish Government's package of economic interventions is worth £3.3 billion. Key measures include: £972 million for a package of rates relief; £1.2 billion in business support grants; £144 million in hardship and resilience funds; £372 million of support for the transport sector; an economic recovery stimulus package worth £230 million for investment in capital projects; and £160 million for a rural recovery package. We have also spent an additional £2.4 billion directly on health.

Although we have yet to formally allocate approximately £500 million-worth of consequential, which will be done at the spring budget revision, our current funding needs far outstrip the available resources. Every penny has been allocated against the health, transport and economic support measures that have been required as part of our Covid response. If the Scottish Government had the powers to borrow—or at least the very limited fiscal flexibilities that it, the Scottish Parliament and their counterparts in Wales and Northern Ireland have asked for—this statement would be a very different one. However, without further clarity on funding or flexibilities from the UK Government, substantial savings will be required to bring the budget into balance by year end.

Therefore, today, we are also collectively asking the UK Government to provide the full suite of flexibilities that we have asked for and that we need in order to manage the unprecedented on-

going uncertainty that we face. The powers that we and the other devolved Governments seek are reasonable and straightforward, and they would not cost the UK Government a penny.

That brings me to the main focus of my statement, which is next year's budget. The delay to the UK Government's budget means that the Scottish Government's budget for next year will be based on provisional and partial figures and therefore will be subject to unnecessary uncertainty and risk at a time when those factors are not in short supply. We will not know what parameters we have to work with on crucial issues such as health funding or business support. The degree of uncertainty runs into the billions of pounds.

We faced a similar situation last year, which was deeply problematic for our budget setting and scrutiny processes. The situation that we now face is further compounded by the financial challenges of Covid-19 and uncertainty surrounding Brexit and the threat of a potential no-deal or poor deal outcome. We expect that the scale of the potential changes in the UK budget, including those related to taxation, will be far larger due to Covid. If our budget goes first, we will need to respond to tax changes in the UK budget—tax changes that might only be possible in Scotland if the UK changes generate consequential funding. That is especially challenging in relation to income tax and non-domestic rates poundage, because we cannot change those during the financial year.

Our budget process is at the mercy of decisions—or rather indecision, right now—in Westminster. Full financial powers are required to ensure that we can plan independently of the UK's fiscal policy dysfunction. Today, we—the Welsh finance secretary, the Northern Irish finance secretary and I—are collectively asking the UK Government for urgent clarity about the timing and scope of the comprehensive spending review to allow us to improve our planning assumptions.

The final matter that I want to touch on is the United Kingdom Internal Market Bill, which represents an assault on devolution the likes of which we have not experienced since the Scottish Parliament was established. The UK Government has written provisions into the bill that presume Whitehall control over the delivery of replacements for the EU funding programmes in Scotland—programmes that we have delivered successfully for decades.

The end of the transition period on 31 December 2020 signals the end of funding allocations for certain EU programmes, with no agreed replacements in place from the UK Government. Communities across Scotland have benefited significantly from European structural



funds, with the current programme being worth more than £780 million.

Despite the end of EU structural fund programmes in the UK being less than three months away, shamefully little detail about their replacement has been released by the UK Government. We require full engagement in the development of the replacement funding vehicle, and Scotland's share of the funding must be fully devolved so that we can target it in a manner that suits the needs of Scotland's people, communities and businesses. In light of the UK Government's continuing intransigence on that point, we are collectively asking for assurances that the UK Government will provide full replacement funding of EU programmes without detriment to the devolution settlements.

As I draw to a close, I am sure that every member in the Parliament knows how critical the next Scottish budget will be. It will be one of the most important in the history of devolution. It will determine how our economy and public services respond to and recover from Covid-19. Of course, in the on-going grip of a global pandemic, it will also be a budget of unprecedented uncertainty.

In that context, we need as much certainty as possible; we need as much engagement as possible; and we need as much collaboration as possible. We need assurance on what the figures will be so that we can plan our budget and respond to the multiple crises that we face.

The UK Government, as the holder of the key financial and economic powers that will shape the size of that budget, has a responsibility to help to reduce uncertainty, not to compound it. Regrettably, its actions to date have increased the uncertainty, but there is still time to make amends. That is why, today, the finance secretaries of the devolved Governments, representing their three nations, are speaking with one voice in calling on the UK Government to provide the clarity, certainty and flexibility that we require in order to serve the people and the businesses of this country.

**Murdo Fraser (Mid Scotland and Fife) (Con):** I thank the cabinet secretary for advance sight of her statement, although businesses and workers across Scotland will be dismayed that her first thought in this economic crisis is to call for more constitutional upheaval, when the Government should be getting on with the job of using its extensive resources to support those in need.

The current fiscal framework, which the cabinet secretary criticises, was of course negotiated and agreed to by her colleague, the Deputy First Minister, in 2016. What was missing from her statement was a recognition of the substantial value that the fiscal framework has to the Scottish budget, in that it protects spending levels in

Scotland in the event of a decline in tax revenues, provided that the decline is in line with the UK average.

Given what is on the horizon, I would have thought that the cabinet secretary would have wanted to recognise the important protection that the fiscal framework provides. Instead, she said that

"Full financial powers are required."

What is her analysis of the cost of that to the Scottish budget? The Government expenditure and revenue in Scotland figures, which are her Government's figures, put the gap between income and expenditure in Scotland at £15 billion. Is it not the case that a budget deficit of that scale is the last thing that Scotland needs at this very difficult time?

**Kate Forbes:** Considering that the UK Government's deficit is currently forecast to be in the region of £372 billion, I question the merit of that point.

The calls that we are making today are about setting a budget. The additional flexibilities that we receive through the fiscal framework have helped in part in responding to the pandemic. However, what I am asking for is very simple: I am asking for clarity on our budget position, on the block grant adjustments and on what the forecasts will be in order to allow us to set a budget for next year.

Murdo Fraser will know that income tax needs to be set before the next financial year, that non-domestic rates changes are contingent on consequential funding from equivalent tax changes made by the UK Government and that local authorities are required to set their council tax before 11 March. Even just on those three taxes, we need urgent clarity so that we can set our budget and provide equivalent clarity to businesses and communities.

That is how simple it is. That clarity could be provided, and if it is not provided, which is my fear in light of the UK Government scrapping its autumn budget, I am asking for the equivalent fiscal flexibilities to plan independently. That is not about the constitution; it is about families, households, taxpayers and those who rely on our public services having the clarity that I want to give them, which I can do if it is given to the Scottish Government in the first place.

**Jackie Baillie (Dumbarton) (Lab):** I share the Scottish Government's concern about the impact of delays to the UK budget process. Nevertheless, we should afford this Parliament the opportunity to carry out as much scrutiny as possible. Last week, I asked the cabinet secretary about the £537 million to deal with Covid that remained unallocated, and she said that the money had

been allocated. Will she publish a list of the specific initiatives that it has been earmarked for?

The cabinet secretary talked about flexibilities from the Treasury and she has our broad support for her request on that. However, it is in her gift to provide flexibility for councils to allow them to balance their budgets over time rather than in year, in order to cope with the extra cost of Covid. Will the cabinet secretary give councils the flexibility that she herself seeks from the UK Government?

**Kate Forbes:** I will happily provide a detailed list of the spend and costs, as part of our spring budget revision, which, as Jackie Baillie knows, is the normal point at which such things are confirmed. I clarify once again that the costs and the need far outstrip the funding that has been made available. For example, currently, I require at least £200 million to meet increased transport costs and the costs that local government has identified need to be met. There are existing commitments on payments for those who are self-isolating, which are not in the autumn budget revision and will be in the spring budget revision. There is an element of uncertainty, and there may well be future UK Government announcements that generate consequentials, which will form part of the spring budget revision.

On fiscal flexibilities, the short answer is, in part, yes. We are working with local authorities on a package of fiscal flexibilities for them so that they can free up their spending power and respond to the pandemic. Ideally, we will jointly announce that in the next few days.

**Patrick Harvie (Glasgow) (Green):** The Scottish Government and the Scottish Fiscal Commission need to produce tax revenue forecasts in respect of devolved taxes. If the Scottish budget has to be taken forward in advance of knowing what UK tax policy will be, what will those forecasts be projected against? Will it be the status quo of UK tax policy or some other scenario that is based on expectations of what the UK Government might do?

**Kate Forbes:** Unless I misunderstood it, I think that Patrick Harvie's question would be more appropriate for the Scottish Fiscal Commission, which is the independent forecaster. How we set our budget will depend on how up to date and accurate the block grant adjustments that are published in November are.

Patrick Harvie might recall that figures that were published in December last year were based on the Office for Budget Responsibility's spring update, so the information was more than six months out of date. I am pressing the Treasury to ensure that the figures that it publishes for the block grant adjustments are as accurate as

possible, which will mean that we can plan more clearly.

The SFC must have sufficient time to develop its own robust forecasts, which is why we have the 10-week notification period. There is flexibility, but the integrity of the forecasts will be a critical aspect of the budget.

I assume that we will have to set at least some tax policies before we know what the UK Government's tax policies will be. The relative performance of our tax is critical to our overall spending envelope. I presume that, for the land and buildings transaction tax, we will have to react to what the UK Government does with stamp duty land tax when it sets its budget. On non-domestic rates, we will be unable to avoid the reverse cliff edge that involves the 100 per cent relief that has been provided to retail, hospitality and leisure businesses without a corresponding UK Government policy or significant Barnett consequentials.

The answer to the question is that we will plan with as much evidence as we have. Right now, that is very little.

**The Presiding Officer:** I call Willie Rennie, to be followed by Ruth Maguire, who both join us remotely.

**Willie Rennie (North East Fife) (LD):** The finance secretary complains—not unreasonably—about the uncertainty that the UK Government has caused, which is caused partly by the uncertainty of the pandemic. What will she do about that? What discussions is she having with the UK Government to get more certainty? What does she hear behind the scenes about when certainty will come?

The finance secretary stretches the point by saying that none of this is about the constitution—for the Scottish National Party, it is always about the constitution. I am interested to understand exactly what she is hearing from the UK Government, so that we all have a bit more certainty.

**Kate Forbes:** Given that I am making a similar statement to those being made by my Welsh and Northern Irish counterparts, Willie Rennie might also want to ask them whether this is about the constitution. The issue is not even just about the Scottish Government; it is about ensuring that our taxpayers, public services and councils have sufficient and early clarity.

As for what I am doing about the situation, I make two points. We are in discussion with Treasury counterparts at official and ministerial levels. Immediately after the chancellor's winter economic update, I had a discussion with the Chief Secretary to the Treasury. The three

devolved finance ministers have also pressed for an early meeting with the chancellor to confirm our concerns about the lack of clarity.

I am trying to confirm what flexibilities—I am not talking about fiscal flexibilities—might be provided to us. Last year, for example, the Treasury agreed that we could have the option of choosing whether to use the provisional block grant adjustments or the updated block grant adjustments, which are confirmed only at the UK budget. The fact that there was a difference of more than £200 million between the provisional and the confirmed block grant adjustments shows that these things matter. This is not just about boring budgets; it is about what provisions we can put in place to support households, communities and our public services.

Those are the two things that I am actively involved in doing, and I will continue to push to get the clarity that we need in order to be able to set a budget.

**Ruth Maguire (Cunninghame South) (SNP):** When the UK Government decided, earlier this year, to delay its budget until 11 March, the public spending watchdog for local government, the Accounts Commission, described the decision as “really problematic and kind of unprecedented”.

Our local authorities are big employers in our communities, and they are at the forefront of delivering important services to our citizens. Does the cabinet secretary agree that the UK Government scrapping its latest budget date is similarly problematic and creates untold problems not just for the Scottish Government but for local government funding and flexibility?

**Kate Forbes:** That final point is critical, because last year there was a lot of debate, for example, with local authorities having to set their budgets not knowing what their spending envelopes were or what the local government finance settlement would be. Some of them had those debates in advance of hearing what their finance settlement was, and then they had to make updates. Of course, they have to set their council tax in advance of 11 March.

The consideration that I am grappling with just now is how we give local government and others as much clarity and certainty as possible while, at the same time, making sure that we have as much robust information and evidence as possible on which to set our own budget.

**Maurice Golden (West Scotland) (Con):** The SNP’s £500 million growth scheme delivered half the promised funding. When will businesses receive the missing millions?

**Kate Forbes:** Considering that I have just confirmed that we have invested £2.3 billion in our business support packages, ranging from grants

all the way through to non-domestic rates relief, the Government is, right now, being as flexible as possible to ensure that every penny that we have at our disposal goes out the door to support businesses or to keep the health service delivering for the people who rely on it, and we will continue to do that. Of course, when it comes to budgets, we have had to be flexible with some budgets, as the autumn budget revision and, indeed, the summer budget revision demonstrated.

**Kenneth Gibson (Cunninghame North) (SNP):** Can the cabinet secretary advise the Parliament whether it is an indication from the UK Government that another round of austerity is heading our way that the chancellor has commented that we cannot continue to “borrow our way out of a hole”?

What impact would further austerity have on Scotland’s employment and economy, bearing in mind that, according to last week’s *Economist*, the UK economy has shrunk more this year than that of any other country in the developed world?

**Kate Forbes:** I think that I also heard the chancellor say that austerity was absolutely the right thing to do, which may be news to those who have suffered at the hands of Tory austerity for the past decade.

Of course, the Scottish Government has not been consulted on the budget, and we found out about the decision at the same time as everybody else, through media reporting.

We have been very clear. Over the past few months, we have set out that we expect the UK Government to continue to respond to the pandemic and to support the people who have been hardest hit by it. Now is not the time to be focusing on getting the public finances back into shape; now is the time to support people, as far as we can, to get through these very difficult months.

**Neil Bibby (West Scotland) (Lab):** Covid has hit some communities harder than others. The west of Scotland has recorded some of Scotland’s highest Covid death rates, and two of our local authority areas have the highest unemployment rates in Scotland. Much of the region has been subject to additional restrictions, and there is a growing number of positive cases. To date, however, no additional resources have been targeted towards the west in a meaningful way.

I am sure that the finance secretary agrees with the principle that the hardest-hit areas of Scotland should receive extra support, so will extra resources go to the hardest-hit places, to help them to recover and rebuild, when the Scottish Government publishes its next budget?

**Kate Forbes:** I agree in part with the sentiment of the question. The difficulty is—I say this as

carefully as possible—that, when it comes to the distribution of local government funding, we have been very clear with the Convention of Scottish Local Authorities that, if it believes that the money should be distributed through an alternative funding mechanism such as focusing on places that have been hit the hardest, I am very open to looking at how we distribute the available funding to those areas.

I hope to be in a position in the next few days to jointly announce with COSLA significant further support, including the fiscal flexibilities that Jackie Baillie talked about, as well as support through the lost income scheme. That scheme will directly reflect the challenges that councils are facing through lost income, and support will be application based.

In relation to use of the formula, however, if there is a better way of doing it, to ensure that the hardest-hit areas get more, I am very open to considering that.

**John Mason (Glasgow Shettleston) (SNP):** I find it puzzling that the UK Government is postponing the budget because it feels that it is a major decision and we are in a time of crisis with Covid, but, at the same time, it is not postponing the decision on Brexit for the same reasons. Can the cabinet secretary help me to understand that?

**Kate Forbes:** I am afraid that I cannot oblige with an answer to that question. I do not understand it. I think that the decision has been taken with no thought to the fact that other organisations and Governments depend on the clarity provided by the UK Government's budget in order to be able to respond to their own challenges and the crises that exist in our respective countries.

**Bill Bowman (North East Scotland) (Con):** Here is a question that the cabinet secretary can answer. If, as she has said, every penny of the £6.5 billion extra Barnett consequential has already been allocated, and given her wish for clarity, why do we have to wait until the spring revision in February to find out exactly where she has secreted those extra consequential?

**Kate Forbes:** It is remarkable that the Opposition is expecting us to have spent every penny at our disposal at this point, in October, when it fully understands that the challenges of responding to the crisis will continue.

In terms of explanation, I was very grateful when the UK Government confirmed that it would provide a guaranteed amount of funding. That is what it announced in July, and I welcomed that. It was a different way of providing Barnett consequential. It meant that the UK Government provided a fund, which it then said would continue

to cover all future announcements of consequential.

The challenge for us now is that that funding might well be required to cover additional announcements that will be made over the next few months. The UK Government needs to provide a very clear reconciliation of what is covered by the fund that it has already provided. If it fails to do that, that means that all that funding has to cover every new spending request between now and the beginning of the next financial year. That includes transport, local government, shielding support, self-isolation payments and localised lockdowns.

We know that every penny at our disposal is already committed to meeting those challenges, and I know that the challenges and the need far outstrip the funding that we have available.

**Tom Arthur (Renfrewshire South) (SNP):** Does the cabinet secretary agree that the chancellor's decision not to proceed with a budget at this time suggests, to borrow someone else's words, that the UK Government is "focused on England" and is treating Scotland and the other devolved nations as an afterthought?

**Kate Forbes:** I have never agreed so wholeheartedly with Douglas Ross as I did when I heard those comments. Certainly, the budget scenario proves his point, and it would have been a very fitting example for him to use.

The point of today's statement is to illustrate something that is not an SNP point, a Scottish Government point or even a Scottish Parliament point. The concern is shared by our counterparts in Wales and Northern Ireland. The lack of engagement demonstrates a complete lack of interest in Scotland and the other devolved Governments.

**Alex Rowley (Mid Scotland and Fife) (Lab):** I very much welcome the fact that the Scottish Government is working with the Administrations in Wales and Northern Ireland. We need to continue to do so.

Does the cabinet secretary agree that it is absolute madness to continue with a bad Brexit deal at this time? Is there still mileage in trying to push the Tories to stop the constitutional upheaval that they are driving across the UK?

Has the UK Government put forward any proposal for the replacement of structural funds that are being administered and spent in Scotland?

**Kate Forbes:** It is bizarre that the UK Government does not seem capable of setting a budget that gives us a one-year outlook but seems dead-set on continuing with Brexit, which will have an impact for decades.

On the proposals, we have set out clearly the red lines that we expect to be adhered to when it comes to replacement funding, which includes the fact that there should be no detriment compared to the funding that is available, and the fact that it should be devolved, so that decisions can be made in Scotland to ensure that we continue to deliver for the communities, initiatives and projects that rely on European Union funding.

**Joan McAlpine (South Scotland) (SNP):** Throughout the country, MSPs are hearing from businesses that are struggling, particularly in the hospitality, leisure and creative sectors. What effect will the delayed UK budget have on the Scottish Government's ability to assist them over the coming months, particularly if they are affected by the announcement that the First Minister makes tomorrow?

**Kate Forbes:** That is one of the most critical questions, because, to respond to the crisis and to business need and to mitigate some of the effects of the pandemic on business, we have asked for the flexibility to tailor our support to Scottish businesses—particularly those that have been hardest hit in the hospitality, leisure and creative sectors. We have passed on more in funding than the consequentials that we got from business support. I want that funding to go as far as possible but, in the absence of confirmed consequential figures in the UK budget and without fiscal flexibilities, our hands are tied behind our backs when it comes to responding.

## Topical Question Time

14:40

### Covid-19 (Restrictions) (Education)

1. **Jamie Greene (West Scotland) (Con):** To ask the Scottish Government whether it will clarify the role that education settings would play in any circuit-breaker strategy. (S5T-02441)

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** Discussions are continuing on what further steps are required to reduce the spread of Covid-19 in Scotland. Those include the possibility of a package of stricter measures being put in place over a relatively short period of time to reduce prevalence. If we were to decide to implement any such package, keeping education settings open would continue to be a priority. We will look carefully at the current arrangements, but given the low levels of transmission in such settings, I would not expect the measures to impact significantly on the guidance that is in place for children, young people, learners and staff in our schools, childcare services, colleges and universities.

**Jamie Greene:** If I read that response correctly, it is to be welcomed, because the reality is that thousands of children have already undergone significant disruption to their education this year. Parents who are watching this will be looking for comfort and direct reassurance that schools will not experience any additional closures outwith those that are already planned for the school holidays, or that are reactions to localised management and control of virus outbreaks. Can the cabinet secretary offer that direct reassurance? Can he confirm that current proposals on school closures will apply to all education settings, including nurseries, colleges and universities?

**John Swinney:** The Government has worked very hard with our partners to secure reopening of education services in our early learning sector, schools, colleges and universities because we recognise the enormous benefit that being in full-time education brings to children and young people in Scotland. It is therefore an absolute priority for the Government to ensure that our education settings remain open.

Obviously, we will have to follow public health advice on particular localised virus outbreaks, but I hope that members of the public will take reassurance from what I am saying to Parliament, which is that the Government is absolutely focused on and committed to ensuring that we keep our education settings open full time, and

that our planning and actions will be designed to support that objective.

**Jamie Greene:** I thank the cabinet secretary for that further reassurance.

I am reading between the lines somewhat, but I am looking for a more direct commitment that there will not, if there are further national restrictions, be school closures outwith planned school holidays or management of localised outbreaks. It goes without saying that any circuit-breaker strategy or proposal would cause significant disruption to people's lives, especially the lives of those with children. The Deputy First Minister will also be aware of the need to command the confidence of the Parliament and the wider public in any such restrictive national measures.

Can further confirmation be given that, in coming to any conclusions on new measures, the impact on parents' ability to work if childcare and education are disrupted will be taken into account and, indeed, mitigated in that decision making, and that disruption to education will be kept to an absolute minimum in any nationwide restrictions?

Finally, will the cabinet secretary commit to publishing the scientific evidence or data that is driving the decisions, so that elected members of the Scottish Parliament are able properly to scrutinise, debate and, ultimately, vote on any further nationwide restrictions before they are introduced?

**John Swinney:** There was a lot in that question. I have answered quite a lot of it already by clarifying that the Government attaches absolute priority to keeping the school and education environment open full time. I remind Parliament that Scotland was the first part of the United Kingdom to restore full-time education to all pupils; I want to keep it that way.

Mr Greene asked about parliamentary processes. Mr Russell has undertaken discussions on the First Minister's behalf on that question in relation to the parliamentary dialogue. I understand that the Parliamentary Bureau discussed the issue in scheduling business for this week, so that Parliament will have the opportunity to discuss those matters. The First Minister will make a statement to Parliament tomorrow on the next stage that we have to confront.

Mr Greene asked about publication of information—as if, somehow, the information about the pandemic is secret. A huge amount of information is published daily about the numbers of cases. There are 800 new positive cases today. I repeat—800. That is a significant increase on where we were a few weeks ago. The number of positive cases have been of that order for some considerable time.

I do not think that it is in any way a secret that the pandemic is accelerating in Scotland. We have taken action already to try to stem the rise, and it might be necessary for us to take further action. Parliament will hear from the First Minister tomorrow, and will be able to discuss and consider any issues that flow from announcements then.

**Clare Adamson (Motherwell and Wishaw) (SNP):** The Scottish Government has been clear in its commitment to striking the right balance of measures—most importantly, to control spread of the virus and save lives, but also to ensure that our schools are able to remain open, which we know is vital for the development and wellbeing of our pupils.

What engagement has the Covid-19 education recovery group had with teaching unions, parents and carers ahead of the October break, to ensure that staff and pupils have confidence in the measures?

**John Swinney:** The education recovery group has continued to meet weekly since the resumption of full-time schooling in August, and met very regularly over the period of lockdown.

We issued guidance prior to reopening the school system. We have updated and strengthened it in relation to wearing of face coverings in secondary schools, and we keep it under active review.

We look weekly at the feedback from the professional associations, including the Association of Directors of Education in Scotland, and our local authority partners to ensure that we are taking all the necessary decisions to address the situation. I give Clare Adamson the reassurance—because I know that she has a close long-term parliamentary interest in the issue of safety—that safety is uppermost in our consideration of that guidance. If there are further measures that we need to take to make our school estate safe, we will be prepared to take those actions.

**Jamie Halcro Johnston (Highlands and Islands) (Con):** The cabinet secretary will be aware that many vocational courses that are offered by the college sector include components that cannot be delivered through remote learning. Many of those courses have already been considerably impacted by previous and existing coronavirus restrictions. Can the cabinet secretary advise what further impact any circuit-breaker restrictions would have on delivery of those courses? What discussions has he had with the college sector to help to mitigate any impacts?

**John Swinney:** Obviously, our determined effort is to minimise impacts on learning and teaching. Maximisation of learning and teaching opportunities is a significant priority for me and

weighs heavily in some of the decisions that I am taking on other questions.

Ministers are regularly involved in dialogue with the college sector to ensure that we are taking all possible steps to fulfil the educational opportunities of students. Like universities and schools, the college sector has adapted significantly in how it has deployed courses to meet the challenges. We will continue to support that work.

Of course, we have taken a number of practical steps through distribution of resources for digital access to ensure that individuals' circumstances are not a barrier to their accessing resources and capabilities. We will continue to keep all measures under review to ensure that that remains the case.

**The Presiding Officer:** Thank you very much. That concludes topical questions. We will move on to the next item of business after a short pause.

## Coronavirus Acts Report

**The Deputy Presiding Officer (Lewis Macdonald):** I remind members that social distancing measures are in place in the debating chamber and across the parliamentary campus. Please take care to observe those measures over the course of the afternoon's business, including when entering and exiting the chamber.

The next item of business is a statement by Michael Russell on his report on coronavirus legislation. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

14:51

**The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell):** Since my statement in the chamber on our second report on coronavirus, on 11 August, additional measures that are intended to bring Covid-19 back under control as we enter winter have come into force. The measures in the United Kingdom Coronavirus Act 2020 and the two Scottish acts—the Coronavirus (Scotland) Act 2020 and the Coronavirus (Scotland) (No 2) Act 2020—continue to be an important part of our response to the continuing significant public health risk and the economic challenges that are posed by the pandemic.

Today I have laid before Parliament "Coronavirus Acts: Third Report To Scottish Parliament" on the provisions in both Scottish acts and in the UK act. It covers the reporting period that ended on the 30 September. In addition to the reporting requirements under the legislation, we have also reported in more detail on 22 provisions that we have judged to be of most significant impact and interest. We have also reported on a total of 49 Scottish statutory instruments of which the main purpose relates to coronavirus, as required under section 14 of the second Scottish act.

We have fulfilled the requirement to take account of available information about the nature and number of incidents of domestic abuse that occurred during the reporting period, and we have included examples of the Scottish Government's wider action to support women and children at risk of or experiencing domestic abuse. That includes additional funding of £4.25 million for organisations working on the front line across Scotland to allow services to be upscaled.

In the report, we have also included information on rights and equality impacts. That is key to ensuring that human rights are respected, protected and fulfilled, and that equality objectives are achieved. We will continue to work to consider

carefully the recommendations and best practice that come from the work that is being undertaken by the Parliament, stakeholders and others to ensure that human rights, children's rights and equality are protected at this difficult time.

In my statement on our second report, I announced our intention, subject to the will of the Parliament, to extend through regulations the expiry date of the Scottish acts to 31 March 2021. I also announced that we would seek the expiry through regulations of provisions that were deemed to be no longer necessary. Both sets of regulations came into force on 29 September, and separate regulations have also been made to suspend provisions that relate to vulnerable adults and muirburn, which are not currently required but which may be required in the future. That approach to extension, suspension and expiry of provisions in the Scottish acts is proportionate and appropriate to the scale of the on-going risks that are posed by the coronavirus. It reflects our commitment that provisions would not remain in place unless necessary.

I now turn to the provisions of the UK Coronavirus Act 2020. As required by the UK act, the House of Commons undertook a review of its non-devolved provisions after six months of operation. On 30 September, the motion that

"the temporary provisions of the Coronavirus Act 2020 should not yet expire"

was approved.

The devolved provisions in the UK act were not within the scope of that six-month review, but the Scottish Government has, in our third report, provided information on the operation and status of those provisions. That will provide this Parliament with the opportunity to scrutinise the judgments that we have made and to express its view. There are two provisions in particular that I wish to mention in this context.

The UK Secretary of State for Health confirmed last week that the UK Government intends that the temporary provisions in section 10 of and schedule 8 to the UK act will expire early. Those provisions apply to the Mental Health Act 1983, as they apply in England. I and my ministerial colleagues have answered questions on the Scottish Government's approach to our equivalent provisions in this chamber and in committees, and our third report confirms our view that the provisions continue to be necessary. Although the equivalent Scottish provisions have not been commenced, they are designed to ensure that a person continues to have access to the right level of care and treatment when they are unwell, should the workforce come under severe pressure.

The short-life mental health legislation commencement consideration group has been a vital source of information and intelligence about the impact of Covid-19 on the operation of the Mental Health (Care and Treatment) (Scotland) Act 2003, in the form of formal data collected by the relevant organisations and more informal evidence of the views of members and practitioners. The group recognises that the mental health impacts of the pandemic and associated lockdown restrictions might not be felt in full for some months. It remains of the view that it is appropriate to retain the provisions on the statute book, as it would not be prudent to leave our services vulnerable to a potential second wave of Covid-19 and the approaching winter flu season. Our view is therefore that the Scottish provisions in the UK act relating to mental health remain necessary.

However, I can confirm today that the Scottish Government intends to bring forward regulations to suspend the provisions in section 16 of the UK act relating to social care needs assessments, as they apply to adult services. That follows a further survey of the extent of the operation of the powers at a local level, which has again demonstrated that few local authorities have needed to use those powers. However, there are concerns that demand for children's services in particular might increase. The powers as they apply to children's services are therefore not being proposed for suspension.

Our report again highlights that some provisions have not been commenced and that some have been commenced but have not been used, either extensively or at all, since coming into force. We consider that, together, the provisions continue to be necessary either as important tools as we progress through the route map or because they might be required to respond to future resurgence of the virus.

The report demonstrates that accountability continues to be integral to our efforts to suppress the virus, and the two-monthly reporting process continues to be a key part of aiding transparency in how the powers have been used.

I now turn to the issue that a number of members have raised about an enhanced role for Parliament in scrutinising coronavirus regulations. It is fair to say that, in the context of responding to the public health emergency, the Government has made every effort to be accountable to Parliament. The First Minister has appeared regularly to set out the Government's intentions and to be questioned closely. I and my colleagues have appeared on many occasions in the chamber and before committees to give evidence. The First Minister and other ministers also attended meetings of the Parliament during the summer recess. There can therefore be no doubt about our



commitment to be accountable to Parliament, but we wish to respond to the calls for enhanced scrutiny.

Presiding Officer, I have therefore today written to you, to the party leaders and to the Conveners Group asking for nominees to attend a meeting—this week, I hope—to work in collaboration to develop options for enhanced scrutiny arrangements. We will need to be radical in developing a procedure to reflect the reality that public health interventions often have to be brought into force at great pace. Also, when the time comes to remove restrictions, we will want to remove them from our fellow citizens at the earliest possible opportunity. We must recognise that we are dealing with a public health emergency, and we must have the ability to act without delay when the clinical advice indicates that urgent interventions are required. Indeed, the changes announced by the UK Government acknowledge that important point. I will now take that work forward urgently with Parliament and those nominated by their parties.

I conclude by noting that, as is required by section 15 of the first Scottish act and section 12 of the second Scottish act, Scottish ministers have conducted a review of the provisions in part 1 of both acts and have prepared the report.

We are satisfied that the status of the provisions set out in part 1 of the acts as at 30 September remain appropriate. We have also undertaken a review of the Scottish statutory instruments to which section 14 of the second Scottish act applies. Scottish ministers are also satisfied that the status of those SSIs at the end of the reporting period is appropriate. A review has also been conducted of the provisions of the UK act for which the Scottish Parliament gave consent, and we are satisfied that the status of those provisions is appropriate.

We welcome the opportunity to engage with the Parliament as it considers this third report.

**The Deputy Presiding Officer:** The cabinet secretary will now take questions on the issues raised in his statement. I intend to allow around 20 minutes for questions, after which we will move on to the next item of business.

**Donald Cameron (Highlands and Islands) (Con):** I thank the cabinet secretary for prior sight of his statement and for the report, which, as he indicated, covers the period until 30 September. It was published against the backdrop of the further restrictions that were announced on 22 September and potential additional measures to come tomorrow, which will doubtless raise a number of immediate issues for people and businesses across Scotland.

The reports provide an opportunity to take a broader view on issues that have arisen under the legislation during the pandemic. Members on the Conservative benches are particularly pleased to see the emphasis on human rights, given the fact that emergency measures have a significant impact on individuals' liberty. My question is about parliamentary scrutiny. We will have a debate and vote on Covid restrictions on Thursday, and I acknowledge that the cabinet secretary is here today and has appeared before committees and in the chamber many times, as have others of his colleagues, but does he believe that the system that Parliament mandated in March, which involves, in effect, retrospective approval of Government action, is still fit for purpose?

**Michael Russell:** I indicated in my statement that I wish to see that system changed. That is why I have proposed that people come together to do that. However, the parameters for changing the system have to be understood. I said very openly in my statement that, when we are dealing with public health emergencies, some of the procedures that we have for dealing with secondary legislation are inappropriate. As the Deputy Presiding Officer will know, being a committee convener himself, the choice lies between a negative instrument, an affirmative instrument, a super-affirmative instrument and a made affirmative instrument. They all have their own timetables, which does not suit regulations that have to be made very quickly.

I have asked whether we can find another way of making secondary legislation and I am sympathetic to the idea, which has been raised by a number of members in the chamber and at committee. When I appear at Mr Cameron's COVID-19 Committee tomorrow, I think that that will be the 11th occasion, and if we can find a better way to make regulations I will be very happy.

The member takes a particular lesson from where we are now, but let me suggest another lesson. We have a considerable distance to go to ensure that the virus is defeated in Scotland, and we must, in the interests of all our fellow citizens, use every tool that is available to us. I believe that we can make changes that will be appropriate and helpful. I hope that the other parties and the Parliament will help the Government to do that.

**Monica Lennon (Central Scotland) (Lab):** I, too, thank the cabinet secretary for advance sight of his statement and welcome his response to calls for enhanced scrutiny. The public want to understand the reasons behind the powers and restrictions, how their effectiveness is evaluated and what the evidence base for them is.

Sadly, case numbers are now going in the wrong direction, and inconsistencies in guidance

and regulations—the recent outcry over restrictions on baby and toddler classes showed one example—lead to more questions about how effective restrictions are and have been in stopping the spread of the virus.

Many families have been affected by the heart-breaking limits on attendance at funerals, for example, whereas other areas of society have seemingly opened up. Now it seems that we are going backwards and even facing further harsh restrictions. On the eve of those apparent further restrictions, will the cabinet secretary say more about how the Government is evaluating the evidence base for them and, although we welcome the parliamentary scrutiny, can he tell us how the public can expect to be kept informed, not just through verbal updates in the media or in Parliament but through written evidence or evaluation of the policy decisions?

**Michael Russell:** I caution the member against basing a question on what she referred to as “apparent” changes. We should wait to hear what the First Minister has to say; we should not speculate on that. Speculation is, no doubt, appropriate for the media, but it is not appropriate in the chamber, given that we do not know.

On the substance of the question, I am sorry that Monica Lennon did not specifically welcome something for which she might have been able to take some of the credit, which is the use of clause 16 of the UK act. We have listened to her and others on that clause and we have taken action. I pay credit to the member, who has questioned me—twice or three times, I think—about that clause. It is important that we recognise the progress that is being made.

With regard to information, nobody can say that there is a shortage of published information on the issue of the coronavirus. There is a vast amount of information—in fact, there is probably too much.

The regulations are set out clearly, as is the material on the websites. The First Minister gives answers in detail, including information on the scientific background, every day, and she still does so despite attempts by some to stop her. She is often accompanied by, for example, the clinical director of the national health service, the chief medical officer and others. There is a great deal of information provided.

Nevertheless, we all have a role to play in ensuring that we are familiar with the information and the science, and that we explain it carefully to people so that they understand the situation. Nobody is being asked to do anything except take the actions that we and the First Minister genuinely believe will save lives and take us through the pandemic as safely as possible. That is the motivation. Although we can, no doubt,

debate the science, we should not debate the motivation.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** Members understand that changes often need to be made at short notice in order to respond to a rapidly changing situation. I welcome the update that the cabinet secretary has provided on discussions with the Parliament on how further scrutiny can be enabled to happen at an earlier stage wherever possible.

When does the cabinet secretary expect the first meeting to take place? Is there scope for engagement to continue over the recess so that processes are in place when the Parliament resumes?

**Michael Russell:** I am not going anywhere, so I am happy to have as much engagement as possible. I have suggested to my office today that, once the party leaders have responded, we try to arrange a virtual meeting this week; all these meetings will be virtual. I know that my officials have already engaged informally with the Parliament—we will look for ideas from the parties and the Parliament and we will bring ideas to the table ourselves. I hope that we can come to an early agreement about how we might do that, even in the interim, so that we can get on with enhanced scrutiny.

The member is absolutely right to say that we must remember that these are regulations for a public health emergency and that urgency underpins them. We must therefore ensure that urgency goes alongside scrutiny and that one does not trump the other.

**Brian Whittle (South Scotland) (Con):** The cabinet secretary's statement indicated that, although the short-life mental health legislation may not have been utilised to any great extent, the Scottish Government intends to retain those provisions, as to do otherwise may “leave ... services vulnerable” if there is a second wave of Covid-19.

However, the legislation will surely not be required at short notice, as the cabinet secretary indicated, and it would therefore be perfectly feasible to suspend that part and bring it back only if the Parliament required that to happen. The Scottish Government should retain only those powers that it will need to act with any speed. Can the cabinet secretary comment on that?

**Michael Russell:** I am aware that the legislation covers a difficult area, but I do not see that there would be much difference between suspending it and not operating it, and it has not been operated.

As I indicated in my statement, the decision is not made by ministers alone; the short-life mental health legislation commencement consideration

group also looks at the matter. The group consists of people from the Mental Welfare Commission, the president of the Royal College of Psychiatrists, somebody from the Mental Health Tribunal for Scotland, somebody from the Scottish Courts and Tribunal Service, and somebody from Social Work Scotland. There is considerable expertise around the table.

The view of that group, as recently as September 9, when it last met, was that the legislation should remain on the statute book. It has not yet been used, and we hope that it will not be used. Nonetheless, it would not be desirable to go through the rigmarole of taking it off the statute book and putting it back on.

We can talk about the issue in terms of enhanced scrutiny. It might, for example, be appropriate to ensure that advance notice is given if such provisions are to be used, so that there could be a discussion beforehand. However, it would not be sensible to fiddle with the act.

I will listen to people—not just advisers, but members in the chamber—and, if we can find some way to ensure more scrutiny of the legislation, I would be comfortable with that. I genuinely hope that the member accepts that response.

**Ruth Maguire (Cunninghame South) (SNP):** In the cabinet secretary's previous statement on coronavirus legislation, he outlined the actions that were taken to account for the nature and number of incidents of domestic abuse occurring during the reporting period. Can he outline how that work has informed the Government's consideration of the emergency legislation since the previous reporting period?

**Michael Russell:** I am grateful to those members who strongly supported that move. Pauline McNeill was instrumental in bringing the matter to the chamber, and other members strongly supported it. That has concentrated minds on the fact that this is not merely something that we feared might happen but something that is actually happening. Therefore, as I have indicated in my report, interventions have been stepped up. That includes the resource that has been made available in such circumstances. I think that that will continue.

There has been increased funding of £4.25 million for organisations working on the front line, allowing services to be upscaled, and the situation is kept under constant review. There has been pretty quick feedback in the area, and the issue influences decision making about what lies next. We have to recognise that this situation, which is a terrible thing, appears to be a consequence of some aspects of the lockdown. Therefore, we should work hard to avoid circumstances

repeating themselves. Both of those things are important.

**Sarah Boyack (Lothian) (Lab):** I welcome the cabinet secretary's reference in his statement to the importance of children's rights. Can he confirm whether there will be an updated children's rights and wellbeing impact assessment, given the concerns that have been expressed by Barnardo's and the Children and Young People's Commissioner Scotland about the impact of the pandemic on children's rights? I am conscious from my own casework of the impact of the loss of access to certain local services on children and young people's wellbeing and mental health. I would very much appreciate an update on that from the cabinet secretary.

**Michael Russell:** I am grateful to Sarah Boyack for that point. I am happy to take the suggestion from Sarah Boyack and the children's charities that additional work is required on the matter to the relevant ministers—the Deputy First Minister and the Minister for Children and Young People. The member is aware that we try to keep rights at the centre of what we do, and I would therefore ask my colleagues to consider the matter. What Sarah Boyack has said will be reported to them, so that they may consider the point and perhaps come back to her directly.

**Mark Ruskell (Mid Scotland and Fife) (Green):** I welcome the cabinet secretary's statement, in particular his comments about enhanced scrutiny. It is important not just to look back but to look forward to events that are foreseeable, such as Christmas and winter demand on the NHS. In scrutinising the whole picture, does the cabinet secretary agree that we need oversight of those aspects that lie outside the regulations, such as the Government's testing strategy, which may nevertheless have a strong bearing on the regulations themselves?

**Michael Russell:** I am sure that the member would like to have further discussion and scrutiny of many things. That is what the Parliament is for, and it is what our democracy is for. I am here to report on the legislation and the regulations. The scrutiny issue that I am addressing entirely relates to the legitimate concerns that I have heard expressed by members of the Parliament. During First Minister's questions last week and the week before, we heard from Graham Simpson, who has also raised these points at committee, and from other members, and we are reflecting on their concerns. I am sure that Mr Ruskell has many opportunities to raise issues such as testing and, if I may use a good Scottish word, I have not seen any member here who is blate at doing so.

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I am glad that the Government has agreed to stand down powers under section 16 of the

Coronavirus Act 2020, but I ask the cabinet secretary to reconsider disapplying them for children.

The Conservative Government at Westminster has recognised that mental health regulations under section 10 of the UK act are no longer needed, and that pressure on the health service will never be such that we need to dispense with the important safeguard of having a second qualified mental health professional sign off on a detention order. Is the cabinet secretary not concerned—as Brian Whittle has already suggested—that, for as long as the powers remain at the disposal of his Government, the human rights of mental health patients under the terms of the United Nations Convention on the Rights of Persons with Disabilities will be in peril?

**Michael Russell:** No. I seem to recall a very similar question from the member during consideration of the previous report, and I pointed out to him that—great admirer as I am of his, regarding many of the things that he does—when I look for advice on mental health legislation, I look to the president of the Royal College of Psychiatrists before I look to Mr Cole-Hamilton, which I think is a fair judgment to make.

In those circumstances, I think that the explanation that I gave to Mr Whittle was not an unhelpful one—as a reasonable man, he indicated that he was accepting the explanation, and I am sorry that Mr Cole-Hamilton is not doing so. I think that there could, and should, be a discussion as to whether the powers here would be used and that that discussion should take place before they are used. I am quite happy to take that matter away.

If the short-life mental health legislation commencement consideration group makes a recommendation, I would likely be massively criticised by Mr Cole-Hamilton and others were I not to pay attention to it.

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** As we have heard already today, we know that the emergency legislation is wide ranging, and the provisions affect a wide variety of policy areas. Will the cabinet secretary provide details of how the Scottish Government arrives at the decision on which provisions will be renewed and which will expire?

**Michael Russell:** That is good question, and Mr MacGregor is right to ask how such decisions are made. Almost from the moment one report is finished, there is extensive discussion with the very talented team that supports me about each individual team member's policy area in the bill. They start with the assumption that they have to justify the continued presence of items in the legislation. We proceed on the basis that the sooner we can allow all of this to expire, the better.

After the discussion with the officials, there is a discussion with ministers about whether the recommendations to continue or not continue are acceptable to them. Evidence is taken and discussions with stakeholders take place—it is a wide-ranging process. So far, we have been able to suspend or withdraw a number of provisions, and we hope to be able to continue to do so.

However, we are also faced with what members in the chamber have seen—the resurgence of cases, evidence of the spread of the virus into older age groups and, from today's figures, an increase in hospitalisation and people going into intensive care units. Therefore, we need to look at the provisions and ask, "If we needed them six months ago, might we still need them?" If the answer is yes, we need to think carefully about what we do next.

The discussion that we are having now is part of the process. Donald Cameron's COVID-19 Committee will also consider the report, and no doubt I shall appear before that committee to answer questions on it. In two months, we will be back in the chamber to continue the process.

**Maurice Corry (West Scotland) (Con):** In his statement, the cabinet secretary said that the Scottish Government's provisions in the UK act relating to mental health remain necessary. Is the Scottish Government considering making any further provision for mental health, and what would be the trigger for doing so?

**Michael Russell:** Mr Corry's question is very appropriate. It is not possible for us to add things to the legislation—all we can do is subtract things from it. There are no new moves that we could make under the UK act, and whether there are things that could be done by regulation is a moot point. We would be reluctant to make secondary legislation for the purposes of mental health actions. If we were to take new actions on mental health in relation to the pandemic, I suspect that we might need primary legislation, and we have no plans for further emergency legislation. I do not want to be totally specific, because I could imagine circumstances in which regulations could be used, but I would be very surprised if they were used.

**Richard Lyle (Uddingston and Bellshill) (SNP):** When reaching its decisions, how does the Scottish Government balance keeping us safe and allowing individual freedom? Over the past few months, many people have had to cancel holidays, and many more will possibly have to do so tomorrow. Given that the virus is not going away any time soon, how can we move forward without constantly going into lockdown, which only suppresses and does not eradicate the virus?

**Michael Russell:** I will caution Mr Lyle, as I cautioned another member, not to speculate on

what may or may not be happening. At her briefing, the First Minister was clear that she was not anticipating a lockdown. Let us be very clear about the language that we use.

Mr Lyle is right about balance—there is a constant balance to be struck. The balance is complex, and it becomes more complex as time goes on. After six and a half or seven months, things have changed. We are all weary, but we all want to protect lives and help our fellow citizens.

Equally, however, we are all concerned about damage to our businesses, to our friends' businesses and to our constituencies. For example, my constituency has many islands and a great deal of tourism, and I do not wish to see any further damage. There has been considerable damage and I want to mitigate that, if possible. All those matters are borne in mind.

The First Minister indicated that the Cabinet met this morning, for a lengthy discussion of where we are now. There is considerable discussion; the First Minister talks constantly to her advisers; she reads; she listens—we all do. However, in the end, decisions have to be made and, although I hope that members and committees will be part of the process of thinking them through, sometimes decisions have to be made and implemented quickly if we are to make a difference. That is of course a hard thing to do, but it is a responsibility that the Government has to take.

**Anas Sarwar (Glasgow) (Lab):** I agree with the cabinet secretary that speculation is not a good thing. However, we have had two weeks of active speculation, which has been encouraged by members of the Government or their advisers—we have had back and forth on the so-called circuit breaker. I think that it is important, as the Government said at the outset of the virus, that we treat the public as grown-ups, particularly if we want to keep up compliance and maintain public support for the actions of the Parliament and the Government.

I also welcome what the cabinet secretary says about added scrutiny. That is a conversation that he and I have had right from the start of the pandemic, and I think that more scrutiny would be welcome.

Fundamentally, however, can we accept that the science can only go so far? Ultimately, it will come down to judgment calls and, when it comes to those, there should be greater scrutiny, greater discussion and greater debate, which will help to take the public with us.

**Michael Russell:** As ever, I agree with a great deal of what Anas Sarwar has said, and I disagree with some bits. First, I will try to get through the agreement bit. I think that we need to have more scrutiny. We have made that clear. I want Mr

Sarwar and others to understand, as I am sure that he does, the fact that we need to act urgently to make sure that things are done and we cannot hang about.

Equally, however, I very much understand that we should try to develop something new, because we need a new procedure—there is no existing procedure in the Parliament that would allow it to happen. It should not be beyond us to make sure that we can do things well and properly.

On the disagreement part of it, although I think that we are going into semantics, there is a difference between discussion and speculation. Mr Sarwar used the word “discussion”. If a minister is asked a question, and wants to inform people by answering that question, that is not necessarily speculation. Perhaps I should refine my words, as I know that Mr Sarwar likes precision in language as in all things; I think that I am asking people not to jump to conclusions about what is taking place but to remain open minded. I am sure that he, like every member, will be open minded.

**Sandra White (Glasgow Kelvin) (SNP):** In his statement, the cabinet secretary mentioned seven core principles, one of which is dignity. That is very important to older people, in particular. What engagement on the impact of the legislation will be undertaken with organisations and groups that support older people?

**Michael Russell:** There continues to be discussion with many stakeholders. I am sure that the officials who are responsible for those areas of the special legislation that affect older people are in touch with those organisations. I know that the Cabinet Secretary for Health and Sport, for example, is in regular contact with organisations and individuals who represent relatives of those in the care home sector and is making sure that we are listening to them and understanding the very difficult situation that many people face and how they respond to that.

Sandra White knows the commitment of the Scottish Government to as much consultation and discussion as possible. That will apply to the area under discussion, as to every area.

**The Deputy Presiding Officer:** That completes questions on the statement. In a moment, we will move to the next item of business.

## International Development (Covid-19)

**The Deputy Presiding Officer (Linda Fabiani):** The next item of business is a debate on motion S5M-22949, in the name of Jenny Gilruth, on a review of the Scottish Government's approach to international development in light of Covid-19. I call Jenny Gilruth to speak to and move the motion; around eight minutes please, minister.

15:25

**The Minister for Europe and International Development (Jenny Gilruth):** Covid has changed the world. Everyone—rich or poor, black or white, north or south—has felt its impact. We are still in the midst of that global pandemic, and while it has changed the job of Governments on every continent, it has also changed how we go about our tasks in this place. Here, in this chamber, that change is immediately visible. We are socially distanced and our visitor galleries are—I hope temporarily—closed. We are learning how to vote from elsewhere. We have not only had to pass emergency legislation, but we are still, unfortunately, requiring our fellow citizens to restrict what they do.

Every bit of the Scottish Government's work has been affected by Covid, including the vital work in international development. In that area, as in all others, we are faced with a renewed and unexpected challenge. We must rise to the occasion, take heed and respond by refreshing our approach, intensifying our commitment and making sure that we protect and, indeed, enhance Scotland's contribution to those most in need. I am privileged to lead the debate, but it must be owned by all of us here today.

It is 15 years since the then Labour-Liberal Democrat Executive initiated the international development fund. That offer in 2005 was firmly rooted in the historical links between Scotland and Malawi. Since that time, Zambia, Rwanda and Pakistan have joined as partner countries. I assure members at the outset of the debate that our group of partner countries remains unchanged. The review is very much focused on the wellbeing of those partner countries. As we reach the milestone of the 15th anniversary of our international development programme, we continue to be proud of the additional and unique contribution that Scotland makes.

Covid-19 has, understandably, impacted on our programme over the past six months. We have tried to mitigate the effects of that on our project partners, including by approving additional funding where we were able to do so. However, it is clear

that Covid-19 will remain a global threat for some time. It is for that reason that it felt right to pause and reflect on the programme. That will allow us to consider how to future proof our programme and to consider the impact of movements such as Black Lives Matter in the context of international development.

Earlier this year, I listened to my colleague Humza Yousaf make one of the most powerful contributions in the chamber that I have ever heard. He spoke of the whiteness of Scotland's judicial system and outlined the dire need for progress for Scotland's black, Asian and minority ethnic communities. I left the chamber that day and thought about the vast and overwhelming number of white faces I have met in person, or virtually, since taking up office in February.

Writing in last weekend's *Scotsman*, Susan Dalgety rightly asked:

"And what does Black Lives Matter, which emerged from the streets of America, mean to an African?"

I have been asking that question for many months now in my meetings with the sector. Last week, I asked it of an academic who works in one of our partner countries. She said:

"Black Lives Matter in America is not the same as in Africa. But if you come to my country and you put a white person in charge of a programme – when I could do that job, when I know my local community – that's what Black Lives Matter means to me. That is white privilege."

The problem of "white gaze" is clearly not one that the Scottish international development sector has to solve on its own; it is a global challenge for all Governments, but I believe that we should try to set an example in Scotland. Lauren Reese, writing in *The New Humanitarian* back in June, said:

"I want international development organisations to not just 'do good' in other countries, but to do better for their own employees and communities."

She set out some key tests for the sector, including implicit bias and systemic racism training for all staff. That is a step in the right direction, but she argues that it should not be a tick-box exercise; rather, it should reflect the embedded structural inequality that racism creates.

The Malawi Scotland Partnership and the Scotland Malawi Partnership published a joint response to the Black Lives Matter movement earlier this year, stating:

"We acknowledge and greatly regret that racism has been perpetrated in Scotland's 161 year relationship with Malawi, while also appreciating that there are a great many examples of Scots and Malawians working together to fight prejudice. Scottish missionaries, particularly in the early twentieth century, were by no means free from the prevailing racist assumptions of their day. Many Scots became deeply identified with the black community in Malawi but Malawians were, quite rightly, alert to elements

of paternalism and racism that they experienced even in the best of them.”

I am intent that we learn from that powerful statement from two of our core funded organisations in the review.

Refreshing our approach for the maximum benefit of our partner countries means looking at our whole programme and reviewing all the areas that we fund under the international development fund, including our partner country programmes, our small grants programme and our core funding to networking organisations and the development education centres.

We will also consider any read-across from the review to our humanitarian emergency fund and fair trade in Scotland policy, both of which, along with the small grants programme, were recently reviewed.

If we are serious about truly tackling the charges of white gaze, amplifying global south voices and partner-led development, and if we are to build programme sustainability against the threat of Covid-19, we need to be open to and serious about change. I hope that members will agree with that sentiment.

The draft principles of the review are key to both the review and our future approach. Members will note that the overarching ethos of international solidarity is embedded in the principles. Through the principles, we have also reiterated our commitment to a human rights approach.

I have mentioned our on-going commitment to partner-led development. I have written to all four partner country Governments and held initial meetings with their representatives in Malawi and Zambia. I am also, however, keen to hear from civil society in our partner countries. That is important if we are to conduct the review and ensure that the refreshed programme is truly inclusive. I will be speaking to our Malawian partners next week and I look forward to having similar round tables with Rwanda and Zambia.

On engagement in Scotland, I am equally keen to hear views on the draft principles—I am sure that we will hear some of them today. In recent weeks, I have attended the Malawi cross-party group and Scotland's International Development Alliance's annual conference to discuss the review. At the end of the month, I will host a round table with the sector in Scotland and tomorrow, I will attend one of the alliance's quarterly meetings to discuss some of the review principles in more depth.

I found the round-table discussion that I held last week with international academics, including some from our partner countries, hugely useful in informing my thinking.

Members will note that this is not a strategic review of the kind that we had in 2016, and if this were October 2019, I am sure that our approach would be different. However, we should all be cognisant of the new reality that Covid-19 presents. There is an urgency about our work that did not exist six months ago. That said, I want to use today to listen to members and to reach consensus, as can be evidenced by the spirit of the Government's motion.

I am a white Scottish Government minister, serving in an almost completely white Parliament, in a country where systemic racism prevents the black, Asian and minority ethnic community from achieving their full potential. I come to the chamber from a position of privilege, which I recognise. I cannot turn the clock back, but I can take responsibility by ensuring that we refresh our international development offer in Scotland to take cognisance of that historical privilege and work with our partner countries in developing solutions that tackle inequality. I hope that I will have the support of the chamber in doing so.

I move,

That the Parliament welcomes the renewed commitment of the Scottish Government to make the maximum possible contribution to the wellbeing of its international development partner countries, and notes its intention to refresh that approach in co-operation with the Parliament, its partner country Governments and charities and other bodies in Scotland and overseas in order to take full account of the shared global challenge presented by the impact and effects of COVID-19.

**The Presiding Officer:** I call Alexander Stewart to speak to and move amendment S5M-22949.1. You have around six minutes, please.

15:34

**Alexander Stewart (Mid Scotland and Fife) (Con):** I am delighted to be able to take part in today's debate on our approach to international development.

Since being elected to the Scottish Parliament, I have taken a keen interest in overseas aid and international development. I am sure that we can all agree that developed economies have a moral obligation to support countries on that journey.

We are lucky in Scotland to have not one, but two Governments involved in international development, and we must wholeheartedly salute what the Scottish and UK Governments do. The efforts of both are very welcome.

Scotland has a long-standing reputation for internationalism, but the links with our partner countries Malawi, Zambia, Rwanda and Pakistan are particularly strong. We therefore welcome the Scottish Government's renewed commitment to

international development, especially its on-going commitment to supporting partner countries. The ring fencing of funding to support our partner nations' efforts to tackle Covid-19 would also seem to be a sensible approach.

However, given the new challenges that coronavirus presents to everyone around the world, it is right that we review our approach to international development. As well as considering Covid-19, we should target our aid for development to the places where it can make the most difference, while ensuring that assistance takes into account our climate change responsibilities. My colleagues and I look forward to engaging with the Scottish Government on the review, to ensure that we make the best possible difference with a refreshed Scottish international development policy. Having spoken to the minister on a number of occasions, I know that both of us wish that that will be achieved.

As I said when I previously held my party's international development brief, we can maximise the benefits of our international development efforts only if we work together, both within and outside the chamber. That means working across party lines and with our partners across civil society, including community groups, businesses, schools, academia, the health sector, religious organisations and many more. We have all those in abundance in Scotland, and we should ensure that we continue to support them.

Given my role as co-convenor of the Parliament's cross-party group on Malawi, I am particularly aware of the success that that approach has had. Through the co-ordinating support of the Scotland Malawi Partnership, more than 1,200 links have been established between Malawi and organisations and key individuals across our country. Such partnerships in civil society have real benefits for people on the ground—not just in Malawi, but here in Scotland.

A study that was carried out by the University of Edinburgh a couple of years ago estimated that such links have collectively generated more than £49 million-worth of resources and finance, which has benefited more than three million Malawians. That is a staggering achievement, so I want to record my thanks to everyone who has been involved in making it happen. It is my view that continuation of such partnership links is vital and should be an integral part of the Scottish Government's review.

In that vein of collaboration, I think that it is very important that we also consider and acknowledge the United Kingdom Government's efforts in what has taken place. The UK is seen as a leader in international aid, and continues to be the only G7 nation to hit the target of spending 0.7 per cent of its gross national income on overseas

development—a commitment that has been enshrined in law by the UK Government. As part of the UK family of nations, Scotland can rightly be proud of the work that it has done to support the poorest and most vulnerable people around the world.

UK Aid Direct, which uses the union flag as part of its branding, is recognised the world over and supports many projects and lifeline deliveries to ensure that the emergency food and medical supplies that it provides in areas of severe poverty, natural disaster or conflict make a real difference. As of April 2019, UK Aid Direct has directly supported an incredible 2.5 million people across 37 countries. The total value of the support that has been provided to the most vulnerable people has been about £150 million over the past five years alone.

The UK has also been playing a major and important part in the global fight against the coronavirus. UK Aid Direct has already contributed £774 million to tackling the pandemic globally, and is protecting millions of people in the developing world, including in areas of conflict.

A few months ago, the UK Government also hosted a global vaccine summit that raised \$8.8 billion to support health systems to withstand the impact of coronavirus, and to ensure that the world will be protected when a vaccine is found. The UK also continues to be the Vaccine Alliance's largest donor, having pledged £330 million per year over the next five years.

Next year, the UK will hold the G7 presidency, which will provide a huge opportunity for new international approaches to health security, and to protecting the most vulnerable people around the world from another pandemic.

Moreover, the 26th conference of the parties to the United Nations Framework Convention on Climate Change will come to Glasgow next year. Climate change is a serious problem for everyone around the world, and has affected our poorest countries most significantly. It is vital that we collaborate to ensure that we tackle it.

Scottish Conservatives are fully committed to ensuring that Scotland plays its part in tackling poverty and hardship internationally. We support investment in international development here in Scotland and within the UK. It is important that we recognise the benefits that the efforts of both our Governments deliver to improvement of the lives of people in developing communities around the globe. I hope that members across the chamber will feel able to support that sentiment and to back my amendment.

I move amendment S5M-22949.1, to insert at end:



“; recognises that the UK Government has pledged £774 million in aid, as at the end of July 2020, to protect millions of people in the developing world from coronavirus, and welcomes the UK Government’s statutory commitment to spending 0.7% of gross national income on international aid, which became law in 2015.”

15:39

**Claire Baker (Mid Scotland and Fife) (Lab):** I congratulate the minister on her first debate as a front bencher, although she has had to sit in the second row of seats.

Scotland has an important role to play in international development, and that role should be underpinned with strong principles. Scottish Labour is proud of our international development achievements, which include setting up the partnership with Malawi and introducing the international development fund. The Scottish National Party Government has built on that success, and there is broad support across Parliament for our existing international development work and for the aim of maximising our contribution to our international development partner countries.

The purpose of the Labour amendment is to recognise the positives of our approach to date, and to highlight the importance of meaningful consultation as part of the Government’s review. I am pleased that the Scottish Government is inclined to support our amendment. On the Conservative amendment, although a statutory spending commitment for international aid is welcome, we should also recognise that it does not go far enough. Even though a percentage-of-spending approach to international aid is recognised Europe-wide, the spend can be vulnerable.

Since 2005, the Scottish Government has set a clear commitment to funding international development work. It initially focused on Malawi, and we have seen an expansion over time both in terms of the work and the budget. Just last weekend, the President of Malawi, Dr Lazarus—I do not know how to pronounce this—Chakwera, addressed the Scotland Malawi Partnership conference. He spoke passionately about the existing relationship between Scotland and Malawi and urged its further development, including by growing the number of civic links.

A number of organisations are doing valuable work in Scotland to promote international development. Many of them contributed helpful briefings ahead of the debate. We should recognise the positive contributions that they and others have made and continue to make. They, as are others, are working through the pandemic. I thank them for their efforts.

The programme for government set out the intention to review Scotland’s approach to international development. That review is now under way and has an intended completion date of the end of the year. That timeframe is short, and the framing of the review as a “refresh” is not particularly convincing; it appears to be more than that. Therefore, the need for proper consultation, which includes engagement with those who are involved in delivering the current approach, is crucial. The process must involve meaningful consultation and engagement with Parliament—including the relevant committee—with partner countries’ Governments, charities and bodies that are involved in Scotland and overseas.

There are strong links between Scottish civic society and civic society in our partner countries. That is an important approach that should be retained, because we can benefit from the knowledge and expertise there. There are good examples of partnership working and capacity building that should not be lost.

The key principles that underpin the review are not contentious, but are broadly supported across and beyond the sector. However, questions remain about the practical implications of how the principles are to be achieved, and who is being consulted and involved in determining that. I have spoken already about the importance of meaningful and transparent consultation that encompasses organisations that are already active in partnership work, as well as new voices in Scotland and our partner countries.

The principles also refer to the importance of future proofing, with a specific focus on climate change and Covid. The ring fencing of underspend this year to contribute to Covid-19 efforts in our partner countries is a positive practical measure, and I welcome the news that the views of partner countries will be heard in setting the related priorities.

We should apply future proofing in all areas of policy and law, but it should not be done in a piecemeal fashion. The need to future proof the international development programme in relation to climate change has to be done as part of wider steps to enhance policy coherence for sustainable development, so we need mechanisms to improve impact assessment, decision making and scrutiny across all aspects of Government and Parliament.

The details on the process of the review also highlight concerns that have been raised by the Black Lives Matter movement, including the need to address white privilege, which the minister talked about. We must recognise the importance of the Black Lives Matter movement and the need for action in all areas of our lives, including in our roles as parliamentarians.

That applies across all areas of policy. Within international development, there are complex challenges stemming from the power dynamics of colonisation, so it is important that institutions continue to scrutinise and improve how they work. I know that our non-governmental organisations, charities and other organisations are taking that seriously.

The review of Scotland's approach to international development is a good opportunity to take stock, reflect on what we have achieved in our partnerships, and look to how we can improve what we do. In doing so, we need to continue to engage with and involve our partner countries and civic institutions in the process. We have an opportunity to set out an approach that builds on successful long-standing relationships, and to enhance our positive international contribution. We should seek to do that transparently and co-operatively.

I move amendment S5M-22949.2, to leave out from “, and notes its intention” to “in order to” and insert:

“; notes that work is currently underway to review its approach to international development with the intention of completing this by the end of 2020; calls for this review to include meaningful consultation with the Parliament, its partner country governments and charities and other bodies in Scotland and overseas; values the work done by organisations in Scotland to promote international development; recognises the important role of civic society in partner countries to Scotland's approach to international development, and urges the Scottish Government to include them in a consultation to reflect their knowledge and expertise, and agrees that the approach should”.

15:45

**Liam McArthur (Orkney Islands) (LD):** With all that is going on at the moment, I thank the minister for carving out time for Parliament to debate the issue. As is the case everywhere, Covid is making its presence felt in the area of international development, not least by threatening to put back by a decade achievement of the sustainable development goals, as the International Development Alliance has warned. Meanwhile, the Black Lives Matter movement has profoundly challenged us to look again at the inherent biases in the way that our societies function. Again, that has a bearing on our approach to international development.

I therefore understand entirely why the Government wants to ensure that its strategy remains relevant, effective and true to our collective aspirations. However, I caution against making changes for change's sake. Scotland's international development budget, at £10 million, is relatively small and is dwarfed by the UK budget, thanks in no small part to my Liberal Democrat colleagues Lynne Featherstone,

Michael Moore and Jeremy Purvis for securing the 0.7 per cent target in law. Sadly, I have to say that, by abolishing the Department for International Development and increasingly tying aid to trade, some of Alexander Stewart's colleagues are not doing much to help to deliver the genuinely held spirit of the amendment that he has lodged.

Over the past two decades, however, Scotland has punched above its weight in the area. There are many reasons for that, which are interrelated and highly relevant in the context of the review of the Government's strategy. What are those strengths? First, we should acknowledge that the strong cross-party support dates back to the first Lib Dem-Labour coalition and especially the personal commitment that was shown by the then First Minister, Jack McConnell. However, that has continued uninterrupted over successive Governments and Parliaments. Let us not underestimate the powerful message that that sends, particularly at a time when there are plenty of siren voices encouraging us to pull up the bridges and look inward.

In turn, that cross-party support draws its strength from the extent of civic buy-in from across Scotland. Like Alexander Stewart, I am a co-convenor of the cross-party group on Malawi and, as such, I will shamelessly and proudly use the warm heart of Africa to illustrate my point. There is scarcely a community in Scotland that does not have some sort of link with Malawi, through individuals, schools, churches, community groups, businesses and others.

My former school on Sanday is a perfect illustration. After winning a competition that was launched by Jack McConnell to coincide with the signing of the 2005 co-operation agreement, the school on Sanday forged links with a school in Minga, on the outskirts of Lilongwe. That relationship has benefited pupils, staff and the wider community on both sides. That is another strength of Scotland's approach to international development. Certainly with Malawi, it is a two-way approach that is based on mutual respect and benefit.

When the President of Malawi addressed members of the Scotland Malawi Partnership at the weekend, he said:

“It is remarkable that in the midst of Scotland's fight against the Covid-19 pandemic Scotland has still been working side-by-side with us in our own fight here in Malawi. The impact of your support to us in raising funds and coordinating efforts has been far reaching and inspiring. Thank you.”

I will finish by highlighting the co-ordination effort that President Chakwera referred to. The Scotland Malawi Partnership and its sister organisation in Malawi do tremendous work in identifying connections, making links and then

facilitating and supporting relationships. That co-ordination is invaluable. It allows members to feel part of something bigger, more substantial and even more rewarding. It also allows Scotland to punch above its weight by leveraging in £200 for every pound spent.

That is why the Government's international strategy is worth more than £10 million and why we can and should be more ambitious about what it can achieve, but it is also why we must take care to preserve and value what we have and avoid the temptation of change for change's sake. I echo Claire Baker's strong call for meaningful consultation and look forward to working with my friend Jenny Gilruth in delivering a strategy that can command cross-party support and of which this country can rightly be proud.

**The Deputy Presiding Officer:** We move to the open debate. I have a wee bit of spare time if anybody wants to intervene, argue or whatever.

15:50

**Ruth Maguire (Cunninghame South) (SNP):** I welcome the great importance that the Scottish Government places on being a good global citizen. It is right that we play our part in tackling the global challenges of poverty, injustice and inequality. I commend the Scottish Government's overarching ethos of international solidarity in an interdependent world.

Cross-party support in the Scottish Parliament for international development has been a key feature that has underpinned the Scottish Government's international development work since 2005, and long may that continue. At the forefront of the Scottish Government's efforts is the international development fund, along with the new humanitarian emergency fund, which aims to support and empower Scotland's partner countries—Malawi, Rwanda, Zambia and Pakistan.

All the Scottish Government's international development work contributes to sustainable development and to the fight against poverty, injustice and inequality internationally, under the framework of the United Nations sustainable development goals, which are the globally agreed priorities for tackling poverty and inequality in UN member states. Scotland was one of the first countries to commit publicly to those goals.

Sustainable development goal 16 is to

"Promote just, peaceful and inclusive societies".

Conflict, insecurity, weak institutions and limited access to justice remain great threats to sustainable development. In 2018, the number of people who fled war, persecution and conflict exceeded 70 million, which is the highest level that

the UN refugee agency has recorded in almost 70 years. In 2019, the UN tracked 357 killings and 30 enforced disappearances of human rights defenders, journalists and trade unionists in 47 countries.

The helpful briefing that MSPs received from the Scottish Catholic International Aid Fund speaks to the importance of human rights defenders and acknowledges that, around the world, it is increasingly dangerous for citizens to defend their human rights. SCIAF commends Scotland's proud record of supporting human rights defenders. It encourages the Scottish Government to continue that work and urges it to challenge the drivers of human rights violations and environmental damage. It commends the Scottish Government's human rights defender fellowship, which provides much-needed respite for human rights defenders, as well as learning and networking opportunities.

It is clear that Covid-19 will remain a threat for some time to come, and it is right that the Scottish Government is reviewing its international development programme in the light of the coronavirus pandemic. The review and open discussion of the approach to international development should ensure that the Scottish Government focuses its contribution on areas where it can make the biggest difference against the backdrop of the new reality of Covid-19. It should also ensure that as much Scottish Government funding as possible reaches the partner countries that need it most.

The UN secretary general urged Governments to be

"transparent, responsive and accountable"

in their Covid-19 response, and to

"ensure that any emergency measures ... are legal, proportionate, necessary and non-discriminatory ... The best response is one that responds proportionately to immediate threats while protecting human rights and the ... law."

Human rights put people at the centre. Responses that are shaped by and which respect human rights will result in better outcomes in beating the pandemic, ensuring healthcare for everyone and preserving human dignity. They are sound guiding principles for us all and are as true domestically as they are internationally.

15:53

**Maurice Corry (West Scotland) (Con):** I am pleased to take part in the debate, and I congratulate the minister on bringing such an important subject to the Parliament for debate.

Along with my colleagues, I welcome every commitment to safeguard and promote international development, and sincerely hope that

the principles that underpin the review will be delivered in practice.

Coronavirus has shown our need to be ready for any global challenge. It has pushed us to think beyond the short term and join a wider humanitarian-focused conversation that seeks to find the most adaptable and effective ways to contribute to international development. Therefore, in the light of the pandemic, coupled with the continuing climate emergency, the Scottish Government's commitment to increase funds for our partner countries is most welcome.

Indeed, every investment that seeks to improve health and wellbeing, improve access to education and tackle global poverty is made even more impactful through the fostering of connections and the sharing of expertise.

I am pleased that there is a UK-wide effort on overseas development. Since 2015, the UK Government has committed to spending 0.7 per cent of gross national income on overseas development every year. Moreover, to assist with the on-going Syrian conflict, which has been worsened by the Covid-19 challenge, the UK has pledged at least £300 million to support more vulnerable Syrians with food, healthcare, economic assistance and education. Such efforts are vital, especially under the increased pressures that we have witnessed on a global scale as a result of the pandemic.

Scotland's international aid policy relies on the core value of partner-led and mutually beneficial partnerships. It is where such partnerships exist that international development works best. We have seen that in practice through the fantastic work of the Scotland Malawi Partnership, which other speakers have mentioned. Its approach has long left behind the unhelpful and, frankly, outdated mindset that viewed international development funding as an unequal balance of power involving donors and somehow lesser recipients.

Today, we see instead how the co-ordination and delivery of funding has been greatly advanced by a clear emphasis on localisation. For example, the current Covid restrictions on travel have shown the benefits of having locally partnered projects in place, as they have been able to continue their work to deliver funds in country with only minor adjustments. Tearfund's projects are a prime example of that.

It is those partnerships, which are fostered through locally rooted, civic communities, that must be safeguarded and protected in the Government review. Previous consultations involving all stakeholders at both national and local level have proved to be invaluable in informing a joined-up approach. I therefore hope

that the review will, in practice, carefully strive to include all civic groups in the conversation and be as transparent as possible. If that was not the case, a true disservice would be done to the collaborative working relationships that have been successfully forged over time.

Global interdependency has never been more pronounced, and the reliance on one another, fostered through inclusive and collaborative efforts between Governments, civic organisations and local communities, must continue to inform Scotland's approach to international development. That on-going dialogue is essential to reducing inequality and maximising opportunity wherever possible, and I hope that it will be actively encouraged and utilised by the Scottish Government.

15:58

**Lewis Macdonald (North East Scotland)**  
**(Lab):** Covid-19 has been hugely challenging for all of us, but people in the global south have faced challenge on a different scale. To stay safe, we are reminded to wash our hands more often and for longer. In the global south, there are 3 billion people who have no access to hand washing at home and 900 million pupils who cannot wash their hands while they are at school.

It is right to review Scotland's international development strategy in the light of the global pandemic, but it would be wrong for ministers and civil servants to carry out such an important review in-house, without full public consultation, including formal input from all of the hundreds of civil society organisations in Scotland and other countries that play such an important part in delivering Scotland's international development agenda.

As the minister will know, the existing strategy has commanded cross-party support under successive ministers in successive Governments. I would encourage ministers, before contemplating any reduction in small grants, core funding of NGOs or development education, to reflect on the origins and purpose of Scotland's international development strategy in considering how to adapt it to the era of Covid-19.

As the minister said, the origins of both the international development fund and the formal partnership between Scotland's devolved Government and the Government of Malawi go back to 2005. They were conceived not as competing with or replacing the much higher levels of development assistance that the Department for International Development provided on behalf of the whole of the UK, but as adding value on the basis of Scotland's established strengths. The most important of those strengths has been not the work of Government then or since, or the work

of any party in any Parliament, but the network of mutually supportive connections between civil society in Scotland and civil society in developing countries, starting with Malawi.

Thousands of Scottish people, in hundreds of communities, churches and NGOs, have worked in partnership with counterparts in developing countries—not only the partner countries that have been mentioned, but other countries, too—for years. They did that long before devolution and have continued to do it, working together in a wide variety of ways.

Scottish civil society has matched support for development projects in the global south with support for development education at home, promoting global citizenship among not just countries and institutions, but individuals and communities. Many of those civil society individuals and organisations are members of this Parliament's cross-party group on international development, which I convene, and other cross-party groups that members have mentioned. Many of them would be deeply concerned about any shift away from Scottish Government support delivered to partner countries through Scottish NGOs. That support helps those organisations and individuals to work in the world's poorest countries, and develop projects that go directly to those who need them most. Even now, many are taking forward projects to respond to the impact of Covid-19. I look forward to the possibility that the minister will be able to attend our cross-party group, so that it can hear directly from her about how she perceives the review going forward.

It is important to say that 16 years ago, Scotland's devolved Government did not conjure an international development programme out of thin air. It brought together what was already there—the different areas of activity of Scottish civil society and the different strands of Government funding of development NGOs and development education centres—and gave it the structure and support that Government was best placed to provide.

Significantly, that was all happening just as a reinvigorated DFID was taking development assistance to a new level on behalf of the UK as a whole, and doing so—as you know, Presiding Officer—from a base here in Scotland. That allowed Scottish voices to inform thinking about how to ensure that development aid went to the poorest people in the most disadvantaged places, giving greater weight to relationships between civil society here and civil society in those countries than to formal links between national Governments. Those formal links are important, but if we really want to reach the poorest people, the network of civil society connections helps us to do that.

To review where Covid leaves us and consider how to deploy additional resources would be good and welcome, but to abandon or downgrade the use of civil society as the best route for development assistance would be a grave error. To reduce the support for the promotion of global citizenship among people here in Scotland would also be a mistake. Doing those things would weaken Scotland's reputation where it has always been strongest. Even more important, it would risk closing the lines of communication that best serve the world's poorest people, at a time when they need us to hear their voices more than ever.

16:03

**Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP):** I welcome the opportunity to discuss international development in the Parliament and I declare an interest as an office bearer of the cross-party groups on Malawi and international development.

The Government's review comes at a moment when the Scottish Government, like everyone else of good will, is looking at how best to work towards a better world post pandemic: a world that is fairer than the one that went before, that is more resilient to the diseases that hit the world's poorest hardest, and that recognises the threat that environmental degradation presents to both our long-term and immediate human health.

One of the greatest privileges that I have ever had came during my stint as international development minister, when I had a chance to see the work that the Scottish Government was doing during brief visits that I made to Malawi and Zambia. It was clear to me then that the warmth of Scotland's relationship with both those countries makes for a unique kind of partnership. Friendliness and respect are characteristics of Scotland's relationship with all the countries that we work in. I am sure that others will mention Zambia, Rwanda and Pakistan, but my time is short, so I want to say a little more about one country in particular: Malawi.

Nobody who has been to Malawi can have missed the continuing affection for Scotland that exists there, notwithstanding Scotland's far from blameless role in the British empire, which the minister rightly pointed out. That affection is evidenced in many ways, not least in the fact that, when an independent Malawi quite rightly decolonised its place names, it left one European name, Blantyre, on its map out of the regard that it had for David Livingstone.

Statistics suggest that an amazing 45 per cent of Scots may personally know someone who is directly involved in Scotland's work in or for Malawi, often through partner agencies such as

SCIAF or Mary's Meals. Those people have transformed the lives of hundreds of thousands of children by ensuring that they have the cup of porridge in school each day that often makes the difference between their being able to attend school or not.

I want to make a particular case for the work that the Scotland Malawi Partnership and the Malawi Scotland Partnership, which is its sister body in Malawi, continue to do in promoting a dignified two-way partnership. As others have pointed out, such a partnership does not simply mean one-way charity, with benevolent donors on one side and grateful recipients on the other; it means recognising that Malawians have a great deal to teach Scotland. The partnership has been outspoken, passionate and provocative, and it has challenged both Government and the international development sector when required for the past 15 years. We must cherish that model. I hope that we will see it flourish in the future with continuing Scottish Government support as we seek to build further on those already very strong foundations.

The relationship between Malawi and Scotland was emphasised only last weekend when the President of Malawi, Lazarus Chakwera, addressed the annual general meeting of the Scotland Malawi Partnership. I hope and believe that we will continue to place that relationship at the front and centre of the work that Scotland does in the world.

**The Deputy Presiding Officer:** The last contribution in the open debate is from Edward Mountain.

16:07

**Edward Mountain (Highlands and Islands) (Con):** Thank you, Presiding Officer. You ignored the request for 10 minutes, so I assume that I am not getting that.

**The Deputy Presiding Officer:** You can have a generous four minutes.

**Edward Mountain:** Thank you, Presiding Officer.

I am thankful that we are having this important debate. The world is constantly changing, but perhaps the changes that we face today should focus our actions on finding more speedy resolutions. It is therefore quite right for us to review how Scotland contributes to international development.

New global challenges are constantly emerging, and the spread of Covid-19 threatens not only public health but the destruction of many economies across the world. Developing countries, with their fragile economies and healthcare systems, are without doubt at most

threat from the pandemic. We cannot ignore the increased threat of climate change and environmental degradation. Whether through famines or floods, extreme weather is definitely playing havoc with our harvests, food production and livelihoods. Those things can hold back a country's economic development. As if those global challenges were not enough to deal with, there are also the problems of disease, extreme poverty and the destruction that is caused by armed conflicts across the world.

It would be impossible for Scotland to solve every one of those global challenges on its own, but we certainly have a big role to play. I am proud that, as part of the United Kingdom, we are a pioneer when it comes to global aid. Since 2013, the UK has spent 0.7 per cent of its gross national income on international development, and we will continue to do so because there is a legal commitment to do just that. I agree with that.

The UK is also answering the global challenge of Covid-19 by pledging an additional £774 million in aid. Surely we can all welcome that commitment. Although Scotland's contribution to international aid is smaller, it is no less important to our partner countries, such as Malawi, Rwanda, Zambia and Pakistan.

As many members have already acknowledged, the partnership between Scotland and Malawi is unique and worthy of particular praise. The success of that partnership is rooted in historic and civic connections between the two countries, making progress more enriching and empowering for both. That can be typified by a simple statistic that has already been mentioned by Liam McArthur: for every pound that is invested by the Scottish Government, an additional £200 comes from Scotland's civic society. That adds up to £49 million in support from individuals and local communities across Scotland.

There are many success stories of the Scotland Malawi Partnership and many involve the Highlands and Islands too. I am pleased to see that schools such as Culloden academy, Grantown grammar school, Inverness royal academy, Millburn academy and Lochardil primary school have all developed links with Malawian schools. Those school links help to build the next generation of global citizens and that will further deepen the Scotland Malawi Partnership.

I will pay special tribute to Andrew Walker, a retired police chief inspector from the then Northern Constabulary, who has supported the development of a victim support unit by the Malawi police service. The unit offers refuge, support, guidance and counselling to all victims who appear at the facility. It is really important.

The Scottish Government must always remember, as we all must, the lessons of the Scotland Malawi Partnership and continue to invest in that approach, which serves both countries so well. If that review strengthens what already works, then Scotland will continue to be a pioneer in international development. As part of the United Kingdom, we can make a huge difference, and one that we can be proud of.

**The Deputy Presiding Officer:** We now move to the closing speeches. I call Colin Smyth, for around four minutes.

16:11

**Colin Smyth (South Scotland) (Lab):** Every contributor to the debate has highlighted the undeniable fact that Covid-19 has affected every aspect of our lives. As the minister said in her opening comments, it has changed the world. The underlying structural inequalities that existed long before Covid-19 have not gone away, but the pandemic has brought new challenges and that is reflected in both the Scottish Government's motion and Labour's amendment.

As Scotland's International Development Alliance said in its briefing for the debate, Covid has led to a

"drastic setback to progress on global sustainable development".

Tearfund Scotland noted in its briefing that

"The pandemic has not only made those in poverty more vulnerable and pushed them further into poverty, but has caused others to slide into poverty that were not at risk before."

It is more important than ever that we have an effective approach to international development and Labour is therefore happy to support the Scottish Government's review. However, as Claire Baker and Lewis Macdonald made clear, that appears to be more than a simple refresh of the existing strategy. It is therefore critical that that process is informed by robust and thorough consultation with partner country Governments and civil society, both in Scotland and abroad.

There is genuine concern over the scope of the current consultation proposals. Scotland's International Development Alliance noted in its briefing:

"The discussion events already announced will not allow the full breadth of civil society in Scotland nor in partner countries to engage with this review".

Tearfund Scotland pointed out that

"there is no mention of consulting civil society in focus countries"

in the proposed review. The Scotland Malawi Partnership also highlighted the need for

"a transparent, engaging and accountable approach"

to the review.

Engaging with communities and civil society in the focus countries and in Scotland must therefore be part of our approach to international development. That is why Labour's amendment makes it clear that there should be meaningful consultation with all stakeholders.

As convener of the cross-party group on fair trade and chair of the Dumfries and Galloway fair trade steering group, I see on a daily basis the invaluable work of many of those stakeholders in promoting an important aspect of our contribution to international development: fair trade. I pay tribute to those who made Scotland a fair trade nation, the businesses, the Scottish Fair Trade Forum for its leadership and co-ordination and the volunteers across Scotland, working tirelessly in their local fair trade groups on a daily basis.

I will pay particular tribute to one such volunteer: the late Judith Mylne, who sadly passed away in April. Judith was a real champion for fair trade, whether it was running the Dumfries fair trade stall at the Dunscore fair trade big brew, or when she turned up at my advice surgery to bend my ear that not all the chocolate in the Scottish Parliament shop was fair trade. She never missed an opportunity and her extraordinary commitment to fair trade, from its very beginnings, often going above and beyond to promote its principles, led to her receiving the volunteer of the year award from the Scottish Fair Trade Forum in 2018.

Earlier this year, the Scottish Government reported back on its review of fair trade. That work provides insights that I am sure will help to inform the wider review of international development, because fair trade embodies so many of the principles that should underpin our approach to international development. Just over two years ago, I hosted an event in the Parliament to mark the launch of the international fair trade charter. That charter sets out the principles of fair trade: decent work, inclusive economic growth, gender equity, food security, sustainable livelihoods, ecological balance, thriving communities and people-first trade policies. All those aims align closely with wider social development goals. They should be at the very heart of the Government's vision for international development.

Supporting fair trade is a proven way to advance those key aims and to respond to economic, social and environmental challenges globally. Many organisations have highlighted the need for an approach to international development that, first and foremost, empowers communities in partner countries, by amplifying their voices and supporting their needs. As a producer-led partnership, the fair trade movement fits in very

much with that vision. It has been led by the voice of producers, as they set out the challenges that they face and the opportunities that they seek to take in order to shape the agenda for trade justice internationally. That movement's leadership and partnership with others has led to the growth, reach and impact of fair trade.

The basic principles of fair trade—better prices, decent working conditions, local sustainability and fair terms of trade for farmers and workers in developing countries and across the world—have never been more important than they are now. They must be central to our approach to international development.

16:16

**Peter Chapman (North East Scotland) (Con):**

I welcome the chance to close the debate on behalf of my Conservative Party colleagues. It has been a consensual debate, with support for the review from across the chamber. That is only right and what we should expect.

The Scottish Conservatives recognise the great importance of Scotland being a good global citizen and continually striving to become a better one. The work that the international development fund has achieved has been notable, especially in its contributions to the Climate Justice Fund and its response to humanitarian crises around the world, although particularly in Malawi, Zambia, Rwanda and Pakistan.

Covid-19 presents a new and dangerous threat to the world, and we know that it is likely to persist for some considerable time. Therefore, it is imperative that the goals of the international development programme are reviewed in order that we meet the challenges that are posed by the virus. The review also presents an opportunity for the Scottish Government to ensure that the programme was delivering on its aims before Covid-19; if it was not, to find out why; and to look at how it can continue to achieve those objectives in the new reality that we all face.

The Scottish Conservatives agree that needs-led development is important. Partner countries are best placed to recognise their own needs and lead their own development. However, there is a need to scrutinise the funded projects regularly to ensure that they are having the expected impact and are not—as in some cases with international aid—doing more harm than good. That, of course, will also ensure that funding is going to the right projects.

The funding of programmes that support partner country-led development should ensure that the rest of the proposed draft principles align. The need to recognise the white gaze in international development is important, and listening to local

voices with a needs-led focus should ensure that a diverse range of opinions are heard. At this point, I should say that the term “white gaze” was a new one to me, but I now know and understand what it means, and I agree that it is a powerful phrase.

Covid-19 has shown us all the need for diverse and innovative forms of technology. That technology should rightly be utilised to forward the goals of the international development fund and promote health and wellbeing on an international scale.

In my last couple of minutes, I will reflect on some of what we have heard during the debate.

Alexander Stewart celebrated the fact that Scotland has two Governments and that both must be celebrated for the way that they support international development. We should recognise that the UK is probably the only country to consistently spend 0.7 per cent of its gross domestic product on international development, and that should be celebrated.

Like Claire Baker and Liam McArthur, I listened to the speech of the Malawi President, Lazarus Chakwera, the other day and was impressed by what he had to say about how partnership working is a huge success in his country. He told us that 300,000 people in Malawi are now involved, but his aim is to reach 500,000 people within the next three years.

Liam McArthur highlighted the fact that each £1 that is spent on international aid by Scotland leverages in another £200, so that the £10 million fund is worth so much more.

Ruth Maguire made an excellent, thought-provoking, to-the-point and moving speech, and I congratulate her on that.

Alasdair Allan reminded us that international aid is a two-way process and that Scotland can learn from Malawi just as Malawi can learn from us.

The Scottish Conservatives agree that, in the light of the Covid-19 pandemic, it is important to re-evaluate the goals of the IDF to ensure that it can best tackle the new challenges that the world faces in conjunction with the Covid-19 aims and objectives.

16:21

**Jenny Gilruth:** I thank all members who have contributed this afternoon, my officials and all the organisations that have provided briefings ahead of today's debate. At the start of the debate, Claire Baker referred to the fact that such organisations are working through the pandemic at the moment, and I thank them all for their efforts.

In opening the debate, I highlighted the Scottish Parliament's traditionally strong cross-party



support for international development, and that has been evident again today. I also spoke about our on-going commitment to partnership and collaborative working, and that was a key theme that ran throughout the debate. It was good to hear Alexander Stewart welcoming the £2 million that the Scottish Government has ring fenced for the fight against Covid in our partner countries. We also heard from Lewis Macdonald about the historical links that the Scottish Government has had in international development going back to the time of the Executive.

Alasdair Allan spoke passionately about his experiences of working in Malawi. Unfortunately, I have yet to visit Malawi; it is on my list and I am sure that I will do so as and when we are allowed to travel again.

The purpose of the review is to refresh our international development offer. I am fully cognisant of the strengths in our unique approach in Scotland. Indeed, I spent much of my time during the summer months meeting our partners in country—virtually, of course—and hearing about some of the powerful effects of our work. However, Covid-19 has necessitated a refocusing of our purpose.

There have also been global events that made the review inevitable. I spoke earlier today about the Black Lives Matter movement as a powerful example. Only 3 per cent of UK charity chief executives are from the black, Asian or minority ethnic communities. Black Lives Matter is a global movement that grew up on the streets of America, but it has an undeniable relevance in Scotland. We can translate that global movement for our context, and we should translate what it means to the black Asian and minority ethnic community, given their persistent underrepresentation in the charitable sector across the UK and in Scotland. On that point, I am delighted that Peter Chapman now knows what “white gaze” means.

We should also take cognisance of how Covid-19 has changed the challenges that have always existed to international development. For example, gender inequality has arguably become much more present as a result of the pandemic. Edward Mountain mentioned famine and disease, and Ruth Maguire spoke powerfully about the field of conflict and the work of human rights defenders, which is work that the Scottish Government supports.

In Scotland, international development does not exist inside a policy vacuum. I take on board the point that Lewis Macdonald made when he spoke about the original purpose of international development in Scotland being to complement the work of the UK Government. Of course, the UK Government’s decision to merge the Foreign and Commonwealth Office with the Department for

International Development will impact on the international development sector in Scotland. Liam McArthur mentioned that in his speech. It is deeply regrettable that that merger happened with no consultation with the sector, which is in stark contrast to what I am trying to do with our consultation, which is already under way.

**Lewis Macdonald:** I agree with Liam McArthur that the decision to merge DFID with the FCO causes a good deal of anxiety among people who are involved in the international development field. Does that not make it all the more important that Scotland continues to deliver on the things that are distinctive about the Scottish offer including, above all, the work that we do through civil society in partner countries?

**Jenny Gilruth:** Lewis Macdonald is absolutely right to say that we have a unique contribution to make, but it is not just about civil society in Scotland; it is also about the needs of our partner countries. We have to listen to all the voices in the review. It is not just about one part of the sector dictating to Government, as it were. I have been keen to listen today and we have had a great debate, but we need to be cognisant that it is not just about one individual part of the sector.

Consultation was a key theme that ran through the debate. Liam McArthur, Claire Baker and Lewis Macdonald made salient points on that. I have already had some really useful discussions with the sector, but the principles are draft principles. I am keen to hear the thoughts of members on them but also those of some of the organisations that have contributed through their briefings for the debate.

I am going to think about Claire Baker’s concern about the timeframes and take it away from the debate. However, I want to be open with Parliament, which is why I brought the debate to the chamber. Liam McArthur said that we should not “change for change’s sake”, and he is absolutely correct. I do not want to throw the baby out with the bath water, so to speak. There are lots of powerful and good examples of the work that we do through international development in Scotland, but it is about future proofing our programme so that it is fit for purpose against the backdrop of Covid-19.

I am also keen to balance the views of the sector in Scotland with those of our partner countries, as I mentioned in my response to Lewis Macdonald. I will work with members on that and it is my intention to return to the chamber, given the opportunity, following the review’s conclusion to allow us once again to reach consensus on how we can move forward.

As I mentioned earlier, I will begin a series of round tables next week with our partners in Malawi

to get that vital input from civic society that has been a consistent theme of the debate. Later this month, I will host a series of round tables with the sector in Scotland, which refers specifically to Colin Smyth's points.

I spoke earlier of our on-going commitment to our current international development partner countries—Malawi, Zambia and Rwanda in Africa, where we have our development programmes, and Pakistan, where we have championed girls' and women's access to education through a scholarships programme. It is because of that commitment to our partner countries that I wanted to conduct the review, to ensure that we continue to make the greatest contribution that we can in our partner countries against the shared global challenge of Covid-19.

Claire Baker mentioned policy coherence for sustainable development, which is not just for international development but cuts across all portfolio areas in the Government. I reassure members that the review will consider how we deliver on our commitment to policy coherence, which is how we ensure that we do no harm through our wider Government policies.

We know that smaller countries can achieve some of the greatest development impact overall, even with a small budget. In that regard, I am looking forward to meeting a number of European development ministers to discuss their development policies in order to learn from others about best global practice to the benefit of our relationships with our partner countries.

Last week, as the world reached an ominous milestone—the loss of 1 million lives from the Covid-19 pandemic—UN Secretary-General António Guterres, calling on all nations, said:

“As we remember so many lives lost, let us never forget that our future rests on solidarity—as people united and as united nations”.

We therefore commit, through our draft principles for this review and our future programme, to international solidarity, which is, I think, embraced and embedded in Parliament, too.

Similarly, speaking a few weeks ago at the UN General Assembly in New York, Mr Guterres characterised the pandemic as

“not only a wake-up call”

but

“a dress rehearsal”

for challenges to come. He went on to say:

“The pandemic has taught us that our choices matter. As we look to the future, let us make sure we choose wisely.”

For that reason, we must embrace the wake-up call and make the right and wise choices for the future of Scotland's international development

programme. We do so while always maintaining an approach that is in tune with our values—compassion, solidarity and internationalism.

## Parliamentary Bureau Motion

16:30

**The Deputy Presiding Officer (Linda Fabiani):** The next item of business is consideration of Parliamentary Bureau motion S5M-22960, on committee membership changes.

*Motion moved,*

That the Parliament agrees that

George Adam be appointed to replace Alasdair Allan as a member of the Education and Skills Committee

Alasdair Allan be appointed to replace George Adam as a member of the Finance and Constitution Committee.—  
[Graeme Dey.]

**The Deputy Presiding Officer:** The question on the motion will be put at decision time.

## Decision Time

16:30

**The Deputy Presiding Officer (Linda Fabiani):** There are four questions to be put as a result of today's business. The first question is, that amendment S5M-22949.1, in the name of Alexander Stewart, which seeks to amend motion S5M-22949, in the name of Jenny Gilruth, on Covid-19: review of Scottish Government's approach to international development, be agreed to.

*Amendment agreed to.*

**The Deputy Presiding Officer:** The second question is, that amendment S5M-22949.2, in the name of Claire Baker, which seeks to amend motion S5M-22949, in the name of Jenny Gilruth, on Covid-19: review of Scottish Government's approach to international development, be agreed to.

*Amendment agreed to.*

**The Deputy Presiding Officer:** The third question is, that motion S5M-22949, in the name of Jenny Gilruth, as amended, on Covid-19: review of Scottish Government's approach to international development, as amended, be agreed to.

*Motion, as amended, agreed to,*

That the Parliament welcomes the renewed commitment of the Scottish Government to make the maximum possible contribution to the wellbeing of its international development partner countries; notes that work is currently underway to review its approach to international development with the intention of completing this by the end of 2020; calls for this review to include meaningful consultation with the Parliament, its partner country governments and charities and other bodies in Scotland and overseas; values the work done by organisations in Scotland to promote international development; recognises the important role of civic society in partner countries to Scotland's approach to international development, and urges the Scottish Government to include them in a consultation to reflect their knowledge and expertise, and agrees that the approach should take full account of the shared global challenge presented by the impact and effects of COVID-19; recognises that the UK Government has pledged £774 million in aid, as at the end of July 2020, to protect millions of people in the developing world from coronavirus, and welcomes the UK Government's statutory commitment to spending 0.7% of gross national income on international aid, which became law in 2015.

**The Deputy Presiding Officer:** The final question is, that motion S5M-22960, in the name of Graeme Dey, on committee membership changes, be agreed to.

*Motion agreed to,*

That the Parliament agrees that

George Adam be appointed to replace Alasdair Allan as a member of the Education and Skills Committee

Alasdair Allan be appointed to replace George Adam as a member of the Finance and Constitution Committee.

**The Deputy Presiding Officer:** That concludes decision time. I ask members to please take care on leaving the chamber, to be careful and to remember to maintain social distancing.

## Miscarriage

**The Deputy Presiding Officer (Christine Grahame):** The final item of business today is a members' business debate on motion S5M-22771, in the name of Shona Robison, on changing miscarriage care. I ask those members who wish to speak in the debate to press their request-to-speak buttons now.

### *Motion debated,*

That the Parliament notes the launch of the campaign, Changing Miscarriage Care, which aims to open a conversation and break down the stigma regarding miscarriage, while campaigning for practical changes to the provision of miscarriage services in Scotland; recognises what it sees as the devastating impact that miscarriage can have on couples, who can often be left feeling unsupported and in search of answers; understands that there are already some very good pregnancy services, and notes the aim to make sure that this is the case everywhere in order to provide timely and dignified care to every pregnant woman across Scotland, including in the Dundee City East constituency.

16:34

**Shona Robison (Dundee City East) (SNP):** I thank my colleagues across the chamber for their support in helping to bring this important, timely and much-needed debate to the Parliament.

For too long, too many women have had to suffer the devastating impact of miscarriage alone and confused, without the opportunity or safe space to talk openly and honestly and to come to terms with its effects on them. If, through today's debate, we as a society can help to find a place to talk about miscarriage, we can be proud of that.

I must thank so many people and organisations for their support and expertise in helping to shape and support the changing miscarriage care campaign. Tommy's is the largest charity funding research into the causes of miscarriage, stillbirth and premature birth. Jane Brewin has led the charity for more than 20 years and has grown it to fund five world-leading pregnancy research centres in the United Kingdom, including Tommy's national centre for miscarriage research and the Tommy's Edinburgh research centre. The charity provides pregnancy information to more than 2 million people each month.

I also thank the Miscarriage Association for the pin badges marking the baby loss awareness campaign. The association works with more than 60 charities, highlighting the issues surrounding baby loss. Each year, baby loss awareness week takes place around now, giving those who are affected by it the opportunity to raise awareness about pregnancy and baby loss and to drive improvements in the bereavement, care and support that are available for those affected. This

year, the week will focus on the isolation that many people experience after baby loss: women, partners, other family members and friends.

Social distancing because of Covid-19 has had a major impact on access to care and support, and it has complicated grief and responses to pregnancy and baby loss. Since the start of the coronavirus pandemic, feelings of isolation have become more widespread, and many people have begun to speak more openly about loneliness.

Now more than ever, we can all come together to let those who have been affected by baby loss know that they are not alone, and that we are all here to support them.

I thank the Scottish Parliament cross-party group on women's health for helping to promote, support and inform the campaign. I also thank *Holyrood* magazine and the *Sunday Post* for their heartfelt interest and their compassionate and sensitive reporting, as well as their influence in bringing the issue to the fore, helping people across the country to discuss it and helping to remove the stigma surrounding miscarriage.

Finally, I thank Nadia El-Nakla and Humza Yousaf for sharing their story. Nadia, who works for me, has been an inspiration to many people in sharing her heartbreaking story, and she has been a catalyst for me to share my story of miscarriage and to get involved in launching the changing miscarriage care campaign.

All those I have mentioned have been so helpful in raising awareness of the issue and in giving people the safe space that they need in which to discuss their experiences. The response to the campaign has been overwhelming. Since it launched, so many people have got in touch with me directly to share their experiences. Mary, who is now 72, first miscarried 54 years ago and still grieves and cries to this day. Karen miscarried during lockdown, and she had no one with her to support her. Lesley suffers from on-going mental health challenges following her miscarriage.

I have been there, and I can relate to so many of the stories that are being shared by women. I believe that, by opening up about our own experiences, we can create the supportive environment that women need and deserve. Women should never be made to feel like they cannot speak about those experiences, and the recent outrageous treatment on social media of Chrissy Teigen and her husband John Legend, after they shared their story of losing a baby, is another reason why the campaign is so important. We need to remove the stigma and create a culture where women can speak freely, without fear of ridicule.

We know that miscarriage can also have a devastating effect on men. However, for a variety

of reasons, many men find it difficult to get the support that they need. Many men report feeling like they should put their own feelings aside and be there for their partners at a difficult time, or they feel guilty for also having feelings of loss. Much of that stems from the perception that miscarriage, pregnancy and fertility are primarily women's issues, not men's, and we need to change that, too.

We recognise the very good work of the hard-working staff in early pregnancy units, but there is a need for more consistent care across Scotland. The campaign has key aims to improve that, including: the development of care packages tailored to one, two and three-plus miscarriages, which provide an appropriate individualised investigation and management care plan focused on the women's needs; offering progesterone when bleeding in pregnancy, where that is clinically appropriate; improving access to an early pregnancy unit through strategies to facilitate a seven-day service nationally; increasing the capacity for early pregnancy scanning through training and diversification of scan practitioners; and embedding counselling services in early pregnancy units, as is the case with in vitro fertilisation and, importantly, the follow-up after miscarriage.

The campaign will progress all those aims, and I look forward to hearing the response to them from Joe FitzPatrick, the Minister for Public Health, Sport and Wellbeing. Before that, I thank him for attending the launch of the campaign, when he pointed to a great willingness on the part of the Government to take on board the campaign's aims. It felt like we were pushing at an open door.

The support from colleagues from all parties who are here in the chamber and, of course, across Scotland, shows that there is a need, willingness and support to end the stigma around miscarriage. By working together to provide the needed care and support, I think that we can bring that change in Scotland.

**The Deputy Presiding Officer:** I remind members to press their request-to-speak button if they want to speak in the debate.

I can now, therefore, call Emma Harper, to be followed by Brian Whittle.

16:41

**Emma Harper (South Scotland) (SNP):** I thank the Presiding Officer for reminding me to push my button.

I welcome the opportunity to speak in the debate on changing miscarriage care in Scotland. I thank Shona Robison for her contribution and for bringing the debate to the chamber.

I echo Ms Robison's points, and I will touch on some of the key aims that she outlined, so that we can raise awareness of the care that needs to be changed and provided for women experiencing miscarriage.

In preparation for the debate, I read a lot about the experiences of women and couples who have lost a baby. I reflected on the time I worked in California, where my colleagues and I engaged with empathy and sympathy when caring for women who had experienced miscarriage. Those were women who needed a procedural intervention following their miscarriage. That added to the trauma of those who had been preparing for a new life with their new born. The distress, despair and emptiness conveyed meant that, on many occasions, quiet hand-holding, reassuring hugs and just being there often helped.

Thankfully, the care available in Scotland is a bit better. However, we have issues that need to be addressed and progressed. A miscarriage can have profound emotional impacts not only on the woman, but on her partner, friends and family. Although there are specific national health service processes, including support groups and bereavement care, additional assistance, which can also be of benefit, can be provided.

The charity SiMBA was formed in 2007. It operates across Scotland, including in Dumfries and Galloway and has been carrying out exceptional work to support families who experience baby loss. The organisation helps bereaved parents by providing memory boxes, support groups, family rooms and trees of tranquillity, with parents able to dedicate a leaf to their lost child. The memory boxes include small knitted teddies, butterfly charms and other items, with room for other memories to be added.

SiMBA has created three different box sizes, depending on the gestation of the loss. I am aware from my case experience how much such boxes can mean to families who have gone through the tragedy of a miscarriage. The boxes, along with events such as the wave of light celebration—the event, which will take place on 15 October, allows families to have a candle-lit display—helps them to remember the loss of their unborn baby and to raise awareness.

Raising awareness addresses the campaign aim for open conversation and breaking down the stigma of miscarriage. In Dumfries and Galloway, a great deal of work has been done to raise awareness of the devastation that a loss can bring. Lauren and Chris Brydson's fundraising means that a tree of tranquillity will be brought to the Crichton campus. Lauren and Chris Brydson formed a baby loss awareness committee. They, along with other committee members, raised more than £27,000 towards bringing a tree of tranquillity

to Dumfries and Galloway. The couple received their first SiMBA memory box after they lost their daughter Taylor. Since then, they have experienced a further four losses, including that of their son Robbie, who lived for just six hours after being born prematurely in March 2019.

The second aim of Shona Robison's campaign is that investigation needs to happen after one loss, rather than three. I think that that is quite right and I support that aim.

There is no date for when the tree will be in place in Dumfries and Galloway, but 90 leaves have already been sent to parents who want to add their memories to the tree once the site has been secured and the tree has been planted. I want to put on record my thanks to Lauren, Chris and all the other community members for their tireless work for the people of Dumfries and Galloway.

I welcome the debate, and I look forward to the aims of Shona Robison's campaign being achieved.

16:45

**Brian Whittle (South Scotland) (Con):** I, too, congratulate Shona Robison on securing time to debate such an important on-going issue. I declare an interest, in that my daughter is a midwife.

I was privileged to join a Zoom call on the topic, which was hosted by Shona Robison and which I thought was an excellent open discussion on the tragedy of miscarriage. She has just reminded me of Nadia El-Nakla's story, which was hard to listen to but important to hear. I thought that Nadia was incredibly brave.

What is so surprising is the number of families who are affected. The reason why it is so surprising is that the subject is not openly discussed. That is why we are having the debate and why it is so important. It gives us an opportunity to shine a light on the subject.

On reading Shona Robison's motion, I thought that it was interesting that she had used the word "stigma" in reference to miscarriage. It is not a word that I would have used in connection with the issue until I heard it in the recent Zoom meeting. I thought that surely there could not be a stigma associated with such an unfortunately common condition. I think that the overwhelming consensus of those who were suffering was that there is a problem of stigma.

I thought about it and I raised the issue—I did so rather tentatively—of the man in the equation, who is likely to be the main support for a woman who has suffered miscarriage. We menfolk may not be best equipped to have that responsibility and may need some help on that. Fortunately, on the call,

my point was taken in the way in which was meant, and I was informed that there are organisations that offer that kind of support to the menfolk as well.

Presiding Officer, you may be surprised to hear that we men are not necessarily the best at accepting that we may need help and then asking for it. After all, we are man, the hairy hunter; and we can therefore show no emotion or weakness. However, although we may not have to go through the physical and emotional trauma that our partners go through in losing a child in miscarriage, we lose a child nonetheless and we also have to watch the suffering of our partners after miscarriage, often feeling useless and awkward in our ability to do something about it. I completely recognise that the woman, in the main, has to deal with the physical and emotional trauma, but the person who is charged with supporting that woman through the devastating effects of miscarriage will almost certainly also be suffering and may need a little help and guidance.

The other people in our discussion should be the care givers, midwives and health visitors who have to inform and care for those women as they go through a miscarriage. Those care givers would like training in giving post-miscarriage guidance and advice. In the main, the barrier to delivering that part of the service is time; there is often just not enough time for them to give the help that they want to give. What is more, given the type of people that those medical professionals are, dealing with couples who go through the tragedy of losing a child, whether in miscarriage or during birth, will always affect them. After all, not to put too fine a point on it, they are in the profession to help bring life into the world.

Most speeches in the debate will quite rightly focus on the woman who has tragically lost a child. However, I highlight that, although the woman is by far the most affected, others are also affected. In doing that, I beg forgiveness from ladies who are in the chamber or watching at home.

I will close by once again thanking Shona Robison for bringing the debate. I hope that it will highlight the issue and lead to a much bigger discussion around the country.

16:49

**Kenneth Gibson (Cunninghame North) (SNP):** I, too, congratulate Shona Robison on securing valuable debating time on this important matter, which is a very personal one to her and to many colleagues.

At least one in five pregnancies ends in miscarriage. Although miscarriages are the most common complication during pregnancy, their true scale is unknown. Last year, more than 4,600

women in Scotland required in-patient treatment for a miscarriage, in a year when there were just over 51,000 live births. However, because many women might not recognise that they have had an early miscarriage, the real figure is likely to be much higher.

My first wife, Linda, lost a baby at 13 weeks, and the doctor could provide no reason or explanation. My second wife, Patricia, lost a baby at eight weeks and another at full term, although the latter was due to undiagnosed pre-eclampsia. My mother, too, suffered two miscarriages. Her sister, my twin sister and my father's three sisters each suffered at least one miscarriage, and none of those five women ever gave birth or enjoyed their own baby to love, cuddle and raise.

Unfortunately, miscarriage remains almost taboo in our society. Women and their partners are simply expected to get on with it. If the issue is mentioned at all, hurtful phrases such as, "It's just one of those things," or, "It's nature's way," are too commonly used and further aggravate the pain of bereaved parents. As a result, countless mothers suffer in silence and do not share the physical and emotional difficulties that they endure as a result of a miscarriage.

Too often, we fail to properly empathise with the profound psychological impact that pregnancy loss can have. In some cases, it leads to mental health problems such as post-traumatic stress disorder, anxiety and depression, or it exacerbates existing problems. As a society, it is our duty to talk about miscarriage and to break down the stigma that still exists. I therefore welcome the motion's aim of breaking the stigma surrounding miscarriage, particularly as the debate coincides with baby loss awareness week.

That event, from 9 to 15 October, gives bereaved parents and their families and friends an opportunity to unite with others across the world to commemorate their babies' lives. The experience of pregnancy loss is unique to each person, so we must ensure that women and their partners are listened to and given the support that they need. Psychological support is of central importance and signposting to counselling services needs to be enhanced to ensure that parents have the information and help that they require.

Recovering from the physical and psychological impact of miscarriage and finding a way through the experience can be a long journey. The profound impact that the pandemic has had is likely to have increased the isolation that many bereaved families face. Grieving for a lost child is difficult, and finding the root cause of a miscarriage is often vital to the healing process, yet currently women are tested to discover why they have had a miscarriage only after suffering pregnancy loss three times in a row.

It is therefore clear that, despite good services, improvements can and must be made. With only half of Scotland's hospitals having specialised early pregnancy units, we need to ensure that every woman has equal access to services and we must provide an individualised care package that is tailored to each woman's specific needs.

Clearly, more research is necessary. Half of early miscarriages are due to curable underlying causes rather than chromosomal abnormalities. I therefore applaud the fantastic work of charities such as Tommy's, which undertakes vital research into pregnancy loss and premature birth. In 2016, Tommy's opened the United Kingdom's first dedicated miscarriage research centre here in Edinburgh. Recent research has found that, among women who had suffered three or more previous miscarriages, a progesterone treatment increased live births by 15 per cent. That could potentially save 700 Scottish babies each year. Caffeine should also be avoided in early pregnancy, as should alcohol, of course.

I commend the launch of the changing miscarriage care campaign. Not only does it aim to raise awareness of an issue that is too often kept quiet, it campaigns for necessary improvements in care, treatment and testing provision across Scotland as well as for funding of vital research into miscarriage, stillbirth and premature birth.

My family greatly feels the loss of so many children who were not born to my twin sister, my second wife and indeed my four aunts. I hope that many other women and their partners in the years ahead do not have to suffer what my family and many other families have suffered over many years.

16:54

**Monica Lennon (Central Scotland) (Lab):** I pay tribute to Shona Robison for bringing the motion to the chamber and for all the work that she has done on the changing miscarriage care campaign. It is difficult to talk about a personal experience, especially one that is surrounded by so much of the taboo and stigma that we have heard colleagues speak about tonight.

I thank Shona Robison for the personal commitment that she has made to the campaign. I was pleased to join the recent virtual parliamentary launch of Shona Robison's campaign. It was great to have the Minister for Public Health, Sport and Wellbeing there and I am pleased to hear that there is an open door, because that means that the campaign can get a good outcome for the women who need it. On Friday, I chaired the cross-party group on women's health. We had come together to discuss this very topic and the CPG decided unanimously

that we would endorse the campaign. We are writing to the minister to let him know that and to ask him some questions. The campaign feels like it is a positive campaign that everyone can support.

I am grateful to the chief executive officer of Tommy's, Jane Brewin, who Shona Robison mentioned. Nadia El-Nakla cannot be in the chamber to talk about this because she is not a member, but I hope that as many members as possible get to hear Nadia's story. It is not about listening to a sob story that we can all sit and cry about, although it is very moving. What is really powerful about Nadia's campaign and contribution is that it is about the changes that we can make, particularly around prevention. What are the advances in medicine and treatment and what differences can they make? I hope that the minister takes that on board.

At the end of last year, there was a debate in Parliament on a motion by James Dornan on easing the burden and pain of miscarriage. In his motion, James Dornan talked about taboo, and I will not repeat all the points of that debate, but I am pleased that we are back again to make sure that the topic is not off the agenda.

When I co-founded the cross-party group on women's health, back in 2017, I was encouraged by Kenny Gibson to do so. I did that out of an awareness that there are so many issues around women's health that remain taboo, which should not be the case in 2020. It is good therefore that we are all here again to make some progress.

Miscarriage remains one of those issues that people struggle to talk about. Sometimes that is because people do not want to put their foot in it. It is not that they do not care, but they do not know what to say. In Scotland, with around one in four pregnancies ending in miscarriage, stillbirth or premature birth, this is not a niche issue. We all have to be part of the conversation.

The changing miscarriage care campaign sets out clearly what we want the Government to do, what we want health boards to do and, importantly, the improved outcomes that we want to see for women in Scotland. I am, again, happy to give my full support to the campaign.

It is good when people in the public eye speak about their experience, as Chrissie Teigan and John Legend did last week, because it makes it easier for others to do so. People do not have to speak out about their experience, but it can help people to know that they are not alone and that support is available.

Others have also spoken about the role of fathers and partners but, as we touched on in the CPG last week, not every woman who is going through pregnancy, miscarriage or baby loss has a



partner or husband. We have to remember that and make sure that we are inclusive.

I talked briefly about prevention. What Nadia El-Nakla and Shona Robison have said about progesterone needs to be explored, and I look forward to the papers that are coming out in *The Lancet* later in the year. I long for the days when we do not need to have campaigns such as Pregnant Then Screwed, which is trying to end the motherhood penalty. Women face so many barriers right across Scotland and across the world, and I hope that, by having debates such as tonight's, we can become a more progressive society and make things a bit easier for women in future generations.

16:58

**Alison Johnstone (Lothian) (Green):** I also thank Shona Robison for bringing the issue to Parliament today. I will confess that I have forgotten to put on my changing miscarriage care badge, but that in no way diminishes my whole-hearted support for the campaign.

I also attended the cross-party group on women's health last Friday, and I heard the personal and emotional stories of women who have experienced miscarriage. As the motion notes, and as colleagues have discussed, there is still a great deal of stigma surrounding miscarriage, and I think that the fact that we are having this discussion in the chamber this evening is a positive step.

We have previously discussed in the chamber the culture of silence around women's pain and discomfort, which I think clearly impacts women who miscarry. Women are still frequently advised not to announce their pregnancy until it is "safe". They are made to feel as though miscarriages should be hidden, for fear of awkward conversations or, perhaps, less-than-understanding employers. Miscarriage is an intensely personal experience, and it is a woman's choice whether she wishes to disclose it to others—she should never be made to feel that she cannot.

There must also be more awareness of how baby loss impacts the partners of those who are affected. I know that Humza Yousaf has spoken openly of his feelings of helplessness when his wife Nadia El-Nakla miscarried. I commend him for his honesty and bravery in talking publicly about such a painful subject. We need to speak more openly about miscarriage in general, but also about its impact on relationships. Emma Harper spoke of the work of SiMBA, and I, too, would like to thank SiMBA for its excellent work supporting families who have experienced the loss of a baby.

As we have heard, it is important to remember that the level of distress that a woman feels is not linked to how far along her pregnancy was. Everyone experiences miscarriage differently, and it can be a devastating loss whether it occurs at 10 weeks or 20 weeks. We cannot make assumptions based on a woman's age, how many other children she has, how many miscarriages she has had or how far along she was.

Research that was conducted by Imperial College London has revealed that four in 10 women reported symptoms of post-traumatic stress disorder three months after a pregnancy loss. The team behind the study said that the findings suggest that

"women should be routinely screened"

for PTSD,

"and receive specific psychological support".

Although that was a UK study, there is learning in it for Scotland. As a first step, counselling services should be embedded in miscarriage support. As we have heard, at least one in four women will experience a miscarriage in their lifetime. That it is a relatively common occurrence among women has created the perception that some pregnancies are just not meant to be. We need to challenge that.

The charity Tommy's says that half of all early miscarriages are not due to chromosomal abnormalities, but have underlying causes that we can cure. However, under the current system, as colleagues have stressed, women are referred to a consultant only after they have had three miscarriages in a row. Why, if half of all miscarriages are caused by curable underlying causes, are women forced to undergo such a deeply painful and distressing experience three times before they can see a consultant?

Those who miscarry are also more likely to have a pre-term birth or stillbirth, and to have cardiovascular disease and blood-clotting disorders. We should investigate sooner why women are miscarrying, with a view to preventing further miscarriage. Women should receive lifestyle advice after one miscarriage and a referral for basic tests after two, because by that point it is clear that there is an underlying problem.

There must also be tailored support for those women who are more at risk, as well as a commitment to improve pre-conception health. Women must have ready access to information on alcohol consumption, folic acid supplements, smoking cessation, exercise and dietary advice to inform them of the risks and benefits of lifestyle choices and the steps that they can take to protect themselves and their babies. That is essential if we want to improve maternal health.

I appreciate that I am over time, so I will conclude my remarks. I whole-heartedly endorse the motion in Shona Robison's name.

17:03

**Beatrice Wishart (Shetland Islands) (LD):** As others have done this afternoon, I thank Shona Robison for bringing this important debate. I realise that I might repeat what others have already highlighted, but the subject is about loss of life and its devastating impact on women and their partners, so I do not think that it can be repeated too often.

The online launch of the changing miscarriage care campaign was both inspirational and heart breaking. It was inspirational because of the passion among the attendees for changing and improving the care and treatment that are offered to women who experience miscarriage. It was heart breaking because of the experiences that we heard. I, too, want to pay tribute to the women who shared their stories with us.

Those of us who are here today will have friends and family members who have had miscarriages, or we might have experienced it ourselves. It is estimated that about one in four pregnancies end in miscarriage, but the reality is that the true scale in Scotland is unknown. The number of people receiving in-patient treatment for a miscarriage has declined, from 7,546 in 1998 to 4,635 20 years later. However, that incomplete picture hides the number of patients who are treated in the community or solely by their general practitioner.

There are many reasons why a pregnancy ends, and many women miscarry before they even know that they are pregnant. Whether it is a one-off experience or multiple miscarriages, the impact can be devastating and can last a lifetime. Some women carry around a feeling of guilt that their miscarriage may have been caused by something that they unintentionally did, even though health professionals will have tried to reassure them that that was not the case. The what ifs and the guilt do not always disappear with the passage of time.

What can we do to make things better? Speaking about miscarriage and raising awareness is a start. It has taken a long time for society to be able to speak without any discomfort about how a woman's body works, and with no embarrassment when periods, sanitary products, childbirth or menopause are discussed. It is past time to remove any stigma that is associated with miscarriage and to raise awareness of the emotional and physical toll that it can take on the lives of women and their partners.

At the campaign launch, we heard about some examples of good practice. Our aim should be to ensure that there is equity, with quality treatment

and care across Scotland—and not only physical care; other members of my party have repeatedly called for better perinatal mental health care. Many women who experience the joy of bringing home a new baby can experience poor mental health during pregnancy and afterwards, and we are now much more aware of the impact that that can have on all the family. It beggars belief, therefore, that someone who has just experienced the devastation of the unexpected end of a pregnancy could be sent home with a leaflet and no offer of counselling or even follow-up calls. We should, and we can, do much better than that. That is why I whole-heartedly support the motion and the changing miscarriage care campaign.

**The Deputy Presiding Officer:** Given the number of members who are still waiting to speak in the debate, I am minded to accept a motion without notice, under rule 8.14.3, to extend the debate by up to 30 minutes.

*Motion moved,*

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

*Motion agreed to.*

17:07

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** I thank Shona Robison for bringing the debate to the chamber and for her commitment to making improvements in this area.

This is the second time that I have spoken in a debate on this issue. I spoke in James Dornan's members' business debate, which Monica Lennon mentioned, last year—I cannot remember exactly when it was—and I apologise in advance to the official reporters if some of my speech is the same.

There is a real taboo around miscarriage. If members do not mind, I will share my personal experiences. I can clearly remember the most recent time that it happened to my partner and me. It was during my 2016 election campaign, so I clearly remember the two things running together. It was one of those things that happened that we did not tell anybody about. We just had to get on with it, because we did not want it to have an impact on the campaign or anything like that. I will come back to the thinking around that, because I do not now think that it was right.

Unlike other people who have been in that position, I had what I suppose could be called the honour of being able to say something when I was successfully elected. In my acceptance speech, I made a reference to what had happened, but it was very obscure. Thinking about what others have said in the debate and what I have learned in the four and a bit years since then, I wonder why

that was the case. Why did I make that reference so obscure?

Family and friends came up to me afterwards and were hugging me and shaking hands and all the rest of it—that was well before the days of social distancing—and loads of them said, “What did that bit of your speech mean? What were you referring to ‘stars’ for?” I said that it was just something that I wanted to make reference to. In the period after that, I started to be a bit more open about what had happened, but it struck me that that was what I did at first. We hear people talk about the subject being taboo—back then, I was not able even to address it as an issue.

As I have raised the issue in the chamber, much of this is already in the *Official Report*. However, on that occasion, I did not say that it was the second time that it had happened to us. It is almost a process of opening up: even when I spoke about it in Parliament, I was not ready to talk about the first time that it had happened. If I, as an MSP with the opportunity to speak in Parliament, felt that way, we can easily see how it is a taboo subject.

The more that I have spoken about it to people, the more that friends and family have spoken about it. Four or five years ago, I thought that it was a fairly uncommon occurrence; I am now convinced that, directly or indirectly, it affects almost every person in Scotland. However, as everyone in the chamber appreciates, some people do not want to talk about it, and we need to respect that as well. I have come across people who want to be open about it and hear debates in the chamber, and I have also come across folk who want it never to be mentioned again, so we need to think about that.

Presiding Officer, I see that I have used most of my time, but I will briefly mention the fantastic charity, Baby Loss Retreat. The charity, which started in Coatbridge, first approached me not long after I got elected. I have been supporting it since then, and it has been supporting me. It is a fantastic organisation. The work that it does with my constituents and with people across Scotland is amazing. The specific purpose of the charity, which is run by Bryan and Julie Morrison, is to offer a break to couples who have experienced a miscarriage or child bereavement. The Morrisons believe that there is a gap in services. Some of the feedback that we have had from people who have used the charity’s service has been amazing.

The charity also does a lot of important work around burials and the registration of deaths that come before 24 weeks, and it is joining the campaign this week. The charity is working on something—I will not give anything away, but if anyone is passing through Coatbridge on the M8

and looks up at one of the wee bridges, they might get a surprise.

Brian Whittle spoke about men and baby loss. Bryan Morrison gives really important speeches and presentations on that issue, and also speaks to men’s groups. The Morrisons are doing important work. I would love to go on talking about them; I spoke to Julie today. I take this opportunity to apologise to both of them for not spending more of my four minutes—now five—speaking about them, but I am sure that I will get the opportunity to do so again.

Again, I thank Shona Robison for her work in this area; I am fully behind her campaign. She is a champion in the Parliament and Bryan and Julie Morrison are champions in the community, and we need more people like them.

**The Deputy Presiding Officer:** Mr MacGregor, I have no intention of interrupting any speeches on such a sensitive and important topic. I should have said this earlier, but you might have gone on for 10 minutes.

17:13

**Mark Griffin (Central Scotland) (Lab):** Like everyone else, I thank Shona Robison for bringing the subject to the chamber today. When we go through tough times, we look to others who have had similar experiences and, for that reason if nothing else, it is important that we talk about miscarriage in the Parliament today.

Too often, we are guilty of projecting an image of a picture-postcard perfect life, especially now, in a society that is dominated by social media. I am also guilty of that: with a newborn baby at home, my social media timeline is full of happy, smiling pictures and, to the outside world, it looks as if my wife and I have had three happy, healthy children with no issues at all. Although we have three beautiful, healthy children, for whom we are thankful beyond words, my wife has been pregnant seven times.

Stephanie miscarried early in her first pregnancy—a common story that, full of the joys and anticipation of becoming first-time parents, we were completely unaware of. Stephanie started bleeding and cramping and phoned her midwife for advice. There was no way to arrange a short-notice scan, so we went to accident and emergency, and she was given painkillers and told to come back if things got worse. We got an early scan the following week. Looking back, I can see that that confirmed what everybody else seemed to know but would not say out loud: that she had already miscarried. At the scan we were told, pretty bluntly, “There’s nothing there,” and just sent on our way. It was only then that we realised how many family members had miscarried too. A

strange wall of silence exists. We were encouraged not to tell anyone, not to talk about it.

Eighteen months after that, Stephanie had another, much later, miscarriage, but because she had not had three successive miscarriages, there was no follow-up with medical professionals to get answers or get to the bottom of any potential issues. Stephanie fell pregnant a third time, and the consultant suggested taking aspirin—but then again, maybe not, as the science was not particularly clear, so it was left for us to decide. “Take aspirin, don’t take aspirin—see how you go.” Our first daughter came from that pregnancy.

Then came another miscarriage, then a very premature baby, then a miscarriage, and then our son was born, five weeks ago.

All those miscarriages were devastating in themselves. The physical pain that Stephanie went through, the grief, the loss, the guilt, the trauma, the helplessness, the anguish—I cannot express it adequately. I nodded to every word, crying silently at the story Nadia and Humza bravely told recently.

The effect is not restricted to that trauma. Happy baby news from other friends and families leaves you overwhelmed by sadness for what might have been. Then there is the guilt that you feel for feeling sad about other people’s happy news.

There is the impact on every other pregnancy—the feeling that you cannot be helped, you cannot be happy and you cannot be hopeful. There is no point in painting a baby’s room or buying a buggy, baby clothes or a car seat, because there is just so much fear and stress about losing another baby. There is the constant counting of weeks. Eight weeks in, everything is going okay. Nine weeks, 10 weeks, 11 weeks—it goes on and on and on. It is not just one pregnancy that goes with a miscarriage. In your head, you lose every one of them.

I hope that the campaign that is being led by Shona Robison will break down some of the stigma out there. It will send a message to people that they are not alone and lead to much-needed improvement in medical services around pregnancy and miscarriage, and I will do everything that I can to support the campaign in any way.

17:18

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** I thank Shona Robison for securing the debate and for trying to, as the motion says,

“open a conversation and break down the stigma regarding miscarriage”.

That is why I wanted to speak in the debate. I want to be part of that conversation.

Janet and I have had four miscarriages over the years. We are absolutely blessed with Cameron in our lives—our four-year-old son is an absolute joy. Others go through the pain and heartache of recurrent miscarriage and have not been as lucky as we are, so I almost feel guilty speaking in the debate, having had that blessing. I would never forget that.

I have never spoken about our miscarriages before. I thought recently about why that was the case. I suppose that, although miscarriage impacts both Janet and me, it is my wife who had to go through the physical and emotional pain and anguish of pregnancy loss. I will never know what that feels like. Like too many, I just block things out and carry on. I do not suggest that that is either healthy or desirable, but it is an honest reflection on what I have done over the years.

Ahead of today’s debate, I chatted with Janet about our miscarriages. Janet said to me that the due dates for our first and fourth babies, although they miscarried, were both around Christmas day, and reminded me that our oldest child would have been eight years old if they had survived through pregnancy. That really made me think. I can only imagine the emotions and feelings that mums who experience miscarriage must have when due-date anniversaries arrive each year.

I want to say a little about our experience. We have been for scans in early pregnancy—scans where you think that you see your baby’s heartbeat but it is maybe not as clear or strong as it should be at that stage. You go back in a week or so, and it is obvious that your baby—your pregnancy—is not going to make it. You feel numb and helpless: numb, because it feels as if it is not real, although it is real, and you are not sure how you are supposed to feel as a partner; and helpless, because there is nothing that you can do to make things better or to help your partner. There are no words that cut it.

The changing miscarriage care campaign is asking for practical change to the provision of miscarriage services in Scotland. I welcome Shona Robison’s leadership on that and in sparking the discussions. I would like to share another personal experience. Early pregnancy services in hospitals are often near or co-located with maternity units. I understand why that is, and of course it makes sense. However, it is pretty tough if you are waiting to find out the worst regarding your early pregnancy, and all too often having that confirmed, to then see the happiness and joy that the birth of a new baby brings to a family at the exact moment that you get your devastating news. You have to watch others arrive to visit new mums and babies, perhaps bringing

big brothers and sisters along to share in the joy that a new baby brings. That is as it should be, but it has an impact on you and your family. It compounds the grief and the heartache—there is never jealousy or envy, but there is grief and heartache nevertheless.

That makes me think about how we ensure that there is sufficient emotional and wellbeing support for mums who lose babies in pregnancy loss. It is about how we help and nurture mental health. I have to be honest and say that I cannot recall whether we were offered counselling, or any support, at the point when we were informed of our pregnancy loss or when Janet miscarried. Quite frankly, it is all a blur, but I am pretty sure that there was no follow-up support reaching out to us to find out how we were doing. I am not sure what that support should look like, but I just put that out there as something that we did not get.

When there are recurrent miscarriages, you do not get excited about a pregnancy; you are just worried. Mark Griffin mentioned counting the days and just hoping and hoping that you make it. I feel guilty, because I remember in the past saying to others who were recently married, “Is it not about time you started a family?” or, “When are you adding another kid to your family? That would be great.” No one knows the suffering and history of individuals or couples when we make those points. I now shy away from ever saying that, because you never know about someone’s personal life and their history and experience. No one who has a miscarriage is ever lucky. However, we are lucky to have our four-year-old son, and we count our blessings.

I, too, am privileged to take part in the debate. I thank Shona Robison for leading discussions on such an important issue, for creating a space for me and others to share our stories, and for shining a light on how we can improve miscarriage care and do what we can to ensure that women do not have miscarriages in the first place.

17:23

**The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick):** I am grateful to Shona Robison for bringing the motion to the Parliament and giving members the opportunity to hear about her campaign and discuss this important topic. I thank all members for their contributions, but particularly those who talked about their experiences. I know that that will help many others to talk about their loss. As Fulton MacGregor said, it is important to recognise that not everyone wants to or is ready to talk about their loss, and that should be respected, too.

Along with many other members, I attended the virtual launch of the campaign last month, when I

heard about the aims of the campaign and listened to interesting presentations from two speakers: Jane Brewin, from the baby loss charity Tommy’s, and Dr Maya Al-Memar, from Imperial College London. Most powerfully, I heard Nadia El-Nakla and Kirsty speak about the loss of their babies.

The campaign could not have come at a better time, as it coincides with a series of four research papers on miscarriage, which I understand will be published shortly by *The Lancet*, as Monica Lennon mentioned.

I am particularly pleased that the debate is taking place so close to baby loss awareness week, which begins on 9 October and runs until 15 October. As Emma Harper outlined, raising awareness is so important. Every year, baby loss awareness week aims to raise awareness of pregnancy and baby loss across the world, and invites everyone to come together, share their experiences, and show their support for those who have experienced the loss of a baby, whether or not they have been directly affected. The Scottish Government buildings at St Andrew’s house and Victoria Quay will be lit up pink and blue for the whole of baby loss awareness week.

As we have heard, miscarriage affects one in five women before the 12th week of pregnancy, and it is estimated that 1 per cent to 2 per cent of second trimester pregnancies miscarry before 24 weeks of gestation. Kenneth Gibson put some figures behind the individual trauma to help us understand the number of parents who suffer loss. Mark Griffin painted a particularly clear and graphic picture that shows that the loss of a baby, no matter the stage of pregnancy, is a significant and traumatic event that affects many women and their families throughout Scotland. I have heard just how devastating that is.

I have also heard about the barriers to support that taboo and stigma present for women and men, as outlined by Shona Robison, Brian Whittle and just about every other speaker in the chamber this evening. We really need to address that stigma. I am clear that it is essential that women and their families who have experienced a miscarriage are provided with the right information, care and support in a way that takes into account their individual circumstances. Where appropriate, that care and support must include further investigation and counselling.

Although health boards should ensure that every effort is made to provide high-quality and sensitive care following a loss, we are aware that care can sometimes be variable, particularly for women who do not present at an early pregnancy unit and for women who present out of hours. We continue to work with partners to consider what more can be done to provide them with more consistent support.

In addition to tailored clinical care, health boards may refer women and their families to an appropriate third sector organisation, such as the Miscarriage Association, Held In Our Hearts, or the organisation that Fulton MacGregor mentioned, which offers counselling and advice to women and their partners following early pregnancy loss.

In recognition of the need for women and their families to receive consistent, high-quality and sensitive bereavement care, the Scottish Government is continuing to fund and support Sands UK to develop national bereavement care pathways for pregnancy and baby loss in Scotland. The pathways provide advice and best practice on bereavement care for five different types of baby loss, including miscarriage, and will improve the quality of, and reduce the inequality in, bereavement care that is provided to parents and families who suffer a loss, building on the good practice that is already in place across health boards.

In developing the pathways, Sands UK has worked collaboratively with other baby loss charities, including the Miscarriage Association, Bliss, Antenatal Results and Choices, Held In Our Hearts and many others; the royal colleges, including the Royal College of Midwives; the Scottish Early Pregnancy Network; bereaved parents; and many professionals in health boards.

Five health boards—NHS Ayrshire and Arran, NHS Fife, NHS Dumfries and Galloway, NHS Grampian and NHS Lothian—began working with the pathways in March this year as early adopter boards. I am delighted that the Scottish Government will continue to fund further work on the pathways, expertly led by Sands UK, for at least the next 18 months. I thank Sands UK and all the partners that are involved in this groundbreaking, much-needed and valuable work to ensure that bereaved parents get the bereavement care and support that they need.

We have also set up a working group, which is chaired jointly by the Royal College of Midwives and the Royal College of Obstetricians and Gynaecologists, to consider the possibility of providing a non-statutory, voluntary certificate for loss occurring before the 24th week of pregnancy, which is an issue that many parents have said is important to them. That work had been progressing well, but it was paused due to Covid-19. We look forward to it continuing.

We recognise the significant and long-standing contribution of the Scottish Early Pregnancy Network, which was set up in 2003 by a group of professionals working in early pregnancy. Its members regularly contribute to national audits, Government consultations and the development of high-quality patient information leaflets. The

network provides expert input to the production of the miscarriage, ectopic and molar pregnancy national bereavement care pathway and the working group that is developing a certificate for baby loss occurring prior to 24 weeks.

Beatrice Wishart talked about perinatal mental health. We all know that mental health during pregnancy and after birth is hugely important. That is why the Scottish Government has committed £50 million over the next four years to improve mental health services for women and their families during that period. Miscarriage, pregnancy complications and loss can be devastating for families, as Shona Robison outlined, and there can be many additional challenges around mental health following those traumatic experiences. It is key that women and men who experience loss and trauma receive the right mental health support, if needed, and that the support is on-going and available during future pregnancies.

As part of the £50 million investment, the perinatal and infant mental health programme board was established to oversee implementation and improvement of services. That includes psychological support for families using maternity and neonatal services.

Once again, I thank Shona Robison for bringing this important debate to the chamber. As I said, it could not have come at a better time, as it coincides with baby loss awareness week, which runs from 9 October, and the series of four research papers on miscarriage that are soon to be published by *The Lancet*. I will consider the contents of the research papers, and any recommendations that are made, alongside the aims of the important campaign that we have been hearing about today.

I thank all members who have participated in the debate. I have listened carefully to what they have said, particularly to those who were brave enough to talk about their personal experiences. I look forward to receiving the letter from, and the thoughts of, the cross-party group. I hope that I have reassured the Parliament that the Scottish Government and I are firmly committed to providing the right support at the right time to women and their families who have sadly experienced a loss. I look forward to reading and considering the research papers from *The Lancet* when they are published, and to continuing to work with Shona Robison, the cross-party group and others on the important campaign.

**The Deputy Presiding Officer:** That concludes the debate. I thank all members for their contributions, which were extremely interesting.

*Meeting closed at 17:32.*

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

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